

Gregory Scott Hermanski, # 69140

n.n.c.c., P.O. Box 7000

Carson City, NV 89702

5b  
FILED

JUN 24 2011

Electronically Filed  
Jun 28 2011 04:32 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

District Court  
Clark County, Nevada

The State of Nevada,  
                                plaintiff,

Case no. C167783X

Dept. no. VI

-vs-

Notice of Appeal

Gregory Scott Hermanski,  
                                defendant.

Notice is hereby given that defendant, Gregory Scott Hermanski, in and through his proper person, appeals to the Supreme Court of Nevada from the Order denying his "Motion to Correct an Illegal Sentence or, in the alternative, Motion For Modification of Sentence" entered in the above styled cause on May 20, 2011.

Respectfully Submitted,  
executed this 16 day of June, 2011. Gregory S. Hermanski

Gregory Scott Hermanski  
(defendant, pro se).

00C167783  
NOASC  
Notice of Appeal (criminal)  
1488962



RECEIVED  
JUN 24 2011  
CLERK OF THE COURT

Certificate of Service

I, Gregory Scott Hermanski, do hereby certify pursuant to N.R.C.P. 5 (b), that on this 16 day of June, 2011, I served the foregoing "Notice of Appeal" by depositing a true and correct copy of same, in a sealed envelope, first class postage fully prepaid, in the Northern Nevada Correctional Center legal library, and addressed to:

Office of the District Attorney  
200 Lewis Ave.  
P.O. Box 552212  
Las Vegas, NV 89155-2212

and that there is a regular line of communication between the place of mailing and the recipient address.

Signed this 16 day of June, 2011. -- Gregory S. Hermanski  
Gregory Scott Hermanski  
defendant, pro se

Gregory Scott Hermanski, # 69140  
M.M.C., P.O. Box 7000  
Carson City, NV 89102

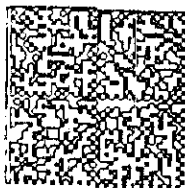
LEGAL MAIL

CONFIDENTIAL

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Clerk of Court  
200 Lewis Ave, Third Floor  
Las Vegas, NV 89155-1160

FIRST CLASS



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JUN 28 2011

*Allen L. Blum*  
CLERK OF COURT

1 ASTA

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3  
4 **DISTRICT COURT**  
5 **CLARK COUNTY, NEVADA**  
6

7 STATE OF NEVADA, )

8 Plaintiff(s), )

9 vs. )

10 GREGORY SCOTT HERMANSKI aka )

11 Robert James Day, )

12 Defendant(s), )  
13

) Case No: C167783

) Dept No: IV  
14

15 **CASE APPEAL STATEMENT**

16 1. Appellant(s): Gregory Scott Hermanski aka Robert James Day

17 2. Judge: Elissa Cadish

18 3. Appellant(s): Gregory Scott Hermanski aka Robert James Day

19 Counsel:

20 Gregory Hermanski #69140

21 P.O. Box 7000

22 Carson City, NV 89702

23 4. Respondent: The State of Nevada

24 Counsel:

25 David Roger, District Attorney

26 200 Lewis Ave.

27 Las Vegas, NV 89101

28 (702) 671-2700

5. Respondent's Attorney Licensed in Nevada: Yes

6. Appellant Represented by Appointed Counsel In District Court: Yes

1  
2 7. Appellant Represented by Appointed Counsel On Appeal: N/A

3 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

4 9. Date Commenced in District Court: June 8, 2000

5 10. Brief Description of the Nature of the Action: Criminal

6 Type of Judgment or Order Being Appealed: Misc. Order

7 11. Previous Appeal: Yes

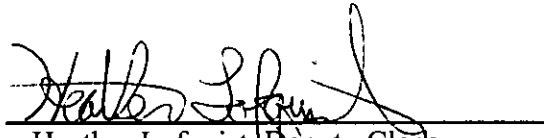
8 Supreme Court Docket Number(s): 38028, 41405, 47011, 47963, 55718

9 12. Child Custody or Visitation: N/A

10  
11 Dated This 28 day of June 2011.

12 Steven D. Grierson, Clerk of the Court

13  
14 By:

15   
16 Heather Lofquist, Deputy Clerk  
17 200 Lewis Ave  
18 PO Box 551601  
19 Las Vegas, Nevada 89155-1601  
20 (702) 671-0512  
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DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

**The State of Nevada vs Gregory S Hermanski**

§  
§  
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§  
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§  
§

Location: **Department 6**  
Judicial Officer: **Cadish, Elissa F.**  
Filed on: **06/08/2000**  
Case Number History:  
Conversion Case Number: **C167783**  
Defendant's Scope ID #: **1679345**  
Lower Court Case Number: **00F06978**  
Supreme Court No.: **55718**

**CASE INFORMATION**

Offense	Deg	Date	Case Type: <b>Felony/Gross Misdemeanor</b>
1. ROBBERY WITH A DEADLY WEAPON	F	01/01/1900	Case Flags: <b>Bail Set</b>
2. BURGLARY. WITH A DEADLY WEAPON	F	01/01/1900	<b>Appealed to Supreme Court</b>
3. HABITUAL CRIMINAL	F	01/01/1900	

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number	00C167783
Court	Department 6
Date Assigned	12/10/2010
Judicial Officer	Cadish, Elissa F.

**PARTY INFORMATION**

*Lead Attorneys*

**Defendant**      **Hermanski, Gregory S**

**Pro Se**



**Plaintiff**      **State of Nevada**

**Roger, David J.**  
702-671-2700(W)




**DATE**

**EVENTS & ORDERS OF THE COURT**











**INDEX**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. BURGLARY. WITH A DEADLY WEAPON Not Guilty	
06/08/2000	 Criminal Bindover <i>CRIMINAL BINDOVER Fee \$0.00</i>	<i>00C1677830001.tif pages</i>
06/08/2000	Hearing <i>INITIAL ARRAIGNMENT</i>	<i>00C1677830002.tif pages</i>
06/09/2000	 Information <i>INFORMATION</i>	<i>00C1677830003.tif pages</i>
06/13/2000	<b>Initial Arraignment</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 06/08/2000 Hearing <i>INITIAL ARRAIGNMENT Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**








06/19/2000	 Order <i>ORDER COMMITMENT</i>	00C1677830004.tif pages
06/21/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - CONDITIONAL WAIVER OF PRELIMINARY HEARING HEARING</i>	00C1677830005.tif pages
08/25/2000	 Order <i>ORDER</i>	00C1677830006.tif pages
09/21/2000	Hearing <i>COURT ADMINISTRATIONS' REQUEST FOR STATUS CHECK</i>	00C1677830007.tif pages
09/27/2000	 Order <i>ORDER</i>	00C1677830008.tif pages
10/04/2000	<b>Status Check</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 09/21/2000 Hearing <i>COURT ADMINISTRATIONS' REQUEST FOR STATUS CHECK Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy</i>	
10/04/2000	 Conversion Case Event Type <i>ORDER TO TRANSPORT DEFENDANT</i>	00C1677830009.tif pages
10/04/2000	 Judgment <i>FINDINGS OF COMPETENCY</i>	00C1677830010.tif pages
10/25/2000	<b>Status Check</b> (9:00 AM) <i>COURT ADMINISTRATIONS' REQUEST FOR STATUS CHECK Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy</i>	
11/08/2000	<b>Status Check</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>COURT ADMINISTRATIONS' REQUEST FOR STATUS CHECK Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy</i>	
11/14/2000	<b>Status Check</b> (9:00 AM) <i>COURT ADMINISTRATIONS' REQUEST FOR STATUS CHECK Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
11/15/2000	 Remittitur to the Lower Court <i>JUSTICE COURT REMITTITUR</i>	00C1677830011.tif pages
11/17/2000	 Order <i>ORDER REMAND</i>	00C1677830012.tif pages
12/06/2000	 Criminal Bindover <i>CRIMINAL BINDOVER</i>	00C1677830014.tif pages
12/06/2000	Hearing <i>INITIAL ARRAIGNMENT</i>	00C1677830015.tif pages
12/07/2000	 Information <i>INFORMATION</i>	00C1677830016.tif pages
12/11/2000	<b>Initial Arraignment</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy)	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**













	Events: 12/06/2000 Hearing <i>INITIAL ARRAIGNMENT Relief Clerk: GREER JENNISON Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
01/09/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING</i>	<i>00C1677830019.tif pages</i>
01/23/2001	 Expert Witness List <i>NOTICE OF WITNESSES</i>	<i>00C1677830020.tif pages</i>
02/21/2001	<b>Calendar Call</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>CALENDAR CALL Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
02/21/2001	Hearing <i>STATUS CHECK: FINAL TRIAL ORDER</i>	<i>00C1677830021.tif pages</i>
02/21/2001	 Information <i>AMENDED INFORMATION</i>	<i>00C1677830022.tif pages</i>
02/21/2001	 Request <i>MOTION AND NOTICE OF MOTION TO AMEND INFORMATION</i>	<i>00C1677830023.tif pages</i>
02/21/2001	 Order <i>ORDER TO AMEND INFORMATION</i>	<i>00C1677830024.tif pages</i>
02/21/2001	 Conversion Case Event Type <i>INFORMATION CORRECTED IN OPEN COURT</i>	<i>00C1677830035.tif pages</i>
02/21/2001	 Conversion Case Event Type <i>INFORMATION CORRECTED IN OPEN COURT</i>	<i>00C1677830037.tif pages</i>
02/22/2001	 Motion <i>DEFT'S MOTION TO DISMISS INFORMATION</i>	<i>00C1677830025.tif pages</i>
02/22/2001	 Expert Witness List Filed By: Defendant Hermanski, Gregory S <i>WITNESS LIST</i>	<i>00C1677830028.tif pages</i>
02/23/2001	<b>Status Check</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 02/21/2001 Hearing <i>STATUS CHECK: FINAL TRIAL ORDER Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
02/26/2001	<b>CANCELED Jury Trial</b> (10:30 AM) <i>Vacated</i>	
02/27/2001	 Expert Witness List <i>NOTICE OF WITNESSES</i>	<i>00C1677830029.tif pages</i>
02/28/2001	<b>Calendar Call</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>CALENDAR CALL Court Clerk: DOROTHY KELLY Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
03/05/2001	<b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 02/22/2001 Motion	









DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

	<i>DEFT'S MOTION TO DISMISS INFORMATION Heard By: Kathy Hardcastle</i>	
03/09/2001	 Request Filed by: Defendant Hermanski, Gregory S <i>MOTION TO DISMISS FOR FAILURE TO PRESERVE EVIDENCE</i>	<i>00C1677830034.tif pages</i>
03/12/2001	<b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S MOTION TO DISMISS INFORMATION Heard By: Kathy Hardcastle</i>	
03/12/2001	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS FOR 3/12/01 Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: LIZ GARCIA Heard By: Kathy Hardcastle</i>	
03/12/2001	<b>Jury Trial</b> (10:30 AM) (Judicial Officer: Hardcastle, Kathy) <i>TRIAL BY JURY Heard By: Kathy Hardcastle</i>	
03/12/2001	Motion <i>ALL PENDING MOTIONS FOR 3/12/01</i>	<i>00C1677830030.tif pages</i>
03/13/2001	<b>Jury Trial</b> (10:30 AM) <i>TRIAL BY JURY Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: LIZ GARCIA Heard By: Hardcastle, Kathy</i>	
03/14/2001	<b>Jury Trial</b> (10:30 AM) (Judicial Officer: Hardcastle, Kathy) <i>TRIAL BY JURY Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: LIZ GARCIA Heard By: Hardcastle, Kathy</i>	
03/14/2001	 Jury List <i>CRIMINAL JURY LIST</i>	<i>00C1677830036.tif pages</i>
03/15/2001	<b>Jury Trial</b> (10:30 AM) <i>TRIAL BY JURY Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: LIZ GARCIA Heard By: Kathy Hardcastle</i>	
03/15/2001	Conversion Case Event Type <i>SENTENCING</i>	<i>00C1677830032.tif pages</i>
03/15/2001	 Verdict <i>VERDICT</i>	<i>00C1677830038.tif pages</i>
03/15/2001	 Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>	<i>00C1677830042.tif pages</i>
03/15/2001	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	<i>00C1677830043.tif pages</i>
03/20/2001	 Motion <i>STATE'S MOTION TO AMEND INFORMATION</i>	<i>00C1677830040.tif pages</i>
03/26/2001	<b>Motion to Amend Information</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 03/20/2001 Motion <i>STATE'S MOTION TO AMEND INFORMATION Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
03/26/2001	 Information <i>SECOND AMENDED INFORMATION</i>	<i>00C1677830044.tif pages</i>


DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

03/26/2001	 Order <i>ORDER TO AMEND INFORMATION</i>	00C1677830045.tif pages
05/02/2001	<b>Sentencing</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 03/15/2001 Conversion Case Event Type <i>SENTENCING Court Clerk: DOROTHY KELLY Relief Clerk: KEITH REED/kar Reporter/Recorder: TINA SMITH Heard By: Hardcastle, Kathy</i>	
05/09/2001	<b>Sentencing</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>SENTENCING Relief Clerk: BILLIE JO CRAIG Reporter/Recorder: TINA SMITH Heard By: Kathy Hardcastle</i>	
05/18/2001	 Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>	00C1677830048.tif pages
05/18/2001	Judgment <i>GENETIC TESTING FEE</i>	00C1677830049.tif pages
05/18/2001	Judgment <i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>	00C1677830050.tif pages
05/18/2001	 Conversion Case Event Type <i>JUDGMENT OF CONVICTION CORRECTED IN OPEN COURT</i>	00C1677830085.tif pages
06/08/2001	 Request Filed by: Defendant Hermanski, Gregory S <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT</i>	00C1677830051.tif pages
06/08/2001	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL</i>	00C1677830052.tif pages
06/08/2001	 Statement Filed by: Defendant Hermanski, Gregory S <i>CASE APPEAL STATEMENT</i>	00C1677830053.tif pages
07/02/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT TRIAL BY JURY; VOLUME I - DAY 1</i>	00C1677830054.tif pages
07/02/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DAY 2 - VOL. II</i>	00C1677830055.tif pages
07/02/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF SENTENCING</i>	00C1677830056.tif pages
07/02/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFT'S MOTION TO DISMISS INFORMATION</i>	00C1677830057.tif pages
07/12/2001	 Notice <i>NOTICE OF TRANSCRIPTS (3/12/01 THRU 5/9/ 01) ON SHELVES</i>	00C1677830058.tif pages
09/25/2001	 Order Filed By: Defendant Hermanski, Gregory S <i>ORDER FOR TRANSCRIPT</i>	00C1677830059.tif pages







DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

11/01/2001	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	00C1677830060.tif pages
02/01/2002	Hearing <i>AT THE REQUEST OF THE COURT CLARIFICATN SENTENCE/SUPREME CT VR 2/7</i>	00C1677830062.tif pages
02/06/2002	<b>Request of Court</b> (9:00 AM) (Judicial Officer: Harcastle, Kathy) Events: 02/01/2002 Hearing <i>AT THE REQUEST OF THE COURT CLARIFICATN SENTENCE/SUPREME CT VR 2/7</i> <i>Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Harcastle, Kathy</i>	
02/15/2002	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	00C1677830064.tif pages
02/27/2002	<b>Request of Court</b> (9:00 AM) (Judicial Officer: Harcastle, Kathy) <i>AT THE REQUEST OF THE COURT CLARIFICATN SENTENCE/SUPREME CT VR 2/7</i>	
04/18/2002	Judgment <i>CLERK'S CRTF -AFFIRMED IN PART/REMAND</i>	00C1677830065.tif pages
04/18/2002	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - AFFIRMED IN PART/REMAND</i>	00C1677830066.tif pages
06/21/2002	Hearing <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14</i>	00C1677830068.tif pages
06/26/2002	<b>Request</b> (9:00 AM) (Judicial Officer: Harcastle, Kathy) Events: 06/21/2002 Hearing <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Harcastle, Kathy</i>	
07/19/2002	 Motion <i>DEFT'S MOTION FOR A NEW TRIAL /15</i>	00C1677830069.tif pages
07/19/2002	 Motion <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16</i>	00C1677830070.tif pages
07/19/2002	 Order Filed By: Defendant Hermanski, Gregory S <i>ORDER FOR TRANSCRIPT</i>	00C1677830071.tif pages
07/24/2002	<b>Request</b> (9:00 AM) <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Heard By: Kathy Harcastle</i>	
07/24/2002	<b>Motion for New Trial</b> (9:00 AM) (Judicial Officer: Harcastle, Kathy) Events: 07/19/2002 Motion <i>DEFT'S MOTION FOR A NEW TRIAL /15 Heard By: Kathy Harcastle</i>	
07/24/2002	<b>Motion to Vacate</b> (9:00 AM) (Judicial Officer: Harcastle, Kathy) Events: 07/19/2002 Motion <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16 Heard By: Kathy Harcastle</i>	




DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

07/25/2002	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 07-25-02 Court Clerk: Dorothy Kelly Reporter/Recorder: Debra Van Blaricom Heard By: Kathy Hardcastle</i>	
07/25/2002	Motion <i>ALL PENDING MOTIONS 07-25-02</i>	00C1677830072.tif pages
08/01/2002	Hearing <i>AT THE REQUEST OF THE COURT/TRANSCRIPT OF VOIR DIRE/18</i>	00C1677830073.tif pages
08/14/2002	<b>Request</b> (9:00 AM) <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Heard By: Kathy Hardcastle</i>	
08/14/2002	<b>Motion for New Trial</b> (9:00 AM) <i>DEFT'S MOTION FOR A NEW TRIAL /15 Heard By: Kathy Hardcastle</i>	
08/14/2002	<b>Motion to Vacate</b> (9:00 AM) <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16 Heard By: Kathy Hardcastle</i>	
08/14/2002	<b>Request of Court</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 08/01/2002 Hearing <i>AT THE REQUEST OF THE COURT/TRANSCRIPT OF VOIR DIRE/18 Heard By: Kathy Hardcastle</i>	
08/14/2002	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 08-14-02 Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
08/14/2002	Motion <i>ALL PENDING MOTIONS 08-14-02</i>	00C1677830074.tif pages
08/27/2002	 Statement Filed by: Defendant Hermanski, Gregory S <i>DECLARATION OF DEFENDANT</i>	00C1677830076.tif pages
08/28/2002	<b>Request</b> (9:00 AM) <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Heard By: Kathy Hardcastle</i>	
08/28/2002	<b>Motion for New Trial</b> (9:00 AM) <i>DEFT'S MOTION FOR A NEW TRIAL /15 Heard By: Kathy Hardcastle</i>	
08/28/2002	<b>Motion to Vacate</b> (9:00 AM) <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16 Heard By: Kathy Hardcastle</i>	
08/28/2002	<b>Request of Court</b> (9:00 AM) <i>AT THE REQUEST OF THE COURT/TRANSCRIPT OF VOIR DIRE/18 Heard By: Kathy Hardcastle</i>	
08/28/2002	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK: 08/28/02</i>	
08/28/2002	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 8-28-02 Relief Clerk: Alan Castle Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
08/28/2002	Hearing <i>STATUS CHECK: 08/28/02</i>	00C1677830075.tif pages





DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

08/28/2002	Motion <i>ALL PENDING MOTIONS 8-28-02</i>	00C1677830078.tif pages
08/28/2002	 Motion <i>DEFT'S MOTION TO DISMISS PURSUANT TO HAB ITUAL CRIMINAL STATUTE, NRS 207.010 /23</i>	00C1677830079.tif pages
08/30/2002	 Motion <i>DEFT'S MTN FOR A NEW TRIAL/21</i>	00C1677830077.tif pages
09/09/2002	<b>Motion</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 08/30/2002 Motion <i>DEFT'S MTN FOR A NEW TRIAL/21 Relief Clerk: Denise Husted Reporter/Recorder: Tina Smith Heard By: Hardcastle, Kathy</i>	
09/26/2002	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	00C1677830080.tif pages
10/01/2002	 Request Filed by: Defendant Hermanski, Gregory S <i>MOTION FOR A NEW TRIAL</i>	00C1677830081.tif pages
10/02/2002	<b>Request</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>Motion for New Trial</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S MOTION FOR A NEW TRIAL /15 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>Motion to Vacate</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>Request of Court</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>AT THE REQUEST OF THE COURT/TRANSCRIPT OF VOIR DIRE/18 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>Motion</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S MTN FOR A NEW TRIAL/21 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 08/28/2002 Motion <i>DEFT'S MOTION TO DISMISS PURSUANT TO HABITUAL CRIMINAL STATUTE, NRS 207.010 /23 Heard By: Kathy Hardcastle</i>	
10/02/2002	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 10-02-02 Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
10/02/2002	Motion <i>ALL PENDING MOTIONS 10-02-02</i>	00C1677830082.tif pages
10/02/2002	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL CRIMINAL</i>	00C1677830083.tif pages
10/02/2002	 Opposition	00C1677830084.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

	<i>STATES OPPOSITION TO DEFENDANTS MOTION FOR NEW TRIAL</i>	
12/03/2002	 Motion <i>DEFT'S PRO PER MTN TO DISMISS CNSL/APPOINT CNSL/25</i>	<i>00C1677830086.tif pages</i>
12/03/2002	 Response <i>STATES RESPONSE TO DEFENDANTS MOTION FOR NEW TRIAL</i>	<i>00C1677830087.tif pages</i>
12/04/2002	<b>Request</b> (9:00 AM) <i>DEFT'S REQUEST RESENTENCING PURSUANT TO ORDER OF SUPREME COURT /14 Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>Motion for New Trial</b> (9:00 AM) <i>DEFT'S MOTION FOR A NEW TRIAL /15 Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>Motion to Vacate</b> (9:00 AM) <i>DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL /16 Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>Request of Court</b> (9:00 AM) <i>AT THE REQUEST OF THE COURT/TRANSCRIPT OF VOIR DIRE/18 Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>Motion</b> (9:00 AM) <i>DEFT'S MTN FOR A NEW TRIAL/21 Relief Clerk: Denise Husted Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>DEFT'S MOTION TO DISMISS PURSUANT TO HABITUAL CRIMINAL STATUTE, NRS 207.010 /23 Heard By: Kathy Hardcastle</i>	
12/04/2002	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 12-04-02 Court Clerk: Dorothy Kelly Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
12/04/2002	 Objection Filed By: Defendant Hermanski, Gregory S <i>OBJECTION</i>	<i>00C1677830090.tif pages</i>
12/05/2002	Conversion Case Event Type <i>SENTENCING</i>	<i>00C1677830088.tif pages</i>
12/06/2002	Motion <i>ALL PENDING MOTIONS 12-04-02</i>	<i>00C1677830089.tif pages</i>
12/16/2002	<b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 12/03/2002 Motion <i>DEFT'S PRO PER MTN TO DISMISS CNSL/APPOINT CNSL/25 Relief Clerk: Denise Husted Reporter/Recorder: Tina Smith Heard By: Kathy Hardcastle</i>	
12/16/2002	Hearing <i>CONFIRMATION OF COUNSEL/WOMMER</i>	<i>00C1677830092.tif pages</i>
12/23/2002	<b>Motion for Confirmation of Counsel</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 12/16/2002 Hearing <i>CONFIRMATION OF COUNSEL/WOMMER Relief Clerk: Denise Husted Reporter/Recorder: Tina Smith Heard By: Hardcastle, Kathy</i>	
12/26/2002		<i>00C1677830093.tif pages</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

	 Notice <i>NOTICE OF INTENT TO SEEK PUNISHMENT AS A HABITUAL CRIMINAL</i>	
12/30/2002	 Order Filed By: Defendant Hermanski, Gregory S <i>ORDER APPOINTING COUNSEL</i>	<i>00C1677830094.tif pages</i>
01/22/2003	<b>Sentencing</b> (9:00 AM) Events: 12/05/2002 Conversion Case Event Type <i>SENTENCING</i>	
01/22/2003	<b>Motion for Confirmation of Counsel</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>CONFIRMATION OF COUNSEL/WOMMER Heard By: Kathy Hardcastle</i>	
01/22/2003	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>ALL PENDING MOTIONS 01-22-03 Court Clerk: Dorothy Kelly Heard By: Kathy Hardcastle</i>	
01/22/2003	Motion <i>ALL PENDING MOTIONS 01-22-03</i>	<i>00C1677830095.tif pages</i>
01/22/2003	Conversion Case Event Type <i>SENTENCING</i>	<i>00C1677830096.tif pages</i>
02/11/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	<i>00C1677830097.tif pages</i>
02/26/2003	<b>Sentencing</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 01/22/2003 Conversion Case Event Type <i>SENTENCING Court Clerk: Carole D'Aloia Reporter/Recorder: Carrie Hansen Heard By: Hardcastle, Kathy</i>	
03/26/2003	<b>Sentencing</b> (9:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>SENTENCING Court Clerk: Dorothy Kelly Heard By: Hardcastle, Kathy</i>	
04/01/2003	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	<i>00C1677830098.tif pages</i>
04/30/2003	<b>Sentencing</b> (9:00 AM) <i>SENTENCING Court Clerk: Dorothy Kelly Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle</i>	
04/30/2003	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. ROBBERY WITH A DEADLY WEAPON Guilty	
04/30/2003	<b>Disposition</b> (Judicial Officer: User, Conversion)	
04/30/2003	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. BURGLARY. WITH A DEADLY WEAPON Guilty	
04/30/2003	<b>Disposition</b> (Judicial Officer: User, Conversion)	
04/30/2003	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. HABITUAL CRIMINAL Guilty	
04/30/2003	<b>Sentence</b> (Judicial Officer: User, Conversion)	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

1. ROBBERY WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001: LAKES CROSSING

Converted Disposition:

Sentence# 0002:

Minimum 120 Months to Maximum 300 Months

Placement: NSP

Converted Disposition:

Sentence# 0003: CREDIT FOR TIME SERVED

Minimum 382 Days to Maximum 382 Days

Converted Disposition:

Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS

Amount: \$250.00

Converted Disposition:

Sentence# 0005: ADMINISTRATION FEE

Amount: \$25.00

Converted Disposition:

Sentence# 0006: DEFENDANT RE-SENTENCED

Converted Disposition:

Sentence# 0007: LIFE WITHOUT POSSIBILITY OF PAROLE

Converted Disposition:

Sentence# 0008: DNA FEE/GENETIC MARKERS ANALYSIS

Amount: \$150.00

Converted Disposition:

Sentence# 0009: ADMINISTRATION FEE

Amount: \$25.00

04/30/2003 **Sentence** (Judicial Officer: User, Conversion)

2. BURGLARY. WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0001

and Sentence#: 0001

05/06/2003 Hearing

*DEFT'S REQUEST TO CLARIFY APPOINTMENT OF COUNSEL/31*

*00C1677830099.tif pages*

05/07/2003



Notice of Appeal

Filed By: Defendant Hermanski, Gregory S

*NOTICE OF APPEAL*

*00C1677830102.tif pages*

05/07/2003



Statement

*CASE APPEAL STATEMENT*

*00C1677830103.tif pages*

05/08/2003



Notice of Appeal

Filed By: Defendant Hermanski, Gregory S

*NOTICE OF APPEAL*

*00C1677830104.tif pages*

05/08/2003



Notice of Appeal

Filed By: Defendant Hermanski, Gregory S

*DESIGNATION OF RECORD ON APPEAL*

*00C1677830105.tif pages*

05/08/2003



Statement

*CASE APPEAL STATEMENT*

*00C1677830106.tif pages*

05/12/2003













**Request** (9:00 AM) (Judicial Officer: Hardcastle, Kathy)

Events: 05/06/2003 Hearing







DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**








*DEFT'S REQUEST TO CLARIFY APPOINTMENT OF COUNSEL/31 Relief Clerk: Billie Jo Craig Reporter/Recorder: Carrie Hansen Heard By: Kathy Hardcastle*

05/16/2003	Judgment <i>AMENDED JUDGMENT</i>	<i>00C1677830107.tif pages</i>
05/16/2003	 Judgment <i>AMENDED JUDGMENT OF CONVICTION</i>	<i>00C1677830108.tif pages</i>
05/20/2003	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL</i>	<i>00C1677830109.tif pages</i>
05/20/2003	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>DESIGNATION OF RECORD ON APPEAL</i>	<i>00C1677830110.tif pages</i>
05/20/2003	 Statement <i>CASE APPEAL STATEMENT</i>	<i>00C1677830111.tif pages</i>
05/22/2003	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL</i>	<i>00C1677830112.tif pages</i>
05/30/2003	 Statement <i>CASE APPEAL STATEMENT</i>	<i>00C1677830113.tif pages</i>
02/27/2004	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE SENTENCING</i>	<i>00C1677830114.tif pages</i>
08/02/2004	Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	<i>00C1677830117.tif pages</i>
08/02/2004	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - AFFIRMED</i>	<i>00C1677830118.tif pages</i>
08/26/2004	 Order Filed By: Defendant Hermanski, Gregory S <i>ORDER FOR EXCESS FEES</i>	<i>00C1677830119.tif pages</i>
01/14/2005	 Motion <i>DEFT'S PRO PER MTN TO WITHDRAW AS COUNSEL /32</i>	<i>00C1677830120.tif pages</i>
01/31/2005	<b>Motion to Withdraw as Counsel</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 01/14/2005 Motion <i>DEFT'S PRO PER MTN TO WITHDRAW AS COUNSEL /32 Court Clerk: Alan Castle Reporter/Recorder: Loree Gallegos Heard By: Jennifer Togliatti</i>	
02/08/2005	 Order <i>ORDER GRANTING DEFENDANTS MOTION TO WITHDRAW COUNSEL</i>	<i>00C1677830123.tif pages</i>
07/13/2005	 Petition Filed by: Defendant Hermanski, Gregory S <i>PETITION FOR WRIT OF HABEAS CORPUS</i>	<i>00C1677830124.tif pages</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

07/18/2005	Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS /33</i>	00C1677830126.tif pages
07/18/2005	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	00C1677830127.tif pages
09/20/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION POST CONVICTION</i>	00C1677830128.tif pages
09/21/2005	<b>Petition for Writ of Habeas Corpus</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 07/18/2005 Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS /33 Court Clerk: Alan Castle Reporter/Recorder: Kristen Lunkwitz Heard By: Togliatti, Jennifer</i>	
10/05/2005	 Motion <i>DEFT'S PRO PER MOTION FOR PRISONER TRANSPORTATION ORDER /34</i>	00C1677830129.tif pages
10/05/2005	 Notice Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF MOTION</i>	00C1677830130.tif pages
10/24/2005	<b>Petition for Writ of Habeas Corpus</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS /33</i>	
10/24/2005	<b>Motion</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 10/05/2005 Motion <i>DEFT'S PRO PER MOTION FOR PRISONER TRANSPORTATION ORDER /34 Heard By: Jennifer Togliatti</i>	
10/24/2005	<b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>ALL PENDING MOTIONS 10-24-05 Relief Clerk: Judy McFadden Reporter/Recorder: Kristen Lunkwitz Heard By: Jennifer Togliatti</i>	
10/24/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR PRISONER TRANSPORTATION</i>	00C1677830131.tif pages
10/24/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR PRISONER TRANSPORTATION</i>	00C1677830132.tif pages
10/25/2005	Motion <i>ALL PENDING MOTIONS 10-24-05</i>	00C1677830133.tif pages
10/25/2005	Hearing <i>DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS /36</i>	00C1677830134.tif pages
12/08/2005	 Response <i>STATES SUPPLEMENTAL RESPONSE TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION CORPUS POST CONVICTION</i>	00C1677830135.tif pages
12/21/2005	<b>Decision</b> (9:00 AM) (Judicial Officer: Brennan, James) Events: 10/25/2005 Hearing <i>DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS /36 Court Clerk: Alan Castle Reporter/Recorder: Kristen Lunkwitz Heard By: Brennan, James</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**












12/21/2005	Motion <i>DEFT'S PRO PER MOTION TO RECONSIDER TRANSPORT DEFT FOR ORAL ARGUMENTS /37</i>	00C1677830136.tif pages
01/09/2006	<b>Motion to Reconsider</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 12/21/2005 Motion <i>DEFT'S PRO PER MOTION TO RECONSIDER TRANSPORT DEFT FOR ORAL ARGUMENTS /37 Court Clerk: Cheryl Case Relief Clerk: Cynthia Georgilas/cg Reporter/Recorder: Kristen Lunkwitz Heard By: Jennifer Togliatti</i>	
01/09/2006	Hearing <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS</i>	00C1677830137.tif pages
01/18/2006	<b>Status Check</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 01/09/2006 Hearing <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS Court Clerk: Alan Castle Reporter/Recorder: Kristen Lunkwitz Heard By: Jennifer Togliatti</i>	
01/19/2006	 Order <i>ORDER DENYING DEFENDANTS PRO PER MOTION TO RECONSIDER MOTION FOR PRISONER TRANSPORTATION TRANSPORTATION</i>	00C1677830138.tif pages
01/30/2006	<b>Decision</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS /36 Court Clerk: Alan Castle/ac Relief Clerk: Kathy Streuber Reporter/Recorder: Kristen Lunkwitz Heard By: Togliatti, Jennifer</i>	
02/03/2006	<b>Decision</b> (9:00 AM) <i>DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS /36 Court Clerk: Alan Castle Relief Clerk: Katherine Streuber/ks Reporter/Recorder: Kristen Lunkwitz Heard By: Jennifer Togliatti</i>	
03/03/2006	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	00C1677830139.tif pages
03/06/2006	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	00C1677830140.tif pages
03/16/2006	 Motion <i>PETITIONERS PRO PER MOTION FOR REHEARING ON DECISION ENTERED MARCH 3, 2006/39</i>	00C1677830142.tif pages
03/23/2006	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR RE HEARING</i>	00C1677830143.tif pages
03/27/2006	<b>Motion</b> (9:00 AM) (Judicial Officer: Huffaker, Stephen) Events: 03/16/2006 Motion <i>PETITIONERS PRO PER MOTION FOR REHEARING ON DECISION ENTERED MARCH 3, 2006/39 Relief Clerk: Melissas Swinn Reporter/Recorder: Janice David Heard By: Stephen Huffaker</i>	
03/27/2006	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL</i>	00C1677830144.tif pages
03/28/2006	 Statement <i>CASE APPEAL STATEMENT</i>	00C1677830145.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**









04/11/2006	 Order <i>ORDER DENYING PETITIONERS MOTION FOR REHEARING ON DECISION ENTERED MARCH 3 2006 MARCH 3 2006</i>	00C1677830146.tif pages
07/27/2006	 Judgment <i>SECOND AMENDED JUDGMENT OF CONVICTION</i>	00C1677830151.tif pages
08/10/2006	 Judgment <i>CLRK CERTIFICATE JDGMT AFFRMD/REMANDED</i>	00C1677830152.tif pages
08/11/2006	 Motion <i>DEFT'S PRO PER MTN TO STAY PROCEEDINGS &amp; MTN FOR APPOINTMENT OF COUNSEL /40</i>	00C1677830153.tif pages
08/22/2006	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO STAY PROCEEDINGS AND MOTION FOR APPOINTMENT OF COUNSEL APPOINTMENT OF COUNSEL</i>	00C1677830154.tif pages
08/23/2006	<b>Motion to Stay</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 08/11/2006 Motion <i>DEFT'S PRO PER MTN TO STAY PROCEEDINGS &amp; MTN FOR APPOINTMENT OF COUNSEL /40 Court Clerk: Alan Castle Relief Clerk: Kathy Klein/kk Reporter/Recorder: Kristen Lunkwitz Heard By: Jennifer Togliatti</i>	
08/28/2006	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL</i>	00C1677830155.tif pages
08/28/2006	 Statement <i>CASE APPEAL STATEMENT</i>	00C1677830157.tif pages
08/29/2006	 Order <i>ORDER DENYING DEFENDANTS MOTION TO STAY PROCEEDINGS AND MOTION FOR APPOINTMENT OF COUNSEL OF COUNSEL</i>	00C1677830158.tif pages
11/02/2006	 Judgment <i>CLERK'S CERTIFICATE APPEAL DISMISSED</i>	00C1677830160.tif pages
02/09/2010	 Motion <i>DEFT'S PRO PER MTN TO CORRECT AN ILLEGAL SENTENCE OR IN THE ALT MTN TO MODIFY/41</i>	00C1677830161.tif pages
02/19/2010	 Opposition <i>STATES OPPOSITION TO DEFTS MTN TO CORRECT ILLEGAL SENTENCE OR IN THE ALTERNATIVE MTN FOR MODIFICATION OF SENTENCE ALTERNATIVE MTN FOR MODIFICATION OF SENTENCE</i>	00C1677830163.tif pages
02/22/2010	<b>Motion</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 02/09/2010 Motion <i>DEFT'S PRO PER MTN TO CORRECT AN ILLEGAL SENTENCE OR IN THE ALT MTN TO MODIFY/41 Court Clerk: Alan Paul Castle Reporter/Recorder: Cheryl Carpenter Heard By: Jennifer Togliatti</i>	
03/09/2010	 Order <i>ORDER DENYING DEFTS MTN TO CORRECT ILLEGAL SENTENCE OR IN THE</i>	00C1677830164.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

*ALTERNATIVE MTN FOR MODIFICATION OF SENTENCE MTN FOR  
MODIFICATION OF SENTENCE*

03/25/2010	 Motion <i>DEFT'S PRO PER MTN TO RECONSIDER /42</i>	00C1677830167.tif pages
03/25/2010	 Notice of Appeal Filed By: Defendant Hermanski, Gregory S <i>NOTICE OF APPEAL (SC 55718)</i>	00C1677830168.tif pages
03/27/2010	 Statement <i>CASE APPEAL STATEMENT</i>	00C1677830169.tif pages
04/05/2010	<b>Motion to Reconsider</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Events: 03/25/2010 Motion <i>DEFT'S PRO PER MTN TO RECONSIDER /42 Court Clerk: Alan Paul Castle/ac Relief Clerk: Shelly Landwehr Reporter/Recorder: Yvette Lester Heard By: Jennifer Togliatti</i>	
04/08/2010	 Order <i>ORDER DENYING DEFTS PRO PER MTN TO RECONSIDER</i>	00C1677830171.tif pages
10/11/2010	 NV Supreme Court Clerks Certificate/Judgment - Affirmed	
12/10/2010	Case Reassigned to Department 6 <i>Case reassigned from Judge Togliatti</i>	
04/25/2011	 Motion Filed By: Defendant Hermanski, Gregory S <i>Notice of Motion and Motion to Correct an Illegal Sentence or, in the Alternative, Motion for Modification of Sentence</i>	
05/06/2011	 Opposition to Motion <i>State's Opposition To Defendant's Pro Per Motion To Correct Illegal Sentence Or In The Alternative Motion For Modification Of Sentence</i>	
05/09/2011	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 04/25/2011 Motion <i>Notice of Motion and Motion to Correct an Illegal Sentence or, in the Alternative, Motion for Modification of Sentence</i>	
05/19/2011	 Supplemental Filed by: Defendant Hermanski, Gregory S <i>Supplemental Points and Authorities in Support of Motion to Correct an Illegal Sentence or, in the Alternative, Motion for Modification of Sentence</i>	
05/20/2011	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Correct Illegal Sentence or, In the Alternative, Motion for Modification of Sentence</i>	
05/24/2011	 Motion Filed By: Defendant Hermanski, Gregory S <i>Defendant's Motion for Leave to File Supplemental Points and Authorities in Support of Motion to Correct an Illegal Sentence or in the Alternative Motion for Modification of Sentence</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

05/24/2011	 Motion Filed By: Defendant Hermanski, Gregory S <i>Defendant's Motion for Leave to File Defendant's Response to State's Opposition to Defendant's Pro Per Motion to Correct an Illegal Sentence or in the Alternative Motion for Modification of Sentence</i>
05/24/2011	 Response Filed by: Defendant Hermanski, Gregory S <i>Defendant's Response to State's Opposition to Defendant's Pro Per Motion to Correct an Illegal Sentence or in the Alternative, Motion for Modification of Sentence</i>
06/02/2011	 Opposition <i>State's Opposition To Defendant's Motion For Leave To File Defendant's Response To State's Opposition To Defendant's Pro Per Motion To Correct Illegal Sentence Or In The Alternative Motion For Modification Of Sentence</i>
06/02/2011	 Opposition <i>State's Opposition To Defendant's Motion For Leave To File Supplemental Points And Authorities In Support Of Motion To Correct Illegal Sentence Or In The Alternative Motion For Modification Of Sentence</i>
06/06/2011	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 05/24/2011 Motion <i>Defendant's Motion for Leave to File Supplemental Points and Authorities in Support of Motion to Correct an Illegal Sentence or in the Alternative Motion for Modification of Sentence</i>
06/06/2011	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 05/24/2011 Motion <i>Defendant's Motion for Leave to File Defendant's Response to State's Opposition to Defendant's Pro Per Motion to Correct an Illegal Sentence or in the Alternative Motion for Modification of Sentence</i>
06/06/2011	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
06/16/2011	 Motion Filed By: Defendant Hermanski, Gregory S <i>Notice of Motion/Motion for Extension of Time</i>
06/21/2011	 Motion Filed By: Defendant Hermanski, Gregory S <i>Pro Se Motion for Reconsideration</i>
06/24/2011	 Notice of Appeal (criminal) Party: Defendant Hermanski, Gregory S
06/29/2011	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 06/16/2011 Motion <i>Notice of Motion/Motion for Extension of Time</i>
07/06/2011	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 06/21/2011 Motion <i>Pro Se Motion for Reconsideration</i>

DATE

FINANCIAL INFORMATION

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 00C167783**

**Defendant** Hermanski, Gregory S

Total Charges

275.00

Total Payments and Credits

0.00

**Balance Due as of 6/28/2011**

**275.00**

39  
**ORIGINAL**

**FILED**

MAY 20 10 08 AM '11

*Alan L. Shuman*  
CLERK OF THE COURT

1 **ORDR**

2 DAVID ROGER  
3 Clark County District Attorney  
4 Nevada Bar #002781  
5 DANIEL WESTMEYER  
6 Deputy District Attorney  
7 Nevada Bar #0010273  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

00C167783  
ORDR  
Order Denying  
1429002



10 THE STATE OF NEVADA,  
11 Plaintiff,

12 -VS-

13 GREGORY SCOTT HERMANSKI,  
14 aka, Robert James Day, #1679345

15 Defendant.

Case No. C167783  
Dept No. VI

17 ORDER DENYING DEFENDANT'S PRO PER MOTION TO CORRECT  
18 ILLEGAL SENTENCE OR, IN THE ALTERNATIVE,  
19 MOTION FOR MODIFICATION OF SENTENCE

20 DATE OF HEARING: 05/09/11  
21 TIME OF HEARING: 8:30 A.M.

22 THIS MATTER having come on for hearing before the above entitled Court on the  
23 9th day of May, 2011, the Defendant not being present, IN PROPER PERSON, the Plaintiff  
24 being represented by DAVID ROGER, District Attorney, through DANIEL WESTMEYER,  
25 Deputy District Attorney, and without benefit of argument, COURT stated its findings that  
26 Defendant has made the same arguments previously rejected and affirmed on Appeal, and  
27 good cause appearing therefor,  
28 ///

///

CLERK OF THE COURT

MAY 20 2011

RECEIVED

2



1 COURT ORDERED, Motion DENIED.

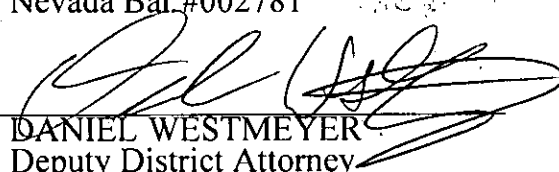
2 DATED this 16<sup>th</sup> day of May, 2011.

*Eileen F. Godek*

3  
4  
5 DISTRICT JUDGE

*T.R.*

6  
7 DAVID ROGER  
8 DISTRICT ATTORNEY  
9 Nevada Bar #002781

10   
11 DANIEL WESTMEYER  
12 Deputy District Attorney  
13 Nevada Bar #0010273  
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pm

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 13, 2000

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

June 13, 2000

9:00 AM

Initial Arraignment

INITIAL  
ARRAIGNMENT  
Relief Clerk: BILLIE  
JO CRAIG  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Hermanski, Gregory S	Defendant
	Moreo, Thomas J.	Attorney
	Public Defender	Attorney
	Roundtree, Stacey	Attorney

**JOURNAL ENTRIES**

- Ms. Roundtree advised there were two incompetent reports and submitted the second report from Dr. Paglini. Pursuant to NRS 178.425, COURT ORDERED, defendant REMANDED to the custody of the Administrator of the Mental Hygiene and Mental Retardation Division for the Department of Human Resources for detention and treatment at a secure facility operated by the Mental Hygiene and Mental Retardation Division.  
L.C.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 04, 2000**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**October 04, 2000****9:00 AM****Status Check****COURT  
ADMINISTRATION  
S' REQUEST FOR  
STATUS CHECK  
Relief Clerk: BILLIE  
JO CRAIG  
Reporter/Recorder:  
TINA SMITH Heard  
By: Hardcastle, Kathy****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Campbell, Cara L.	Attorney
	Khamsi, Bitu	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- FINDINGS (OF COMPETENCY) AND ORDER TO TRANSPORT SIGNED AND FILED IN OPEN COURT. Court noted it received the reports. COURT ORDERED, matter CONTINUED for defendant to be present.  
L.C.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 25, 2000**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**October 25, 2000****9:00 AM****Status Check****COURT  
ADMINISTRATION  
S' REQUEST FOR  
STATUS CHECK  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Hardcastle, Kathy****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Public Defender	Attorney
	Roundtree, Stacey	Attorney
	Villegas, Victoria A.	Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED for deft's presence. Court instructed counsel to call Lakes Crossing.

L.C.

COURT'S ADMINISTRATION'S REQUEST FOR STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 08, 2000**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**November 08, 2000****9:00 AM****Status Check****COURT  
ADMINISTRATION  
S' REQUEST FOR  
STATUS CHECK  
Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Hardcastle, Kathy****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Campbell, Cara L.	Attorney
	DeJulio, Douglas P.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Deft not transported; therefore, COURT ORDERED, matter CONTINUED.  
L.C.

COURT ADMINISTRATION'S REQUEST FOR STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 14, 2000**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**November 14, 2000****9:00 AM****Status Check****COURT  
ADMINISTRATION  
S' REQUEST FOR  
STATUS CHECK  
Relief Clerk: BILLIE  
JO CRAIG  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Campbell, Cara L.	Attorney
	DeJulio, Douglas P.	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Court noted defendant competent. COURT ORDERED, matter REMANDED TO JUSTICE COURT to start over with a Preliminary Hearing on charges.

**CUSTODY**

11/20/00 8:00 AM REMANDED TO JUSTICE COURT, DEPT. 1

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 11, 2000

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

December 11, 2000

9:00 AM

Initial Arraignment

INITIAL

ARRAIGNMENT

Relief Clerk: GREER

JENNISON

Reporter/Recorder:

TINA SMITH Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Dickson, Dianne

Attorney

Hermanski, Gregory S

Defendant

Moreo, Thomas J.

Attorney

Public Defender

Attorney

**JOURNAL ENTRIES**

- DEFENDANT DAY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.  
COURT ORDERED, matter set for trial.

CUSTODY

2/21/01 9:00 AM CALENDAR CALL - DEPT. IV

2/26/01 10:30 AM JURY TRIAL - DEPT. IV

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

February 21, 2001

9:00 AM

Calendar Call

CALENDAR CALL

Court Clerk:

DOROTHY KELLY

Reporter/Recorder:

TINA SMITH Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Campbell, Cara L.

Attorney

Hermanski, Gregory S

Defendant

Khamisi, Bita

Attorney

Public Defender

Attorney

**JOURNAL ENTRIES**

- AMENDED INFORMATION, MOTION TO AMEND INFORMATION FILED IN OPEN COURT. ORDER TO AMEND INFORMATION SIGNED AND FILED IN OPEN COURT. Ms. Khamisi stated Ms. Dickson informed her she is ready to proceed to trial; she requested a start date of next Tuesday or later. Ms. Campbell stated this is Mr. Fattig's case; trial should take two days with four to six witnesses. COURT ORDERED, matter CONTINUED for trial order.

CUSTODY

02-23-01 9:00 A.M. STATUS CHECK: FINAL TRIAL ORDER



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 23, 2001**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**February 23, 2001****9:00 AM****Status Check****STATUS CHECK:  
FINAL TRIAL  
ORDER Court Clerk:  
DOROTHY KELLY  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	DeJulio, Douglas P.	Attorney
	Hehn, William A.	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- State announced ready for trial. Due to Court's schedule (murder trial), COURT ORDERED, trial date VACATED and RESET.

CUSTODY

02-28-01 9:00 A.M. CALENDAR CALL

03-12-01 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 28, 2001

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

February 28, 2001

9:00 AM

Calendar Call

CALENDAR CALL

Court Clerk:

DOROTHY KELLY

Reporter/Recorder:

TINA SMITH Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Dickson, Dianne

Attorney

Hermanski, Gregory S

Defendant

Public Defender

Attorney

Villegas, Victoria A.

Attorney

**JOURNAL ENTRIES**

- Both sides announced ready for a one-and-one-half day trial. COURT ORDERED, Trial Date Stands, Deft's Motion to Dismiss Information to be heard before trial.

CUSTODY

03-12-01 10:30 A.M. TRIAL BY JURY...DEFT'S MOTION TO DISMISS INFORMATION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

March 12, 2001

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS FOR  
3/12/01 Relief Clerk:  
BILLIE JO CRAIG  
Reporter/Recorder:  
LIZ GARCIA Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Fattig, John T	Attorney
	Hehn, William A.	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

**- DEFT'S MOTION TO DISMISS INFORMATION...JURY TRIAL**

Court noted there was no legal basis to dismiss Information. A Supplemental Motion submitted to the Court. COURT ORDERED, Motion to Dismiss for Failure to Preserve Evidence is DENIED.

Upon Court's inquiry, Ms. Dickson advised there were negotiations pending the outcome of this Motion. Mr. Hehn advised there was a Guilty Plea Agreement and a Second Amended Information in the file. Ms. Dickson requested matter trail to talk with defendant. COURT ORDERED, matter to TRAIL. RECALLED. Ms. Dickson requested additional time for defendant to make a decision. COURT ORDERED, matter to TRAIL until 1:30 PM today.

RECALLED. Ms. Dickson advised defendant not arraigned on the Amended Information which included the habitual status. Also, there was a question as to the Amended Information indicating in Count II as Burglary while in Possession of a Firearm in the summary even though it was a knife.

COURT ORDERED, the Amended Information AMENDED BY INTERLINEATION to indicate in the summary BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F). Arguments regarding defendant taking stand and what prior convictions will be used. COURT ORDERED, this Motion and the Supplemental Motion DENIED as there is no legal basis and the Certified JOC of 1984 can be used and others if certified and the State is prepared to present evidence. Ms. Dickson objected. COURT ORDERED, Trial CONTINUED to next day.

CUSTODY

3/13/01 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

March 13, 2001

10:30 AM

Jury Trial

TRIAL BY JURY

Relief Clerk: BILLIE

JO CRAIG

Reporter/Recorder:

LIZ GARCIA Heard

By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Fattig, John T	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- At 11:09 AM, the Jury Panel, counsel and defendant present. At 11:09 AM, Mr. Fattig made his introduction. At 11:10 AM, Ms. Dickson made her introduction. Voir dire oath given at 2:14 PM. Alternate sworn to try the case at 2:16 PM. The Clerk read the Amended Information to the Jury at 2:20 PM. Opening statements by Mr. Fattig. Opening statements by Ms. Dickson. Witnesses sworn and and testified. Exhibits (see Worksheets). COURT ORDERED, EVENING RECESS. OUTSIDE THE PRESENCE OF THE JURY, the Court advised defendant of his right to testify on his own behalf. Defendant stated he understood. Colloquy regarding remaining witnesses and additional certified copies of convictions. At 5:10 PM, Court recessed for the evening.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 14, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

March 14, 2001

10:30 AM

Jury Trial

TRIAL BY JURY

Relief Clerk: BILLIE

JO CRAIG

Reporter/Recorder:

LIZ GARCIA Heard

By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Fattig, John T	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Jury Instructions settled in Open Court. Counsel stipulated to the presence of the Jury at 10:40 AM. Witnesses sworn and testified. (See Worksheets.) Exhibits (see Worksheets). At 11:54 AM, the State rests. COURT ORDERED, NOON RECESS. At 1:32 PM, counsel stipulated to the presence of the Jury. Testimony continues. At 2:13 PM, defense rests. The Court instructed the Jury on the laws which applied to the case. Closing arguments by Mr. Fattig at 2:27 PM. Closing arguments by Ms. Dickson at 3:16 PM. Rebuttal argument by Mr. Fattig at 3:38 PM. Bailiff sworn to take charge of the Jury at 3:49 PM. Bailiff sworn to take charge of the Alternate at 3:49 PM. OUTSIDE THE PRESENCE OF THE JURY, Ms. Dickson objected to the hearsay statements by the trucker as inadmissible hearsay, detective failed to look for defendant's shirt, and offer to truck driver of \$100.00 to take defendant to New Orleans. Court stated its findings. COURT ORDERED, objection OVERRULED. COURT ORDERED, EVENING RECESS.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2001

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

March 15, 2001

10:30 AM

Jury Trial

TRIAL BY JURY

Relief Clerk: BILLIE

JO CRAIG

Reporter/Recorder:

LIZ GARCIA Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Fattig, John T	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- At the hour of 2:08 PM, the Jury returned with a verdict finding Defendant Day GUILTY OF COUNT I - ROBBERY WITH USE OF A DEADLY WEAPON (F) AND COUNT II - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F). The Court thanked and excused the Jurors. The State will file for habitual offender treatment. COURT ORDERED, matter referred to P&P for a PSI and SET for Sentencing.

CUSTODY

5/2/01 9:00 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 26, 2001**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**March 26, 2001****9:00 AM****Motion to Amend  
Information****STATE'S MOTION  
TO AMEND  
INFORMATION  
Relief Clerk: BILLIE  
JO CRAIG  
Reporter/Recorder:  
TINA SMITH Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney
	Villegas, Victoria A.	Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, State's Motion to Amend Information is GRANTED. Ms. Dickson objected.  
ORDER TO AMEND INFORMATION AND SECOND AMENDED INFORMATION SIGNED AND  
FILED IN OPEN COURT.  
CUSTODY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

May 02, 2001

9:00 AM

Sentencing

SENTENCING

Court Clerk:

DOROTHY KELLY

Relief Clerk: KEITH

REED/kar

Reporter/Recorder:

TINA SMITH Heard

By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Dickson, Dianne

Attorney

Fattig, John T

Attorney

Hermanski, Gregory S

Defendant

Public Defender

Attorney

**JOURNAL ENTRIES**

- Joy Mundy-Neal of Parole and Probation present. Court noted the Defendant refused to be interviewed for the Pre-Sentence Investigation Report (PSI). Ms. Dickson stated P & P requested the Deft. not make a statement due to his contention he is not guilty of the charges. DEFENDANT DAY ADJUDGED GUILTY of of COUNT I, ROBBERY WITH USE OF A DEADLY WEAPON (F) and COUNT II, BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F). COURT ORDERED, matter CONTINUED to review a certified copy of the Judgment of Conviction. CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 09, 2001

00C167783

The State of Nevada vs Gregory S Hermanski

May 09, 2001

9:00 AM

Sentencing

SENTENCING

Relief Clerk: BILLIE

JO CRAIG

Reporter/Recorder:

TINA SMITH Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Fattig, John T	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Brenda Lewis of the Dept. of P & P present. Ms. Dickson inquired if the Court received the Supplemental PSI. Arguments by counsel regarding habitual treatment. COURT ADJUDGED DEFENDANT DAY GUILTY OF COUNT I - ROBBERY WITH USE OF A DEADLY WEAPON (F) AND CT. II - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F). Parties argued and submitted. Exhibits (see worksheet). COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee and \$250.00 DNA Analysis Fee and defendant to submit to a blood and/or saliva test to determine genetic markers or secretor status, Defendant ADJUDGED an HABITUAL OFFENDER. Defendant SENTENCED to a MAXIMUM of THREE HUNDRED (300) MONTHS and a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Prisons, with THREE HUNDRED EIGHT-TWO (382) DAYS Credit For Time Served. RECALLED LATER. Mr. Fattig request defendant be sentenced in CT. II. The Court advised when a defendant is adjudged an habitual offender, sentence applies to both counts.

NDP

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2002

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

February 06, 2002

9:00 AM

Request of Court

AT THE REQUEST  
OF THE COURT  
CLARIFICATN  
SENTENCE/SUPRE  
ME CT VR 2/7 Court  
Clerk: Dorothy Kelly  
Reporter/Recorder:  
Tina Smith Heard  
By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Noxon, Arthur G.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Ms. Dickson stated the Deft. has not been transported. She further stated there is a motion for reconsideration in the Supreme Court. Court stated it has a remittitur. COURT ORDERED, matter CONTINUED; a Writ has to be prepared to have Deft. transported.

NDC

AT REQUEST OF COURT: CLARIFICATION OF SENTENCE PER SUPREME COURT ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 26, 2002**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**June 26, 2002****9:00 AM****Request****DEFT'S REQUEST  
RESENTENCING  
PURSUANT TO  
ORDER OF  
SUPREME COURT  
/14 Court Clerk:  
Dorothy Kelly  
Reporter/Recorder:  
Tina Smith Heard  
By: Hardcastle, Kathy****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Noxon, Arthur G.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Court stated an Order to Transport Deft. has to be prepared. State advised it will prepare the Order.  
COURT ORDERED, matter CONTINUED.

NDC

DEFT'S REQUEST FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 25, 2002

00C167783

The State of Nevada vs Gregory S Hermanski

July 25, 2002

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 07-25-02  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Debra Van Blaricom  
Heard By: Kathy  
Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney
	Schubert, David	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR A NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL...DEFT'S REQUEST FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER

Ms. Dickson stated this was remanded from the Supreme Court for sentencing. She further stated she obtained information that records are not Mr. Day's records; fingerprints attached to a document do not match the Deft.'s. She requested the sentencing be vacated. State requested time to respond.

COURT ORDERED, matter CONTINUED. Court advised Ms. Dickson the Deft. does not have to be present for the next Court date. Ms. Dickson responded the Deft. wants to be present. Court directed the State to prepare an Order to Transport Deft. to all proceedings.

NDC

08-14-02 9:00 A.M. (MOTIONS AND REQUEST AS REFLECTED ABOVE)

PRINT DATE: 06/28/2011

Page 20 of 51

Minutes Date:

June 13, 2000

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2002

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

August 14, 2002

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 08-14-02  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Public Defender	Attorney
	Schubert, David	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR A NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL...DEFT'S REQUEST FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER...AT THE REQUEST OF THE COURT: ADDRESS REQUEST FOR TRANSCRIPT OF VOIR DIRE

Mr. Schubert requested a continuance as Deputy District Attorney, Scott Mitchell, is on vacation; COURT, SO ORDERED.

NDC

08-28-02 9:00 A.M. MOTIONS AND REQUESTS AS REFLECTED ABOVE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 28, 2002

00C167783

The State of Nevada vs Gregory S Hermanski

August 28, 2002

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 8-28-02  
Relief Clerk: Alan  
Castle  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Lieberman, Gary H.	Attorney
	Public Defender	Attorney
	Schubert, David	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS A HABITUAL CRIMINAL...DEFT'S MOTION FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER...AT THE REQUEST OF THE COURT: ADDRESS REQUEST OF VOIR DIRE Deft's motion to dismiss Count pursuant to habitual criminal statute, NRS 207.010 FILED IN OPEN COURT. Following colloquy regarding Deft's correct identity, COURT ORDERED, ALL MATTERS CONTINUED. FURTHER ORDERED, Deft. does not need remain here and is to be sent back to NDC. 10/2/02 9:00 AM DEFT'S MOTION FOR NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS A HABITUAL CRIMINAL...DEFT'S MOTION FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER...AT THE REQUEST OF THE COURT: ADDRESS REQUEST OF VOIR DIRE...DEFT'S MOTION TO DISMISS COUNT PURSUANT TO HABITUAL CRIMINAL STATUTE, NRS 207.010

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 09, 2002**

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

**September 09, 2002**

**9:00 AM**

**Motion**

**DEFT'S MTN FOR A  
NEW TRIAL/21**

**Relief Clerk: Denise  
Husted**

**Reporter/Recorder:**

**Tina Smith Heard**

**By: Hardcastle, Kathy**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Bauer, Elizabeth B.

Attorney

Dickson, Dianne

Attorney

Public Defender

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, motion CONTINUED.

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2002

00C167783

The State of Nevada vs Gregory S Hermanski

October 02, 2002

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 10-02-02  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Mitchell, Scott S.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR A NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL...DEFT'S REQUEST FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER...AT THE REQUEST OF THE COURT: ADDRESS REQUEST FOR TRANSCRIPT OF VOIR DIRE...DEFT'S MOTION TO DISMISS COUNT PURSUANT TO HABITUAL CRIMINAL STATUTE, NRS 207.010...DEFT'S MOTION FOR A NEW TRIAL

State's Opposition to Defendant's Motion to Vacate Sentence as an Habitual Criminal and State's Opposition to Defendant's Motion for New Trial FILED IN OPEN COURT. COURT ORDERED, Judgment of Conviction to be AMENDED BY INTERLINEATION to reflect Deft. found guilty pursuant to Jury Verdict. Ms. Dickson stated she has new evidence whereby the Deft. happened upon Mr. Beck who submitted an affidavit stating he was working with the Deft. on the day in question. Mr. Mitchell stated that as to the Motion to Vacate Sentence as an Habitual Criminal, he concurs with the motion; the State wants to resentence Deft., since he was not the person he was sentenced under. He further stated the Deft. admitted he is not Robert James Day; he is Gregory

Scott Hermanski and from running an FBI identity, he is a twelve-time convicted felon and has an outstanding warrant from North Carolina and felony convictions from Florida and a Federal conviction. Mr. Mitchell further stated that Robert Day is someone the Deft. met, and because the Deft. pulled identity fraud in Court, the State will file new charges for perjury and identity fraud. Mr. Mitchell requested a new sentencing date be set and requested time to obtain ID materials from the other jurisdictions; the Deft. has convictions from 1969. Court stated it will leave everything as is and ORDERED, matter CONTINUED sixty (60) days. Court instructed the State to obtain information and when it is responded to the Court will decide what to do. Mr. Mitchell stated he wants a new Pre-Sentence Report and wants to have the Deft. at the jail. Ms. Dickson stated the Deft. does not want to talk to the Division of Parole and Probation; the State had Deft's fingerprints from day one.

NDC

12-04-02 9:00 A.M. MOTIONS AS REFLECTED ABOVE

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 04, 2002**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**December 04, 2002****9:00 AM****All Pending Motions****ALL PENDING  
MOTIONS 12-04-02  
Court Clerk: Dorothy  
Kelly  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Mitchell, Scott S.	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR A NEW TRIAL...DEFT'S MOTION TO VACATE SENTENCE AS AN HABITUAL CRIMINAL...DEFT'S REQUEST FOR RE-SENTENCING PURSUANT TO SUPREME COURT ORDER...AT THE REQUEST OF THE COURT: ADDRESS REQUEST FOR TRANSCRIPT OF VOIR DIRE...DEFT'S MOTION TO DISMISS COUNT PURSUANT TO HABITUAL CRIMINAL STATUTE, NRS 207.010...DEFT'S MOTION FOR A NEW TRIAL

Objection FILED IN OPEN COURT. Ms. Dickson stated the Deft. wants to file a motion objecting to the proceedings. As to the Motion to Vacate Sentence, Mr. Mitchell stated all parties are in agreement Deft. is Gregory Hermanski; he was sentenced as Robert Day; sentencing should be vacated, a new sentencing date set and a new Pre-Sentence Report prepared. He further stated the Deft. has a record that requires this Court to sentence him as a violent habitual criminal; he has two bank robbery certifications and one is on the way. Mr. Mitchell stated the State is prepared to say the Deft. has eleven (11) felony convictions; he requested the prior opposition be withdrawn as the State has

verified Mr. Hermanski is not Robert James Day. Court noted the Deft. lied to the Court. Ms. Dickson stated there has been another motion filed by the Deft. Court stated it does not recognize motions filed by the Defendant; they are to be presented to his attorney. Ms. Dickson stated the Motion for a New Trial was based on confirmation the Deft. had a parole violation at the time he ran from police; she requested the copy of documentation and the Birth Certificate be made part of the record....(Defendant's Exhibits A and B). Court stated the Deft. could have made that known to counsel; it is not new evidence. Ms. Dickson stated a witness, Mr. Beck, was located in prison. COURT ORDERED, Deft's Motion for New Trial is DENIED. As to Habitual Criminal Charges, Ms. Dickson stated that is a jury question. Court stated the Deft. has misrepresented who he is; his name is Gregory Scott Hermanski. Mr. Mitchell stated the Deft's FBI number is 888420G. COURT ORDERED, matter REFERRED to the Division of Parole and Probation for a new Pre-Sentence Report and set for sentencing. COURT FURTHER ORDERED, Deft's Motion to Vacate Sentence as an Habitual Criminal is GRANTED; Deft's Request for Re-Sentencing Pursuant to Supreme Court Order is MOOT; At the Request of Court: Address Request for Transcript of Voir Dire is OFF CALENDAR; Deft's Motion to Dismiss Count Pursuant to Habitual Criminal Statute NRS 207.010 is MOOT. Due to Defendant's outburst in Court, Court stated it will hear the motion set for December 16th, without him; Defendant IS NOT TO BE PRESENT IN COURT ON December 16TH.

NDC

12-16-02 9:00 A.M. DEFT'S PRO PER MOTION TO DISMISS COUNSEL/ APPOINT COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2002

00C167783

The State of Nevada vs Gregory S Hermanski

December 16, 2002

9:00 AM

Motion to Dismiss

DEFT'S PRO PER  
MTN TO DISMISS  
CNSL/APPOINT  
CNSL/25 Relief  
Clerk: Denise Husted  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hart, Marty	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Ms. Dickson advised the Court that the Defendant no longer wants her to represent him due to confusion regarding factual allegations of the Defendant's identity. COURT ORDERED, independent counsel is appointed to review the ineffective assistance of counsel claim; matter set for confirmation of counsel.

NDC

CLERK'S NOTE: Dept. IV Judicial Executive Assistant to notify appropriate counsel of Court date.  
12/23/02 9:00 AM CONFIRMATION OF COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 23, 2002

00C167783

The State of Nevada vs Gregory S Hermanski

December 23, 2002

9:00 AM

Motion for Confirmation of  
Counsel

CONFIRMATION  
OF  
COUNSEL/WOMME  
R Relief Clerk:  
Denise Husted  
Reporter/Recorder:  
Tina Smith Heard  
By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Bauer, Elizabeth B.	Attorney
	Dickson, Dianne	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Ms. Dickson stated this matter is not at the post conviction stage yet, however there is a disagreement regarding factual allegations. Court directed Mr. Wommer to review the file prior to sentencing and matter CONTINUED to that date. Ms. Dickson stated she will give the file to Mr. Wommer.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 22, 2003**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**January 22, 2003****9:00 AM****All Pending Motions****ALL PENDING  
MOTIONS 01-22-03  
Court Clerk: Dorothy  
Kelly Heard By:  
Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hart, Marty	Attorney
	Wommer, Paul E.	Attorney

**JOURNAL ENTRIES****- CONFIRMATION OF COUNSEL (WOMMER)...SENTENCING**

Carolyn Butts present for the Division of Parole and Probation (P&P). Ms. Dickson stated P&P is requesting a 30-day continuance; COURT, SO ORDERED. Court noted Mr. Wommer previously confirmed as counsel.

NDC

02-26-03 9:00 A.M. SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 26, 2003

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00C167783

The State of Nevada vs Gregory S Hermanski

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February 26, 2003

9:00 AM

Sentencing

SENTENCING

Court Clerk: Carole  
D'Aloia

Reporter/Recorder:

Carrie Hansen Heard

By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Hehn, William A.	Attorney
	Hermanski, Gregory S	Defendant
	Wommer, Paul E.	Attorney

**JOURNAL ENTRIES**

- Officer C. Butts of the Division of Parole and Probation (P&P) present. Mr. Wommer advised Defendant was not transported and matter will need to be continued. Mr. Wommer further advised that Court appointed him since Ms. Dickson had a conflict and Mr. Wommer CONFIRMED as counsel. COURT ORDERED, matter CONTINUED and instructed the State to prepare an Order to Transport.

CUSTODY (COC)



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 26, 2003**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**March 26, 2003****9:00 AM****Sentencing****SENTENCING****Court Clerk: Dorothy****Kelly Heard By:****Hardcastle, Kathy****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Hart, Marty

Attorney

Wommer, Paul E.

Attorney

**JOURNAL ENTRIES**

- Carolyn Butts present for the Division of Parole and Probation. Mr. Wommer stated he substituted in as counsel for the Deft; he and the Deft. have been in contact. He further stated he has been in trial and has not been able to see the Deft. in the High Desert yet; the Deft. was not transported today.

COURT ORDERED, matter CONTINUED; State to prepare an Order to Transport.

NDC

SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 30, 2003

00C167783

The State of Nevada vs Gregory S Hermanski

April 30, 2003

9:00 AM

Sentencing

SENTENCING

Court Clerk: Dorothy  
Kelly

Reporter/Recorder:

Carrie Hansen Heard

By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Hermanski, Gregory S	Defendant
	Mitchell, Scott S.	Attorney
	Wommer, Paul E.	Attorney

**JOURNAL ENTRIES**

- William Lizura present for the Division of Parole and Probation (P&P). DEFT. HERMANSKI ADJUDGED GUILTY OF CT. I ROBBERY WITH USE OF A DEADLY WEAPON (F) AND CT. II - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F). Court heard argument as to Deft's Habitual Criminal status. Mr. Mitchell noted Defendant's prior felonies and stated that under the law, the maximum penalty has to be imposed; it is not discretionary. Mr. Wommer stated he substituted in as counsel for sentencing; Ms. Dickson represented the Deft. previously. Mr. Wommer read Defendant's statement in Court. Court directed Mr. Wommer to put the matters contained in Deft's statement in a motion. Mr. Mitchell provided Court with certified copies of Deft's Judgment of Convictions along with other paperwork reflecting Deft's past convictions. DEFT. HERMANSKI ADJUDGED GUILTY AS A HABITUAL OFFENDER IN COUNTS I AND II. In addition to the \$25 Administrative Assessment Fee and \$150 DNA Fee, COURT ORDERED, Deft. SENTENCED in COUNT I to LIFE in the Nevada Department of Corrections WITHOUT the Possibility of Parole and in COUNT II to LIFE in the Nevada Department of Corrections WITHOUT the Possibility of Parole;

Count II to run CONCURRENTLY with Count I with NO Credit for Time Served; Deft. to submit to a test to determine genetic markers. Court advised counsel he can file the appropriate motion as to credit for time served while Deft. serving Federal time.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 12, 2003**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**May 12, 2003****9:00 AM****Request****DEFT'S REQUEST  
TO CLARIFY  
APPOINTMENT  
OFCOUNSEL/31  
Relief Clerk: Billie Jo  
Craig  
Reporter/Recorder:  
Carrie Hansen Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Bauer, Elizabeth B.	Attorney
	Dickson, Dianne	Attorney
	Public Defender	Attorney
	Roger, David J.	Attorney
	Wommer, Paul E.	Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, defendant's PRESENCE WAIVED today. Ms. Dickson requested clarification of who represents defendant. Mr. Wommer advised he was appointed to represent defendant only for the ineffectiveness of counsel problem. Court noted it had appointed Mr. Wommer to represent defendant.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 31, 2005**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**January 31, 2005****9:00 AM****Motion to Withdraw as  
Counsel****DEFT'S PRO PER  
MTN TO  
WITHDRAW AS  
COUNSEL /32 Court  
Clerk: Alan Castle  
Reporter/Recorder:  
Loree Gallegos  
Heard By: Jennifer  
Togliatti****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES  
PRESENT:****JOURNAL ENTRIES**

- Matter submitted. COURT ORDERED, petition GRANTED. By way of this minute order State to prepare the order and notify all interested parties.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 21, 2005**

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00C167783

The State of Nevada vs Gregory S Hermanski

---

September 21, 2005	9:00 AM	Petition for Writ of Habeas Corpus	DEFT'S PTN FOR WRIT OF HABEAS CORPUS/33 Court Clerk: Alan Castle Reporter/Recorder: Kristen Lunkwitz Heard By: Togliatti, Jennifer
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HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Benedict, Susan M. Attorney

**JOURNAL ENTRIES**

- At request of State, COURT ORDERED, matter CONTINUED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2005

00C167783

The State of Nevada vs Gregory S Hermanski

October 24, 2005

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 10-24-05  
Relief Clerk: Judy  
McFadden  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR PRISONER TRANSPORTATION ORDER...DEFT'S PETITION FOR WRIT OF HABEAS CORPUS  
STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR PRISONER TRANSPORTATION FILED IN OPEN COURT. Deft. not present. Conference at Bench. Following Conference at Bench, Court informed it had explained to State and Ms. De La Garza regarding Court's time restraint regarding Deft's Petition for Writ of Habeas Corpus and that Court expects to begin medical leave in ten days that will last two months. Court stated it would need more time to prepare or have another Judge rule. COURT ORDERED, Motion for transport DENIED. Court stated regarding Petition for Writ, it must get up to speed on the case; ineffectual assistance of counsel is the 3rd ground for relief. FURTHER ORDERED, supplemental response from State; matter set for decision. Court directed State to supplement its Opposition to assist Court in addressing the 3rd ground. Court stated Deft. alleges habitual criminal and violent criminal statute did not enable him to challenge conviction.  
NDC

12/21/05 9:00 AM DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS/STATE'S

PRINT DATE: 06/28/2011

Page 38 of 51

Minutes Date: June 13, 2000

**00C167783**

SUPPLEMENT TO OPPOSITION



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 21, 2005

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00C167783

The State of Nevada vs Gregory S Hermanski

---

December 21, 2005

9:00 AM

Decision

DECISION: DEFT'S  
PETITION FOR  
WRIT OF HABEAS  
CORPUS /36 Court  
Clerk: Alan Castle  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Brennan,  
James

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne	Attorney
	Keenan, Nell	Attorney
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Upon State's inquiry regarding decision, Court stated the matter in on for decision, and Court has reviewed the petition and may have some questions. Ms. Dickson advised the Deft's motion to appear for oral argument was denied and Deft. has filed another motion regarding that denial. Further, Ms. Dickson represented the Deft. previously and notes the Deft. is well educated and articulate. Also, noted by Ms. Dickson is that the Deft's petition may have merit, but the Defendant himself would be the one to argue those merits. COURT FINDS the Court that previously denied the motion to appear for argument should hear the motion to reconsider and ORDERED, CONTINUED and set for hearing motion to reconsider appearance of Defendant for oral argument on petition. FURTHER, Deft's presence is WAIVED until such time as there is further order of the Court requiring Deft's presence.

NDC

**00C167783**

1/9/06 9:00 AM DEFT'S PRO PER MOTION TO RECONSIDER APPEARANCE FOR ORAL  
ARGUMENT - IN RE DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2006

00C167783

The State of Nevada vs Gregory S Hermanski

January 09, 2006

9:00 AM

Motion to Reconsider

DEFT'S PRO PER  
MOTION TO  
RECONSIDER  
TRANSPORT DEFT  
FOR ORAL  
ARGUMENTS /37  
Court Clerk: Cheryl  
Case Relief Clerk:  
Cynthia Georgilas/cg  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:**      Benedict, Susan M.      Attorney  
                     Dickson, Dianne      Attorney

**JOURNAL ENTRIES**

- Ms. Dickson advised she represented Defendant at trial and advised Defendant has real issues and would like to be transported in order to present them to this Court. COURT ORDERED, motion DENIED. Colloquy regarding Defendant's Writ. Court STATED it has reviewed Writ once before but will review Writ again, as well as procedural history and set for Status Check.

NDC

01-18-06 9:00 AM STATUS CHECK: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2006

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00C167783

The State of Nevada vs Gregory S Hermanski

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January 18, 2006

9:00 AM

Status Check

STATUS CHECK:  
DEFT'S WRIT OF  
HABEAS CORPUS  
Court Clerk: Alan  
Castle  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Pesci, Giancarlo Attorney

**JOURNAL ENTRIES**

- Court FINDS still considering and ORDERED, matter CONTINUED for Decision.

NDC

1/30/06 9:00 AM DECISION: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2006

---

00C167783

The State of Nevada vs Gregory S Hermanski

---

January 30, 2006

9:00 AM

Decision

DECISION: DEFT'S  
PETITION FOR  
WRIT OF HABEAS  
CORPUS /36 Court  
Clerk: Alan Castle/ac  
Relief Clerk: Kathy  
Streuber  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Togliatti,  
Jennifer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Pesci, Giancarlo Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED for further consideration. FURTHER, Deft's presence  
WAIVED for these proceedings.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2006

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00C167783

The State of Nevada vs Gregory S Hermanski

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February 03, 2006

9:00 AM

Decision

DECISION: DEFT'S  
PETITION FOR  
WRIT OF HABEAS  
CORPUS /36 Court  
Clerk: Alan Castle  
Relief Clerk:  
Katherine  
Streuber/ks  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Keenan, Nell

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, Deft's petition is DENIED. By way of this minute order State to prepare the order and notify all interested parties.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 27, 2006**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**March 27, 2006****9:00 AM****Motion****PETITIONERS PRO  
PER MOTION FOR  
REHEARING ON  
DECISION  
ENTERED MARCH  
3, 2006/39 Relief  
Clerk: Melissas  
Swin  
Reporter/Recorder:  
Janice David Heard  
By: Stephen Huffaker****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Brierly, Tracey J. Attorney**JOURNAL ENTRIES**

- Defendant not present as he is currently housed at the Nevada Department of Corrections. Court reviewed documents, stated its findings and ORDERED, motion DENIED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 23, 2006

00C167783

The State of Nevada vs Gregory S Hermanski

August 23, 2006

9:00 AM

Motion to Stay

DEFT'S PRO PER  
MTN TO STAY  
PROCEEDINGS  
& MTN FOR  
APPOINTMENT OF  
COUNSEL /40 Court  
Clerk: Alan Castle  
Relief Clerk: Kathy  
Klein/kk  
Reporter/Recorder:  
Kristen Lunkwitz  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Brierly, Tracey J.  
Dickson, Dianne

Attorney  
Attorney

**JOURNAL ENTRIES**

- Court waived Deft's presence. Ms. Dickson appeared on behalf of the Deft. in support of Deft's motion. COURT STATED FINDINGS and ORDERED, motion DENIED. State to prepare the order.  
CASE CLOSED.  
NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 22, 2010

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00C167783

The State of Nevada vs Gregory S Hermanski

---

February 22, 2010

9:00 AM

Motion

DEFT'S PRO PER  
MTN TO CORRECT  
AN  
ILLEGAL SENTENCE  
OR IN THE ALT  
MTN TO  
MODIFY/41 Court  
Clerk: Alan Paul  
Castle  
Reporter/Recorder:  
Cheryl Carpenter  
Heard By: Jennifer  
Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Morgan, Shawn A. Attorney

**JOURNAL ENTRIES**

- Court waived Defendant's presence, as this Court does not entertain oral arguments in these types of proceedings and determination made specifically on the pleadings. Matter submitted. COURT Finds this Court agrees with State's opposition and ORDERED, motion DENIED. By way of this minute order State to prepare the Findings of Fact, Conclusions of Law that track the State's opposition and notify all interested parties. CASE CLOSED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2010

00C167783

The State of Nevada vs Gregory S Hermanski

April 05, 2010

9:00 AM

Motion to Reconsider

DEFT'S PRO PER  
MTN TO  
RECONSIDER /42  
Court Clerk: Alan  
Paul Castle/ac Relief  
Clerk: Shelly  
Landwehr  
Reporter/Recorder:  
Yvette Lester Heard  
By: Jennifer Togliatti

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Rinetti, Dena I. Attorney

**JOURNAL ENTRIES**

- Court waived Defendant's presence, as this Court does not entertain oral arguments in these types of proceedings and determination made specifically on the pleadings. COURT FINDS no legal cause and ORDERED, motion DENIED. State to prepare the order denying motion and notify interested parties. CASE CLOSED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 09, 2011**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**May 09, 2011**

**8:30 AM**

**Motion**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Denise Trujillo; Monique Alberto

**RECORDER:** Jessica Ramirez

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	State of Nevada	Plaintiff
	Westmeyer, Daniel	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO CORRECT AN ILLEGAL SENTENCE OR, IN THE ALTERNATIVE,  
MOTION FOR MODIFICATION OF SENTENCE

Without benefit of argument, COURT stated findings and ORDERED, Motion DENIED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 06, 2011**

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00C167783

The State of Nevada vs Gregory S Hermanski

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**June 06, 2011**

**8:30 AM**

**All Pending Motions**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Monique Alberto

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**

State of Nevada

Plaintiff

Westmeyer, Daniel

Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION FOR LEAVE TO FILE SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO CORRECT AN ILLEGAL SENTENCE OR IN THE ALTERNATIVE MOTION FOR MODIFICATION OF SENTENCE...DEFENDANT' PRO PER MOTION FOR LEAVE TO FILE DEFENDANT'S RESPONSE TO STATE'S OPPOSITION TO DEFENDANT'S PRO PER MOTION TO CORRECT AN ILLEGAL SENTENCE OR IN THE ALTERNATIVE MOTION FOR MODIFICATION OF SENTENCE

Without benefit of argument, COURT stated her findings and ORDERED, Deft's Pro Per Motion's DENIED.

NDC

## Exhibit List

Case Nbr: 00C167783 Party: Sort Order: Status Defendant Name: Hermanski, Gregory S DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D-A	Defendant			PHOTO - RBT. JAMES DAY		Hermanski, Gregory S	District Court Criminal/Civil 01/01/1900	Evidence Vault
<b>Comment:</b> ExhibitID : 60504								
P	Plaintiff			*****12/4/02 HEARING*****		State of Nevada		
<b>Comment:</b> ExhibitID : 76732								
D.A	Defendant			WARRANT APPLICATION		Hermanski, Gregory S	District Court Criminal/Civil 01/01/1900	Evidence Vault
<b>Comment:</b> ExhibitID : 76733								
D.B	Defendant			COPY OF BIRTH CERTIFICATE		Hermanski, Gregory S	District Court Criminal/Civil 01/01/1900	Evidence Vault
<b>Comment:</b> ExhibitID : 76734								
P-1	Plaintiff	Admitted 03/13/2001		PHOTO - MCDONALDS, WENDY'S		State of Nevada	District Court Criminal/Civil 03/13/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 60499 NO OBJECTION								
P-2	Plaintiff	Admitted 03/13/2001		PHOTO - PANTS		State of Nevada	District Court Criminal/Civil 03/13/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 60500 NO OBJECTION								
P-3	Plaintiff	Admitted 03/13/2001		PHOTO - WADE OF MONEY		State of Nevada	District Court Criminal/Civil 03/13/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 60501 NO OBJECTION								

## Exhibit List

Case Nbr: 00C167783 Party: Sort Order: Status Defendant Name: Hermanski, Gregory S DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-4	Plaintiff	Admitted 03/13/2001		CHART - AREA		State of Nevada	District Court Criminal/Civil 03/13/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 60502 NO OBJECTION								
P-5	Plaintiff	Admitted 03/13/2001		EVIDENCE ENV W/5A - KNIFE		State of Nevada	District Court Criminal/Civil 03/13/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 60503 NO OBJECTION								
P/1	Plaintiff	Offered 05/09/2001		VIOLATION RPT DTD 3/27/80		State of Nevada	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62483								
P/2	Plaintiff	Offered 05/09/2001		DEPT OF JUSTICE, CERTIFICATE OF REC.,		State of Nevada	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62484								
P/3	Plaintiff	Offered 05/09/2001		JUDGMT OF COMMITMENT #CRS17416 & 177992		State of Nevada	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62485								
P/4	Plaintiff	Offered 05/09/2001		INDICTMENT 94 CRS 4336		State of Nevada	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62486								
D/A	Defendant	Offered 05/09/2001		FBI - FORM FD-249		Hermanski, Gregory S	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62487								

## Exhibit List

Case Nbr: 00C167783 Party: Sort Order: Status Defendant Name: Hermanski, Gregory S DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D/B	Defendant	Offered 05/09/2001		NOTICE OF ACTION - 2/7/96		Hermanski, Gregory S	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62488								
D/C	Defendant	Offered 05/09/2001		NOTICE OF ACTION - 10/25/95		Hermanski, Gregory S	District Court Criminal/Civil 05/09/2001	Evidence Vault
<b>Comment:</b> ExhibitID : 62489								



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT



GREGORY HERMANSKI #69140  
P.O. BOX 7000  
CARSON CITY, NV 89702

DATE: June 28, 2011  
CASE: C167783

**RE CASE:** STATE OF NEVADA vs. GREGORY SCOTT HERMANSKI aka Robert James Day

NOTICE OF APPEAL FILED: June 24, 2011

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement  
- NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (2) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.



# Certification of Copy

**State of Nevada** } **SS:**  
**County of Clark** }

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PRO PER MOTION TO CORRECT  
ILLEGAL SENTENCE OR, IN THE ALTERNATIVE, MOTION FOR MODIFICATION OF  
SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,  
Plaintiff(s),  
vs.  
GREGORY SCOTT HERMANSKI aka  
Robert James Day,  
Defendant(s),

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 28 day of June 2011.

Steven D. Grierson, Clerk of the Court

Heather Lofquist, Deputy Clerk