

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 27, 2012**

03C189658-1

The State of Nevada vs Erick M Brown

January 27, 2012**1:30 PM****Evidentiary Hearing****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Roshonda Mayfield**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Fattig, John T	Attorney
	Langford, Robert L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court advised, this matter is on calendar today for there to be an evidentiary hearing conducted. Witness testimony presented (See Worksheet). Following arguments by counsel, Court further advised, trial in this matter occurred almost 6 years ago and appears to have been examined very well. Regarding the rendition of what was heard the issue of not comparing the finger prints on the glass of the jewelry store would pretty much be a speculation. This Court can not fault Attorney Cristalli for not proceeding with that strategy as it does not appear to be negligent. Further, it is a slippery slope that is never ending regarding there being failure to try the police department. The issues raised regarding the police department appear to be fishing attempts by the Defendant to verify the specifics as to the communication conducted by the officers. Upon review of the facts and testimony presented, COURT ORDERED, the petition is DENIED; Defendant's request for an expert is DENIED.

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P/1	Plaintiff			GPA		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 105395								
P..	Plaintiff			STATE'S EXH 1-85 SAME AS PREVIOUS TRIAL		State of Nevada		
Comment: ExhibitID : 111052								
P94	Plaintiff			WITHDRAWN		State of Nevada		
Comment: ExhibitID : 111063								
P104	Plaintiff			MIRANDA FORM		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 111073								
D/A	Defendant			HPD INTERVIEW CARD		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 111075								
D/D	Defendant			HPD CRIME SCENE REPORT (PRICE)		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 111078								
D/E	Defendant			HPD EVIDENCE IMPOUND REPORT		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 111079								
D/F	Defendant			BOOKING INFOR - MARTEL WILLIAMS		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 111080								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D/G	Defendant			MEMORANDUM		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Defendant	ExhibitID : 111081						
D/H	Defendant			IMPOUND LIST		Brown, Erick M	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 111082						
PCT1	Plaintiff			MEMORANDUM		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 111083						
PCT2	Plaintiff			NOTE FROM FORE PERSON		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 111084						
PCT3	Plaintiff			NOTE FROM JUDGE		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 111085						
P/D	Plaintiff			JUSTICE COURT EXHIBITS		State of Nevada	District Court Criminal/Civil 01/30/2003	Evidence Vault
	Comment: Plaintiff	ExhibitID : 77504						
P2-2F	Plaintiff			EVID ENV CONT 2A-2F-PHOTOS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 81941						
P3-3D	Plaintiff			EVID ENV CONT 3A-3D		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	Comment: Plaintiff	ExhibitID : 81942						

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P4-7C	Plaintiff			EXH 4-7C		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81943								
P8-8A	Plaintiff			LG EVID ENV CONT 8A-CELL PHONE		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81944								
P9-9B	Plaintiff			LG ENV W/9A-PKG, 9B- PKG		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81945								
P10-10	Plaintiff			LG EVID BAG CONT 10A-10E		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81946								
P12-12	Plaintiff			LG ENV CONT 12A-WHT FLEX CUFF		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81948								
P13-13	Plaintiff			LG ENV CONT 13A-WHT FLEX CUFF		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81949								
P15-16	Plaintiff			EVID BGS **BIOHAZARD**		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81951								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P17-17	Plaintiff			MD EVID BAG CONT 17A-17L-CD DISKS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81952								
P18-18	Plaintiff			LG ENV CONT 18A-18D-PHOTO LINEUPS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81953								
P19-81	Plaintiff			PHOTOS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81954								
P85-I	Plaintiff			SM EVID ENV CONT A-I- FINGERPRINT CARDS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81958								
PCTA	Plaintiff			DEFT PROPOSED JURY INST		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 81960								
P86	Plaintiff	Admitted 06/27/2006		AERIAL MAP		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111053 NO OBJECTION								
P87	Plaintiff	Admitted 06/27/2006		SUBPOENA WIENVELOPE & 911 LOH		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111054 STIPULATION								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P87A	Plaintiff	Admitted 06/27/2006		TAPE		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111055 STIPULATION								
P88	Plaintiff	Admitted 06/29/2006		HYATT REGENCY HOTEL RECORDS		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111056 NO OBJECTION								
P89	Plaintiff	Admitted 06/28/2006		CHART ONE MEDICAL RECORDS		State of Nevada	District Court Criminal/Civil 06/28/2006	Evidence Vault
Comment: ExhibitID : 111057 STIPULATION								
P90	Plaintiff	Admitted 06/27/2006		CHART ONE MEDICAL RECORDS		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111058 STIPULATION								
P91	Plaintiff	Admitted 06/27/2006		PHOTO - WATCH W/RED FACE		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111059 NO OBJECTION								
P92	Plaintiff	Admitted 06/27/2006		HAND DRAWN DIAGRAM MAIN CUSTOMER AREA		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111060 NO OBJECTION								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P92A	Plaintiff	Admitted 06/27/2006		HAND DRAWN DIAGRAM BACK ROOM AREA		State of Nevada	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111061 NO OBJECTION								
P93	Plaintiff	Admitted 06/28/2006		PHOTO - DIAMOND RING		State of Nevada	District Court Criminal/Civil 06/28/2006	Evidence Vault
Comment: ExhibitID : 111062 NO OBJECTION								
P95	Plaintiff	Admitted 06/28/2006		PHOTO - BLACKWELL		State of Nevada	District Court Criminal/Civil 06/28/2006	Evidence Vault
Comment: ExhibitID : 111064 NO OBJECTION								
P96	Plaintiff	Admitted 06/28/2006		PHOTO - BROWN		State of Nevada	District Court Criminal/Civil 06/28/2006	Evidence Vault
Comment: ExhibitID : 111065 NO OBJECTION								
P97	Plaintiff	Admitted 06/29/2006		PHOTO - FRONT DOOR (BOTTOM)		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111066 NO OBJECTION								
P98	Plaintiff	Admitted 06/29/2006		PHOTO - FRONT DOOR (TOP)		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111067 NO OBJECTION								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P99	Plaintiff	Admitted 06/29/2006		PHOTO - BACK DOOR		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111068 NO OBJECTION								
P100	Plaintiff	Admitted 06/29/2006		LAPD - FINGER PRINT LOG		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111069 NO OBJECTION								
P101	Plaintiff	Admitted 06/29/2006		FINGER PRINTS - BLACKWELL		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111070 NO OBJECTION								
P102	Plaintiff	Admitted 06/29/2006		FINGER PRINTS - BROWN		State of Nevada	District Court Criminal/Civil 06/29/2006	Evidence Vault
Comment: ExhibitID : 111071 NO OBJECTION								
P103	Plaintiff	Admitted 06/30/2006		PHOTO - M. WILLIAMS		State of Nevada	District Court Criminal/Civil 06/30/2006	Evidence Vault
Comment: ExhibitID : 111072 NO OBJECTION								
P105	Plaintiff	Admitted 06/30/2006		MAP 224 HOLLY FERN ST.		State of Nevada	District Court Criminal/Civil 06/30/2006	Evidence Vault
Comment: ExhibitID : 111074 STIPULATION								
D/B	Defendant	Admitted 06/27/2006		TRANSCRIPT 911 TAPE		Brown, Erick M	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111076 STIPULATION								

Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D/C	Defendant	Admitted 06/27/2006		HPD CRIME SCENE LOG		Brown, Erick M	District Court Criminal/Civil 06/27/2006	Evidence Vault
Comment: ExhibitID : 111077 NO OBJECTION								
P1-1A	Plaintiff	Admitted 07/24/2003		EVID ENV CONT PHOTO LINEUP		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81940 NO OBJECTION								
P11-11	Plaintiff	Admitted 07/24/2003		EVID ENV CONT 11A-11DDD-PHOTOS		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81947 STIPULATION								
P14-14	Plaintiff	Admitted 07/24/2003		SM ENV CONT 14A-EARRING		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81950 NO OBJECTION								
P82	Plaintiff	Admitted 07/24/2003		LV MANUF LIST		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81955 NO OBJECTION								
P83	Plaintiff	Admitted 07/24/2003		HPD LAB RPRT 11/25/02		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81956 NO OBJECTION								

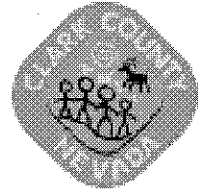
Exhibit List

Case Nbr: 03C189658-1 Party: Sort Order: Status Defendant Name: Brown, Erick M DOB:

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P84	Plaintiff	Admitted 07/24/2003		HPD LAB RPRT 4/14/03		State of Nevada	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81957 NO OBJECTION								
DA	Defendant	Admitted 07/24/2003		BLANK FICARD		Brown, Erick M	District Court Criminal/Civil 07/24/2003	Evidence Vault
Comment: ExhibitID : 81959 NO OBJECTION								



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



ROBERT L. LANGFORD, ESQ.
616 S. EIGHTH ST.
LAS VEGAS, NV 89101

DATE: February 7, 2012
CASE: C189658

RE CASE: STATE OF NEVADA vs. ERICK M. BROWN

NOTICE OF APPEAL FILED: February 7, 2012

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

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) 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 }
County of Clark } SS:

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; REQUEST FOR
ROUGH DRAFT TRANSCRIPT; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT
MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ERICK M. BROWN aka FREDRICK M.
BROWN,

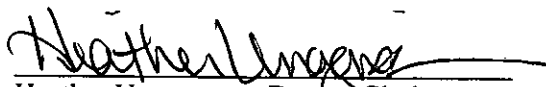
Defendant(s).

Case No: C189658
Dept No: XIV

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 7 day of February 2012.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk

ORIGINAL

FILED

FEB 7 9 35 AM '12

1 NOTC
2 ROBERT L. LANGFORD, ESQ.
3 Nevada Bar No. 003988
4 ROBERT L. LANGFORD & ASSOCIATES
5 616 S. Eighth Street
6 Las Vegas, Nevada 89101
7 (702) 471-6535
8 Attorney for Erick Brown

Electronically Filed
Feb 08 2012 01:31 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

ERICK BROWN,

Defendant.

CASE NO.: C189658

DEPT. NO.: XIV

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that ERICK BROWN, Defendant in the above entitled case, by and through his attorney, ROBERT L. LANGFORD, ESQ., of the law firm of ROBERT L. LANGFORD AND ASSOCIATES, hereby appeals to the Supreme Court of the State of Nevada from the Order Denying Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) decided in this action on January 27, 2012.

DATED this 5th day of February, 2012.

Respectfully Submitted:

ROBERT L. LANGFORD AND ASSOCIATES

By:

ROBERT L. LANGFORD, ESQ.

Nevada Bar No. 003988

616 South 8th Street

Las Vegas, NV 89101

(702) 471-6535

Attorney for ERICK BROWN

03C189658-1
NOASC
Notice of Appeal (criminal)
1763044

1 CERTIFICATE OF MAILING

2 I hereby certify that I mailed a foregoing copy of Defendant ERICK BROWN'S NOTICE
3 OF APPEAL, on the 6th day of February, 2012, by depositing a copy thereof in the United
4 States Mail, postage prepaid, addressed to:

5 STEVEN B. WOLFSON, ESQ.
6 District Attorney
7 200 Lewis Avenue
8 Las Vegas, Nevada 89101

9 JOHN T. FATTIG, ESQ.
10 District Attorney's Office
11 200 Lewis Avenue.
12 Las Vegas, Nevada 89101

13 CATHERINE CORTEZ MASTO
14 Attorney General of the State of Nevada
15 555 East Washington Avenue, #3900
16 Las Vegas, Nevada 89101

17 
18 _____

19 An employee of
20 ROBERT L. LANGFORD AND ASSOCIATES
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FILED

CASE NO.: C189658

DEPT NO.: XIV

FEB 7 9 35 AM '12

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF CLARK

STATE OF NEVADA,

Plaintiff

v.

ERICK BROWN,

Defendant.

CASE APPEAL STATEMENT

1. **Name of Appellant filing this case appeal statement:** ERICK BROWN.
2. **The Judge Issuing the decision, judgment or order appealed from:**
Honorable DONALD M. MOSLEY.
3. **All parties to the proceeding in the district court:** ERICK BROWN, Defendant;
STEVEN B. WOLFSON, Clark County District Attorney; JOHN T. FATTIG,
Deputy District Attorney; ROBERT L. LANGFORD, ROBERT L. LANGFORD
AND ASSOCIATES
4. **All parties involved in this appeal:** STATE OF NEVADA, Appellee/Plaintiff;
STEVEN B. WOLFSON, Clark County District Attorney; JOHN T. FATTIG,
Deputy District Attorney; ERICK BROWN, Appellant/Defendant; ROBERT L.
LANGFORD, ROBERT L. LANGFORD AND ASSOCIATES
5. **The name, law firm, address and telephone number of all counsel and party
whom they represent:** ROBERT L. LANGFORD, ROBERT L. LANGFORD
AND ASSOCIATES, 616 South 8th Street, Las Vegas, NV 89101, (702) 471-
6535, Attorney for Appellant/Defendant ERICK BROWN; STEVEN B.
WOLFSON, Clark County District Attorney; JOHN T. FATTIG, Deputy District
Attorney, 200 Lewis Ave., Las Vegas, NV 89101, (702) 671-2500, Attorney for
Appellee/Plaintiff The State of Nevada.

03C189658-1

ASTA

Case Appeal Statement

1763047

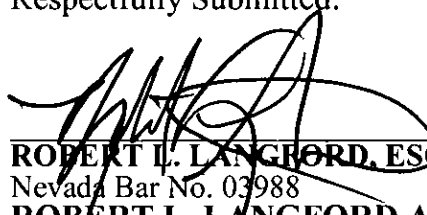


- 1 6. **Appellant's Representation in District Court:** Appellant/Defendant ERICK
2 BROWN was represented by retained counsel, ROBERT L. LANGFORD,
3 ROBERT L. LANGFORD AND ASSOCIATES, 616 South 8th Street, Las Vegas,
4 NV 89101, (702) 471-6535.
- 5 7. **Appellant's Representation on Appeal:** Appellant/Defendant ERICK BROWN is
6 represented by retained counsel, ROBERT L. LANGFORD, ROBERT L.
7 LANGFORD AND ASSOCIATES, 616 South 8th Street, Las Vegas, NV 89101,
8 (702) 471-6535.
- 9 8. ***In Forma Pauperis:*** Appellant/Defendant ERICK BROWN did not request to
10 proceed *in forma pauperis*.
- 11 9. **Date proceedings commenced in the district court:** Proceedings commenced in
12 the district court on or about October 10, 2008.
- 13 10. **Nature of the action and result in district court:** Defendant's Petition for Writ
14 of Habeas Corpus (Post-Conviction) was denied by the district court, on January
15 27, 2012.
- 16 11. **Prior Supreme Court proceedings:** Brown v. State, Docket No. 47856, Direct
17 Appeal; Brown v. District Court, Docket No. 44588, Petition for Writ of
18 Mandamus.

19 DATED this 5th day of February, 2012.

20 Respectfully Submitted:

21
22 By:



ROBERT L. LANGFORD, ESQ.
Nevada Bar No. 03988
ROBERT L. LANGFORD AND ASSOCIATES
616 South 8th Street
Las Vegas, NV 89101
(702) 471-6535
Attorney for ERICK BROWN

FILED

CASE NO.: C189658

DEPT NO.: XIV

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

AND FOR THE COUNTY OF CLARK

STATE OF NEVADA,

Plaintiff

v.

ERICK BROWN,

Defendant.

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: MAUREEN SCHORN

ERICK BROWN, defendant named above, requests preparation of a rough draft transcript of certain portions of the proceedings before the district court as follows:

DATE OF PROCEEDING: January 27, 2012

PORTION OF TRANSCRIPT REQUESTED: EVIDENTIARY HEARING ON
DEFENDANT'S PETITION FOR WRIT OF
HABEAS CORPUS (POST-CONVICTION)

I recognize that I must personally serve a copy of this form on the above named court reporter and opposing counsel, and that the above named court reporter shall have twenty (20) days from the receipt of this notice to prepare and submit to the district court the rough draft transcript requested herein.

DATED this 5th day of February, 2012.

Respectfully Submitted:

By:


ROBERT L. LANGFORD, ESQ.

Nevada Bar No. 03988

ROBERT L. LANGFORD AND ASSOCIATES

616 South 8th Street
Las Vegas, NV 89101

(702) 471-6535

Attorney for ERICK BROWN

03C189658-1
REQT
Request
1763064

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CERTIFICATE OF MAILING

I hereby certify that I mailed a foregoing copy of Defendant ERICK BROWN'S REQUEST FOR ROUGH DRAFT TRANSCRIPT, on the 6th day of February, 2012, by depositing a copy thereof in the United States Mail, postage prepaid, addressed to:

SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
201 S. Carson Street, Suite 201
Carson City, Nevada 89701

STEVEN B. WOLFSON, ESQ.
District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89101

CATHERINE CORTEZ MASTO
Attorney General of the State of Nevada
555 East Washington Avenue, #3900
Las Vegas, Nevada 89101



An employee of
ROBERT L. LANGFORD AND ASSOCIATES

DEPARTMENT 14
CASE SUMMARY
CASE No. 03C189658-1

The State of Nevada vs Erick M Brown

§
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§
§
§

Location: **Department 14**
Judicial Officer: **Mosley, Donald**
Filed on: **01/28/2003**
Conversion Case Number: **C189658**
Defendant's Scope ID #: **1895908**
Lower Court Case Number: **02FH01222**

CASE INFORMATION

Offense	Deg	Date	Case Type: Felony/Gross Misdemeanor
1. BURGLARY.	F	01/01/1900	Case Flags: Appealed to Supreme Court
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	Custody Status - Nevada
2. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900	Department of Corrections
2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
2. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER	F	01/01/1900	
2. SUBSTANTIAL BODILY HARM.	F	01/01/1900	
3. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900	
3. SUBSTANTIAL BODILY HARM.	F	01/01/1900	
3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
4. ROBBERY	F	01/01/1900	
4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
4. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER	F	01/01/1900	
5. ROBBERY	F	01/01/1900	
5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	

Related Cases

03C189658-2 (Multi-Defendant Case)

Statistical Closures

06/21/2006 USJR Reporting Statistical Closure
11/04/2003 USJR Reporting Statistical Closure

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	03C189658-1
Court	Department 14
Date Assigned	01/28/2003
Judicial Officer	Mosley, Donald

PARTY INFORMATION

Lead Attorneys

DEPARTMENT 14
CASE SUMMARY
CASE NO. 03C189658-1

Defendant **Brown, Erick M**

Langford, Robert L.
Retained
7024716565(W)


Plaintiff **State of Nevada**

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

DATE	EVENTS & ORDERS OF THE COURT	INDEX
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. BURGLARY. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. KIDNAP WITH USE OF A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. SUBSTANTIAL BODILY HARM. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. SUBSTANTIAL BODILY HARM. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. ROBBERY Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 5. ROBBERY Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion)	

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5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty

01/28/2003	 Information <i>INFORMATION Fee \$0.00</i>	03C189658-10001.tif pages
01/28/2003	Hearing <i>INITIAL ARRAIGNMENT</i>	03C189658-10002.tif pages
01/30/2003	Criminal Bindover <i>CRIMINAL BINDOVER</i>	03C189658-10004.tif pages
01/30/2003	 Criminal Bindover <i>CRIMINAL BINDOVER</i>	03C189658-10005.tif pages
02/05/2003	Initial Arraignment (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 01/28/2003 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: Linda Skinner/Is Relief Clerk: Judy McFadden Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
02/05/2003	Hearing <i>ARRAIGNMENT CONTINUED</i>	03C189658-10007.tif pages
02/10/2003	Arraignment Continued (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 02/05/2003 Hearing <i>ARRAIGNMENT CONTINUED Court Clerk: Linda Skinner/Is Relief Clerk: Judy McFadden Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
02/28/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	03C189658-10010.tif pages
03/17/2003	 Expert Witness List <i>NOTICE OF EXPERT WITNESS - RELATED PARTYID: 03C189658_0002</i>	03C189658-10011.tif pages
03/17/2003	 Expert Witness List <i>NOTICE OF ALIBI WITNESS - RELATED PARTYID: 03C189658_0002</i>	03C189658-10012.tif pages
03/21/2003	 Expert Witness List <i>NOTICE OF ALIBI WITNESS - RELATED PARTYID: 03C189658_0001</i>	03C189658-10013.tif pages
03/21/2003	 Expert Witness List <i>NOTICE OF EXPERT WITNESS - RELATED PARTYID: 03C189658_0001</i>	03C189658-10014.tif pages
03/24/2003	 Motion <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5</i>	03C189658-10015.tif pages
03/26/2003	 Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>	03C189658-10016.tif pages
		03C189658-










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03/26/2003	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 03C189658_0001</i>	10017.tif pages
03/27/2003	 Order <i>ORDER - RELATED PARTYID: 03C189658_0001</i>	03C189658-10018.tif pages
04/02/2003	 Opposition <i>OPPOSITION TO MOTION TO SUPPRESS PHOTO LINEUP AND IN COURT IDENTIFICATION</i>	03C189658-10019.tif pages
04/03/2003	Motion to Suppress (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 03/24/2003 Motion <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief Clerk: Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
04/04/2003	Motion to Suppress (10:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief Clerk: Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
04/08/2003	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
04/08/2003	Hearing <i>TRIAL SETTING</i>	03C189658-10020.tif pages
04/08/2003	 Writ <i>RETURN TO WRIT OF HABEAS CORPUS</i>	03C189658-10021.tif pages
04/09/2003	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 03/26/2003 Petition <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	
04/14/2003	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
04/17/2003	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Donald Mosley</i>	
04/17/2003	Conversion Hearing Type (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 04/08/2003 Hearing <i>TRIAL SETTING Heard By: Donald Mosley</i>	
04/17/2003	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 4/17/03 Court Clerk: Nora Pena/np Relief Clerk: Billie Jo Craig Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
04/17/2003	Motion <i>ALL PENDING MOTIONS 4/17/03</i>	03C189658-10022.tif pages
04/22/2003	 Motion <i>DEFT'S MTN TO REDUCE BAIL/11</i>	03C189658-10025.tif pages
04/22/2003		03C189658-

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	 Order <i>ORDER DENYING DEFENDANTS MOTION TO SUPPRESS PHOTO LINEUP AND IN COURT IDENTIFICATION IDENTIFICATION</i>	<i>10026.tif pages</i>
04/25/2003	 Request <i>MOTION AND ORDER ALLOWING PRIVATE INVESTIGATOR JIM THOMAS TO HAVE CONTACT VISITS VISITS- RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10028.tif pages</i>
04/28/2003	 Motion <i>DEFT'S MTN FOR BAIL HEARING/12</i>	<i>03C189658-10027.tif pages</i>
04/28/2003	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO REDUCE BAIL</i>	<i>03C189658-10029.tif pages</i>
04/29/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 04/22/2003 Motion <i>DEFT'S MTN TO REDUCE BAIL/11 Relief Clerk: Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
04/30/2003	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10030.tif pages</i>
05/06/2003	 Opposition <i>OPPOSITION TO MOTION FOR BAIL HEARING</i>	<i>03C189658-10031.tif pages</i>
05/07/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 04/28/2003 Motion <i>DEFT'S MTN FOR BAIL HEARING/12 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
05/12/2003	 Order <i>ORDER DENYING DEFENDANTS MOTION FOR BAIL</i>	<i>03C189658-10032.tif pages</i>
06/03/2003	 Motion <i>DEFT'S MTN TO COMPEL DISCOVERY/13</i>	<i>03C189658-10033.tif pages</i>
06/03/2003	 Motion <i>DEFT'S MTN TO SEVER TRIAL/14</i>	<i>03C189658-10034.tif pages</i>
06/03/2003	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10035.tif pages</i>
06/03/2003	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10036.tif pages</i>
06/06/2003	 Request <i>MOTION FOR FARETTA HEARING - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10037.tif pages</i>
06/06/2003	 Request <i>MOTION FOR ARRAIGNMENT TRANSCRIPTS - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10038.tif pages</i>








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06/06/2003	 Request <i>MOTION FOR DISCOVERABLE EVIDENCE - RELATED PARTYID: 03C189658_0001</i>	03C189658-10039.tif pages
06/06/2003	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 03C189658_0001</i>	03C189658-10040.tif pages
06/06/2003	 Request <i>MOTION FOR EVIDENTIARY HEARING</i>	03C189658-10041.tif pages
06/06/2003	 Request <i>MOTION LIMINE PETROCELLI HEARING - RELATED PARTYID: 03C189658_0001</i>	03C189658-10042.tif pages
06/06/2003	 Request <i>MOTION FOR LATENT PRINTS - RELATED PARTYID: 03C189658_0001</i>	03C189658-10043.tif pages
06/10/2003	 Expert Witness List <i>NOTICE OF WITNESSES</i>	03C189658-10044.tif pages
06/17/2003	Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>	03C189658-10045.tif pages
06/17/2003	 Expert Witness List <i>DEFENDANTS WITNESS LIST - RELATED PARTYID: 03C189658_0002</i>	03C189658-10046.tif pages
06/17/2003	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	03C189658-10047.tif pages
06/18/2003	Motion to Compel (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/03/2003 Motion <i>DEFT'S MTN TO COMPEL DISCOVERY/13 Heard By: Donald Mosley</i>	
06/18/2003	Motion to Sever (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/03/2003 Motion <i>DEFT'S MTN TO SEVER TRIAL/14 Heard By: Donald Mosley</i>	
06/18/2003	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 6/18/03 Court Clerk: Linda Skinner Relief Clerk: Sharry Frascarelli/SF Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
06/18/2003	Motion <i>ALL PENDING MOTIONS 6/18/03</i>	03C189658-10048.tif pages
06/20/2003	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO SEVER TRIAL</i>	03C189658-10049.tif pages
06/23/2003	Motion to Compel (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN TO COMPEL DISCOVERY/13 Heard By: Donald Mosley</i>	
06/23/2003	Motion to Sever (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN TO SEVER TRIAL/14 Heard By: Donald Mosley</i>	






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06/23/2003	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 6/23/03 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
06/23/2003	Motion <i>ALL PENDING MOTIONS 6/23/03</i>	03C189658-10050.tif pages
06/24/2003	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
06/27/2003	 Conversion Case Event Type <i>ORDER TO TRANSPORT TO POLYGRAPH</i>	03C189658-10054.tif pages
06/30/2003	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
06/30/2003	 Motion <i>DEFT'S MTN TO TAKE A WITNESS OUT OF ORDER/ALT CONTINUE TRIAL/20</i>	03C189658-10053.tif pages
07/10/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/30/2003 Motion <i>DEFT'S MTN TO TAKE A WITNESS OUT OF ORDER/ALT CONTINUE TRIAL/20 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
07/15/2003	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
07/15/2003	Hearing <i>FARETTA CANVASS</i>	03C189658-10055.tif pages
07/16/2003	Conversion Hearing Type (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 07/15/2003 Hearing <i>FARETTA CANVASS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
07/21/2003	Jury Trial (1:30 PM) (Judicial Officer: Mosley, Donald) <i>TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
07/22/2003	Jury Trial (1:30 PM) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	
07/22/2003	 Information <i>AMENDED INFORMATION</i>	03C189658-10058.tif pages
07/22/2003	 Jury List <i>DISTRICT COURT JURY LIST</i>	03C189658-10059.tif pages
07/23/2003	Jury Trial (1:30 PM) (Judicial Officer: Mosley, Donald) <i>TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	







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07/24/2003	Jury Trial (1:30 PM) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
07/24/2003	 Memorandum <i>GUILTY PLEA MEMORANDUM/AGREEMENT</i>	03C189658-10061.tif pages
07/24/2003	 Information <i>SECOND AMENDED INFORMATION</i>	03C189658-10062.tif pages
07/28/2003	Conversion Case Event Type <i>SENTENCING</i>	03C189658-10060.tif pages
07/28/2003	 Motion <i>DEFT'S PRO PER MTN FOR COURT RECONSIDERATION/25</i>	03C189658-10063.tif pages
08/04/2003	 Motion <i>DEFT'S PRO PER MTN PRODUCTN DISCOVERABLE EVID/26</i>	03C189658-10066.tif pages
08/06/2003	 Motion <i>DEFT'S PRO PER MTN TO DISMISS INFORMATION FAILURE TO DISCLOSE EVID/27</i>	03C189658-10068.tif pages
08/06/2003	 Motion <i>DEFT'S PRO PER MTN FOR ALL HEARING TRANSCRIPTS STARTING ON 1-22-03/28</i>	03C189658-10069.tif pages
08/06/2003	 Motion <i>DEFT'S PRO PER MTN FOR INDIGENT STATUS/29</i>	03C189658-10070.tif pages
08/07/2003	Motion to Reconsider (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 07/28/2003 Motion <i>DEFT'S PRO PER MTN FOR COURT RECONSIDERATION/25 Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
08/19/2003	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/17/2003 Petition <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Donald Mosley</i>	
08/19/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/04/2003 Motion <i>DEFT'S PRO PER MTN PRODUCTN DISCOVERABLE EVID/26 Heard By: Donald Mosley</i>	
08/19/2003	Motion to Dismiss (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/06/2003 Motion <i>DEFT'S PRO PER MTN TO DISMISS INFORMATION FAILURE TO DISCLOSE EVID/27 Heard By: Donald Mosley</i>	
08/19/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/06/2003 Motion <i>DEFT'S PRO PER MTN FOR ALL HEARING TRANSCRIPTS STARTING ON 1-22-03/28 Heard By: Donald Mosley</i>	
08/19/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/06/2003 Motion <i>DEFT'S PRO PER MTN FOR INDIGENT STATUS/29 Heard By: Donald Mosley</i>	

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08/19/2003	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS (8/19/03) Court Clerk: Melissa Davis Relief Clerk: Jennifer Kimmel/jk Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
08/19/2003	Motion <i>ALL PENDING MOTIONS (8/19/03)</i>	03C189658-10071.tif pages
08/27/2003	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10072.tif pages
09/09/2003	Sentencing (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 07/28/2003 Conversion Case Event Type <i>SENTENCING Court Clerk: Linda Skimmer Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	
09/18/2003	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM</i>	03C189658-10073.tif pages
09/23/2003	Sentencing (9:00 AM) (Judicial Officer: Mosley, Donald) <i>SENTENCING Court Clerk: Linda Skimmer Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
09/23/2003	Conversion Case Event Type <i>SENTENCE TO RUN CONCURRENT TO CALIFORNIA CASE</i>	03C189658-10074.tif pages
10/01/2003	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>	03C189658-10075.tif pages
10/01/2003	Judgment <i>GENETIC TESTING FEE</i>	03C189658-10076.tif pages
10/01/2003	Judgment <i>JUDGMENT OF RESTITUTION</i>	03C189658-10077.tif pages
10/01/2003	 Judgment <i>JUDGMENT OF CONVICTION - PLEA OF GUILTY</i>	03C189658-10078.tif pages
10/10/2003	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10079.tif pages
10/15/2003	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10080.tif pages
10/24/2003	 Notice of Appeal <i>DESIGNATION OF RECORD ON APPEAL - RELATED PARTYID: 03C189658_0002</i>	03C189658-10081.tif pages
10/24/2003	 Notice of Appeal <i>NOTICE OF APPEAL - RELATED PARTYID: 03C189658_0002</i>	03C189658-10082.tif pages






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10/24/2003	 Statement CASE APPEAL STATEMENT	03C189658-10083.tif pages
11/05/2003	 Motion DEFT'S PRO PER MTN TO WITHDRAW COUNSEL /31	03C189658-10085.tif pages
11/05/2003	 Motion DEFT'S PRO PER MTN PRODUCTN DOCUMNTS/PAPE/32	03C189658-10086.tif pages
11/05/2003	 Motion DEFT'S PRO PER MTN TRANSCRIPT STATE EXP/33	03C189658-10087.tif pages
11/05/2003	 Notice NOTICE OF MOTION - RELATED PARTYID: 03C189658_0002	03C189658-10088.tif pages
11/18/2003	Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 11/05/2003 Motion DEFT'S PRO PER MTN TO WITHDRAW COUNSEL /31 Heard By: Donald Mosley	
11/18/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 11/05/2003 Motion DEFT'S PRO PER MTN PRODUCTN DOCUMNTS/PAPE/32 Heard By: Donald Mosley	
11/18/2003	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 11/05/2003 Motion DEFT'S PRO PER MTN TRANSCRIPT STATE EXP/33 Heard By: Donald Mosley	
11/18/2003	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) ALL PENDING MOTIONS 11/18/03 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley	
11/24/2003	 Application EX PARTE APPLICATION TO APPOINT ARCHIE VON AHN AS INVESTIGATOR AND FOR FEES IN EXCESS OF STATUTORY MAXIMUM IN EXCESS OF STATUTORY MAXIMUM-RELATED PARTYID: 03C189658_0001	03C189658-10090.tif pages
11/25/2003	Motion ALL PENDING MOTIONS 11/18/03	03C189658-10089.tif pages
12/02/2003	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) CALENDAR CALL (#2 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley	
12/03/2003	 Request REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 03C189658_0002	03C189658-10093.tif pages
12/08/2003	CANCELED Jury Trial (1:30 PM) Vacated	
12/18/2003	 Reporters Transcript REPORTER'S TRANSCRIPT OF JURY TRIAL CHANGE OF PLEA	03C189658-10094.tif pages
		03C189658-











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01/15/2004	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	10095.tif pages
03/17/2004	 Order <i>ORDER AUTHORIZING CONTACT VISIT - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10096.tif pages
04/05/2004	 Motion <i>DEFT'S MTN TO DISMISS /37</i>	03C189658- 10097.tif pages
04/19/2004	Motion to Dismiss (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 04/05/2004 Motion <i>DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	
04/20/2004	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10099.tif pages
05/07/2004	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	03C189658- 10100.tif pages
05/11/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS</i>	03C189658- 10101.tif pages
05/12/2004	Motion to Dismiss (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
05/13/2004	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10102.tif pages
05/14/2004	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10104.tif pages
05/14/2004	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10105.tif pages
05/17/2004	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10106.tif pages
05/18/2004	 Motion <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38</i>	03C189658- 10103.tif pages
05/19/2004	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10107.tif pages
06/01/2004	Motion to Suppress (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 05/18/2004 Motion <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Court Clerk: Linda Skinner Relief Clerk: Elaine York/ey Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	

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06/29/2004	 Motion <i>PUBLIC DEFENDER'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD/39</i>	03C189658-10108.tif pages
07/06/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO SUPPRESS PHOTO LINE-UP AND IN-COURT IDENTIFICATION IDENTIFICATION</i>	03C189658-10109.tif pages
07/08/2004	Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/29/2004 Motion <i>PUBLIC DEFENDER'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD/39 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
08/04/2004	Motion to Suppress (9:00 AM) <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley</i>	
08/30/2004	Motion to Suppress (9:00 AM) <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley</i>	
08/30/2004	 Motion <i>DEFT'S MTN FOR DISCOVERY/40</i>	03C189658-10110.tif pages
09/13/2004	Motion to Suppress (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley</i>	
09/13/2004	Motion for Discovery (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/30/2004 Motion <i>DEFT'S MTN FOR DISCOVERY/40 Heard By: Donald Mosley</i>	
09/13/2004	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 9-13-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
09/13/2004	Motion <i>ALL PENDING MOTIONS 9-13-04</i>	03C189658-10111.tif pages
09/16/2004	Motion to Suppress (9:00 AM) <i>DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Court Clerk: Linda Skinner Relief Clerk: Elaine York/ey Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
09/16/2004	Motion for Discovery (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN FOR DISCOVERY/40 Heard By: Donald Mosley</i>	
09/16/2004	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 9-16-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
09/16/2004	Motion <i>ALL PENDING MOTIONS 9-16-04</i>	03C189658-10114.tif pages
09/20/2004	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658-10112.tif pages
09/23/2004	 Application <i>EX PARTE APPLICATION TO APPOINT PHILLIP NEEDHAM AS INVESTIGATOR AND FOR FEES IN EXCESS OF STATUTORY MAXIMUM IN EXCESS OF STATUTORY</i>	03C189658-10113.tif pages

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CASE No. 03C189658-1

	<i>MAXIMUM- RELATED PARTYID: 03C189658_0001</i>	
11/04/2004	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	03C189658-10115.tif pages
11/04/2004	 Expert Witness List <i>NOTICE OF WITNESSES</i>	03C189658-10116.tif pages
11/09/2004	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION - RELATED PARTYID: 03C189658_0002</i>	03C189658-10119.tif pages
11/16/2004	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL (#1 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
11/19/2004	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	03C189658-10120.tif pages
11/22/2004	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
12/03/2004	 Order <i>ORDER APPROVING EX PARTE APPLICATION TO APPOINT PHILIP NEEDHAM AS THE INVESTIGATOR AND APPROVAL OF FEES IN EXCESS OF THE STATUTORY MAXIMUM INVESTIGATOR AND APPROVAL OF FEES IN EXCESS OF THE STATUTORY MAXIMUM- RELATED PARTYID: 03C189658_0001</i>	03C189658-10121.tif pages
12/13/2004	 Motion <i>DEFT'S MOTION FOR REASONABLE BAIL/45</i>	03C189658-10122.tif pages
12/13/2004	Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46</i>	03C189658-10123.tif pages
12/13/2004	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	03C189658-10124.tif pages
12/15/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS</i>	03C189658-10125.tif pages
12/16/2004	Motion for Own Recognizance Release/Setting Reasonable Bail (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 12/13/2004 Motion <i>DEFT'S MOTION FOR REASONABLE BAIL/45 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
12/28/2004	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 03C189658_0001</i>	03C189658-10126.tif pages
01/05/2005	 Affidavit <i>AFFIDAVIT IN RESPONSE TO POST-CONVICTION WRIT OF HABEAS CORPUS -</i>	03C189658-10127.tif pages








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	<i>RELATED PARTYID: 03C189658_0002</i>	
01/20/2005	 Order <i>ORDER DENYING DEFENDANTS MOTION FOR REASONABLE BAIL</i>	<i>03C189658-10128.tif pages</i>
01/24/2005	 Notice <i>NOTICE OF HEARING</i>	<i>03C189658-10129.tif pages</i>
01/26/2005	 Affidavit <i>SUPPLEMENTAL AFFIDAVIT IN RESPONSE TO POST CONVICTION WRIT OF HABEAS CORPUS - RELATED PARTYID: 03C189658_0002</i>	<i>03C189658-10130.tif pages</i>
02/01/2005	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	<i>03C189658-10131.tif pages</i>
02/02/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	<i>03C189658-10132.tif pages</i>
02/14/2005	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 12/13/2004 Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
02/15/2005	 Motion <i>DEFT'S PRO PER MTN TO TRANSPORT & PRODUCE INMATE/47</i>	<i>03C189658-10133.tif pages</i>
02/15/2005	 Hearing <i>DEFT'S REQUEST FOR APPOINTMENT OF COUNSEL/48</i>	<i>03C189658-10134.tif pages</i>
02/15/2005	 Notice <i>NOTICE OF HEARING</i>	<i>03C189658-10135.tif pages</i>
02/15/2005	 Notice <i>NOTICE OF MOTION - RELATED PARTYID: 03C189658_0002</i>	<i>03C189658-10136.tif pages</i>
02/17/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
02/28/2005	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 02/15/2005 Motion <i>DEFT'S PRO PER MTN TO TRANSPORT & PRODUCE INMATE/47 Heard By: Donald Mosley</i>	
02/28/2005	Request (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 02/15/2005 Hearing <i>DEFT'S REQUEST FOR APPOINTMENT OF COUNSEL/48 Heard By: Donald Mosley</i>	
02/28/2005	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 2/28/05 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
02/28/2005	Motion <i>ALL PENDING MOTIONS 2/28/05</i>	<i>03C189658-10137.tif pages</i>

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03/03/2005	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	03C189658-10138.tif pages
03/07/2005	 Order <i>ORDER DENYING DEFENDANTS MOTION TO APPOINT COUNSEL</i>	03C189658-10139.tif pages
03/18/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS REQUEST FOR APPOINTMENT OF COUNSEL</i>	03C189658-10140.tif pages
03/22/2005	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 03C189658_0002</i>	03C189658-10141.tif pages
03/22/2005	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 03C189658_0001</i>	03C189658-10142.tif pages
03/24/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
03/25/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
03/29/2005	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL (#1 ON STACK) Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
03/31/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658-10145.tif pages
04/04/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
04/08/2005	 Order <i>ORDER GRANTING DEFENDANTS MOTION TO INSPECT FILES - RELATED PARTYID: 03C189658_0001</i>	03C189658-10146.tif pages
04/19/2005	 Notice <i>NOTICE OF HEARING</i>	03C189658-10147.tif pages
04/20/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	03C189658-10148.tif pages
04/20/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	03C189658-10149.tif pages
04/21/2005	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	03C189658-10150.tif pages
04/25/2005	 Reply <i>REPLY TO STATES OPPOSITION TO PETITIONERS REQUEST FOR APPOINTMENT OF</i>	03C189658-10151.tif pages

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	<i>COUNSEL OF COUNSEL- RELATED PARTYID: 03C189658_0002</i>	
06/24/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
07/15/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
11/15/2005	 Order <i>EX PARTE MOTION AND ORDER ALLOWING RICHARD FRANKY LPI AND/OR AN AGENT OF RDP INVESTIGATIVE AGENCY SPECIFICALLY INVESTIGATOR LIZA GRIPENTROG TO HAVE CONTACT VISITS IN THE CLARK COUNTY DETENTION CENTER RDP INVESTIGATIVE AGENCY SPECIFICALLY INVESTIGATOR LIZA GRIPENTROG TO HAVE CONTACT VISITS IN THE CLARK COUNTY DETENTION CENTER- RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10152.tif pages</i>
11/15/2005	 Notice <i>NOTICE OF HEARING</i>	<i>03C189658-10153.tif pages</i>
11/18/2005	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley</i>	
11/18/2005	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	<i>03C189658-10154.tif pages</i>
12/01/2005	 Motion <i>DEFT'S PROPER MTN FOR APPOINTMENT OF COUNSEL FOR WRIT OF HABEAS CORPUS /52</i>	<i>03C189658-10155.tif pages</i>
12/07/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR APPOINTMENT OF COUNSEL</i>	<i>03C189658-10156.tif pages</i>
12/09/2005	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Relief Clerk: Melissa Swim Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>	
12/20/2005	CANCELED Motion for Appointment of Attorney (9:00 AM) Events: 12/01/2005 Motion <i>Vacated</i>	
12/20/2005	 Order <i>ORDER GRANTING DEFENDANTS MOTION TO INSPECT FILES - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10157.tif pages</i>
12/29/2005	 Application <i>EX PARTE APPLICATION FOR ADDITIONAL FEES IN EXCESS OF STATUTORY MAXIMUM - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10158.tif pages</i>
01/06/2006	Hearing <i>AT REQUEST OF COURT: APPLICATION FOR FEES</i>	<i>03C189658-10159.tif pages</i>
01/10/2006	Request of Court (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 01/06/2006 Hearing <i>AT REQUEST OF COURT: APPLICATION FOR FEES Court Clerk: Linda Skinner</i>	

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Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

01/10/2006	 Order <i>STIPULATION AND ORDER FOR RELEASE OF EVIDENCE</i>	03C189658- 10160.tif pages
01/12/2006	 Expert Witness List <i>NOTICE OF WITNESSES</i>	03C189658- 10161.tif pages
01/18/2006	 Receipt <i>RECEIPT OF EXHIBITS</i>	03C189658- 10162.tif pages
01/18/2006	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	03C189658- 10163.tif pages
01/20/2006	 Order <i>ORDER APPROVING EX PARTE APPLICATION FOR FEES IN EXCESS OF THE STATUTORY MAXIMUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10164.tif pages
01/20/2006	 Order <i>ORDER APPROVING EX PARTE APPLICATION FOR FEES IN ECCESS OF THE STATUTORY MAXIMUM</i>	03C189658- 10165.tif pages
01/24/2006	 Order <i>ORDER FOR TRANSCRIPT</i>	03C189658- 10166.tif pages
02/02/2006	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	03C189658- 10167.tif pages
02/06/2006	 Order <i>ORDER GRANTING DEFENDANTS MOTION TO PRODUCE PRINTS - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10168.tif pages
02/14/2006	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL (#1) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
02/14/2006	 Request <i>NOTICE OF MOTION AND MOTION TO CONTINUE</i>	03C189658- 10171.tif pages
02/21/2006	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
03/10/2006	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
04/04/2006	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	03C189658- 10173.tif pages
04/04/2006	 Notice of Appeal	03C189658- 10174.tif pages







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	<i>NOTICE OF APPEAL - RELATED PARTYID: 03C189658_0002</i>	
04/05/2006	 Expert Witness List <i>NOTICE OF EXPERT WITNESS - RELATED PARTYID: 03C189658_0001</i>	03C189658-10175.tif pages
04/06/2006	 Statement <i>CASE APPEAL STATEMENT</i>	03C189658-10176.tif pages
04/06/2006	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	03C189658-10177.tif pages
05/05/2006	 Order <i>ORDER FOR PRODUCTION OF INMATE ALFRED BLACKWELL</i>	03C189658-10178.tif pages
05/22/2006	 Order <i>ORDER GRANTING DEFENDANTS HANDWRITING EXPERT ACCESS TO CERTAIN EVIDENCE - RELATED PARTYID: 03C189658_0001</i>	03C189658-10179.tif pages
06/20/2006	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10180.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10181.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10182.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10183.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10184.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10185.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10186.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM</i>	03C189658-10187.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658-10188.tif pages

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06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10189.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10190.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10191.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10192.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10193.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10194.tif pages
06/20/2006	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10195.tif pages
06/21/2006	Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
06/21/2006	 Expert Witness List <i>NOTICE OF WITNESSES - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10196.tif pages
06/21/2006	 Instructions to the Jury <i>DEFENDANTS PROPOSED JURY INSTRUCTIONS</i>	03C189658- 10197.tif pages
06/22/2006	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10200.tif pages
06/26/2006	Jury Trial (1:30 PM) (Judicial Officer: Mosley, Donald) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
06/26/2006	 Information <i>AMENDED INFORMATION</i>	03C189658- 10202.tif pages
06/27/2006	Jury Trial (1:30 PM) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
06/27/2006	 Jury List <i>DISTRICT COURT JURY LIST</i>	03C189658- 10203.tif pages
06/28/2006	Jury Trial (1:30 PM)	

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	<i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
06/29/2006	Jury Trial (9:00 AM) (Judicial Officer: Mosley, Donald) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i>	
06/30/2006	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
06/30/2006	 Judgment <i>VERDICT</i>	03C189658-10206.tif pages
06/30/2006	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	03C189658-10207.tif pages
07/05/2006	Conversion Case Event Type <i>SENTENCING</i>	03C189658-10204.tif pages
07/06/2006	 Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>	03C189658-10209.tif pages
08/04/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANTS PRO PER PETITION FOR WRIT OF HABEAS CORPUS</i>	03C189658-10210.tif pages
08/08/2006	Sentencing (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 07/05/2006 Conversion Case Event Type <i>SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i>	
08/08/2006	 Receipt <i>RECEIPT OF EXHIBITS</i>	03C189658-10211.tif pages
08/08/2006	 Order <i>ORDER</i>	03C189658-10212.tif pages
08/08/2006	Disposition (Judicial Officer: User, Conversion) 1. BURGLARY. Guilty	
08/08/2006	Disposition (Judicial Officer: User, Conversion)	
08/08/2006	Disposition (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty	
08/08/2006	Disposition (Judicial Officer: User, Conversion) 2. KIDNAP WITH USE OF A DEADLY WEAPON Guilty	
08/08/2006	Disposition (Judicial Officer: User, Conversion)	
08/08/2006	Disposition (Judicial Officer: User, Conversion)	

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	2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 2. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 2. SUBSTANTIAL BODILY HARM. Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 3. SUBSTANTIAL BODILY HARM. Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 4. ROBBERY Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 4. CERTAIN CRIMES COMMITTED AGAINST PERSON 65 YEARS OF AGE OF OLDER Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion) 5. ROBBERY Guilty
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty
08/08/2006	Sentence (Judicial Officer: User, Conversion) 1. BURGLARY. Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 26 Months to Maximum 120 Months Placement: NSP Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 674 Days to Maximum 674 Days Converted Disposition: Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS

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08/08/2006	Amount: \$150.00 Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
08/08/2006	Sentence (Judicial Officer: User, Conversion) 2. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 15 Years to Maximum 40 Years Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 15 Years to Maximum 40 Years Placement: NSP
08/08/2006	Sentence (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 15 Years to Maximum 40 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 15 Years to Maximum 40 Years Placement: NSP Converted Disposition: Sentence# 0003: RESTITUTION Amount: \$143327.00
08/08/2006	Sentence (Judicial Officer: User, Conversion) 4. ROBBERY Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 26 Months to Maximum 120 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0007 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 26 Months to Maximum 120 Months Placement: NSP
08/08/2006	Sentence (Judicial Officer: User, Conversion) 5. ROBBERY Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 26 Months to Maximum 120 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0010 and Sentence#: 0001 Converted Disposition:

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CASE No. 03C189658-1

	Sentence# 0002: Minimum 26 Months to Maximum 120 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0010 and Sentence#: 0001	
08/11/2006	 Notice of Appeal <i>NOTICE OF APPEAL (SC 47856) - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10213.tif pages
08/15/2006	 Statement <i>CASE APPEAL STATEMENT</i>	03C189658- 10214.tif pages
08/15/2006	 Notice of Appeal <i>NOTICE OF APPEAL (SC 47856) - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10215.tif pages
08/16/2006	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	03C189658- 10216.tif pages
08/16/2006	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>	03C189658- 10217.tif pages
08/16/2006	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	03C189658- 10218.tif pages
08/28/2006	 Statement <i>CASE APPEAL STATEMENT</i>	03C189658- 10219.tif pages
08/28/2006	 Notice of Appeal <i>NOTICE OF DIRECT APPEAL (SC 47856) - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10220.tif pages
10/19/2006	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	03C189658- 10222.tif pages
11/13/2006	 Request <i>EX PARTE MOTION FOR REQUEST OF ROUGH DRAFT TRASCRIPTS - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10223.tif pages
12/15/2006	 Ex Parte Order <i>EX PARTE ORDER FOR ROUGH DRAFT TRASCRIPTS - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10224.tif pages
01/18/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS ROUGH DRAFT</i>	03C189658- 10225.tif pages
01/18/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS ROUGH DRAFT</i>	03C189658- 10226.tif pages
01/18/2007		03C189658-

DEPARTMENT 14
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CASE No. 03C189658-1

	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS ROUGH DRAFT</i>	<i>10227.tif pages</i>
01/18/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	<i>03C189658-10228.tif pages</i>
01/18/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS ROUGH DRAFT</i>	<i>03C189658-10229.tif pages</i>
10/12/2007	 Judgment <i>CLERK'S CERTIFICATE/JUDGMENT AFFIRMED</i>	<i>03C189658-10231.tif pages</i>
06/17/2008	 Substitution of Attorney <i>CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10232.tif pages</i>
08/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DEFENDANTS PRO PER MOTIONS - HEARD 08-19-03</i>	<i>03C189658-10235.tif pages</i>
09/26/2008	 Ex Parte <i>EX PARTE MOTION FOR TRIAL AND PRETRIAL TRANSCRIPTS - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10233.tif pages</i>
10/06/2008	 Order <i>ORDER FOR PRODUCTION OF TRANSCRIPTS AT DEFENDANTS EXPENSE - RELATED PARTYID: 03C189658_0001</i>	<i>03C189658-10234.tif pages</i>
10/10/2008	 Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)/57</i>	<i>03C189658-10235.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DEFTS MTN TO DISMISS</i>	<i>03C189658-10236.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DEFTS PRO PER MTN FOR COURTS RECONSIDERATION</i>	<i>03C189658-10237.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF CALENDAR CALL</i>	<i>03C189658-10238.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FARETTA CARVASS</i>	<i>03C189658-10239.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DEFTS MTN TO SEVER TRIAL COMPEL DISCOVERY</i>	<i>03C189658-10240.tif pages</i>
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF CALENDAR CALL</i>	<i>03C189658-10241.tif pages</i>







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CASE No. 03C189658-1

10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF CALENDAR CALL</i>	03C189658- 10242.tif pages
10/13/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF THE REQUEST OF THE COURT - APPLICATION FOR FEES FEES</i>	03C189658- 10243.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10244.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10245.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10246.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10247.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10248.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10249.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10250.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10251.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10252.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10253.tif pages
10/27/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10254.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	03C189658- 10255.tif pages
12/03/2008	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION - RELATED PARTYID: 03C189658_0001</i>	03C189658- 10256.tif pages

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12/18/2008	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 10/10/2008 Petition <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)/57 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
12/18/2008	Hearing <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i>	03C189658-10257.tif pages
03/24/2009	 Order <i>STIPULATION AND ORDER TO CONTINUE BRIEFING OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION CORPUS POST CONVICTION- RELATED PARTYID: 03C189658_0002</i>	03C189658-10261.tif pages
04/06/2009	 Affidavit <i>AFFIDAVIT OF MICHAEL V CRISTALLI ESQ IN RESPONSE TO ALLEGATION OF INEFFECTIVE POST CONVICTION ASSISTANCE OF COUNSEL AS ALLEGED WITHIN PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION ASSISTANCE OF COUNSEL AS ALLEGED WITHIN PETITION FOR WRIT OF HABEAS CORPUS- RELATED PARTYID: 03C189658_0001</i>	03C189658-10262.tif pages
04/17/2009	Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 12/18/2008 Hearing <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Heard By: Donald Mosley</i>	
05/22/2009	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION - RELATED PARTYID: 03C189658_0001</i>	03C189658-10263.tif pages
06/19/2009	Hearing (9:00 AM) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Heard By: Donald Mosley</i>	
07/17/2009	 Opposition <i>STATES OPPOSITION TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION AND SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS AND SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS</i>	03C189658-10264.tif pages
08/05/2009	 Motion <i>DEFT'S MTN TO CONTINUE PTN FOR WRIT OF HABEAS CORPUS (POST CONVICTION)/59</i>	03C189658-10265.tif pages
08/10/2009	 Request <i>EX PARTE MOTION FOR ORDER SHORTENING TIME - RELATED PARTYID: 03C189658_0001</i>	03C189658-10266.tif pages
08/17/2009	Motion to Continue (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/05/2009 Motion <i>DEFT'S MTN TO CONTINUE PTN FOR WRIT OF HABEAS CORPUS (POST CONVICTION)/59 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
08/21/2009	Hearing (9:00 AM) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Heard By: Donald Mosley</i>	

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CASE No. 03C189658-1

08/21/2009	 Hearing <i>DEFT'S MOTION FOR EVIDENTIARY HEARING/60</i>	03C189658-10267.tif pages
08/21/2009	 Reply <i>REPLY TO STATES OPPOSITION TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION AND SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS CONVICTION AND SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS- RELATED PARTYID: 03C189658_0001</i>	03C189658-10268.tif pages
09/01/2009	 Opposition <i>STATES OPPOSITION TO DEFTS MTN FOR EVIDENTIARY HEARING</i>	03C189658-10269.tif pages
09/03/2009	Evidentiary Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 08/21/2009 Hearing <i>DEFT'S MOTION FOR EVIDENTIARY HEARING/60 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
10/23/2009	Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
11/19/2009	 Petition <i>AMENDMENT TO PETITION FOR WRIT OF HABEAS CORPUS NRS 34.360-830 AND MTN FOR COURT ORDERED SUBPOENA ORDERED SUBPOENA- RELATED PARTYID: 03C189658_0001</i>	03C189658-10270.tif pages
12/04/2009	Hearing (9:00 AM) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
12/04/2009	Hearing <i>EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i>	03C189658-10271.tif pages
12/10/2009	 Order <i>ORDER FOR PRODUCTION OF INMATE ERICK M BROWN BAC #92713</i>	03C189658-10272.tif pages
01/27/2010	 Petition <i>AMENDMENT TO PETITION FOR WRIT OF HABEAS CORPUS AND MTN FOR COURT ORDERED DNA AND FORENSIC LABORATORY TESTING FORENSIC LABORATORY TESTING- RELATED PARTYID: 03C189658_0001</i>	03C189658-10273.tif pages
02/12/2010	Evidentiary Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 12/04/2009 Hearing <i>EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i>	
03/18/2010	 Motion <i>DEFT'S MTN FOR DISCOVERY /62</i>	03C189658-10274.tif pages
04/05/2010	 Opposition	03C189658-10275.tif pages

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CASE No. 03C189658-1







STATES OPPOSITION TO DEFTS MTN FOR DISCOVERY

04/12/2010	Motion for Discovery (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 03/18/2010 Motion <i>DEFT'S MTN FOR DISCOVERY /62 Relief Clerk: Phyllis Iryb/pi Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i>
04/30/2010	Evidentiary Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) <i>EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i>
04/30/2010	Motion for Discovery (9:00 AM) (Judicial Officer: Mosley, Donald) <i>DEFT'S MTN FOR DISCOVERY /62</i>
04/30/2010	All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 4/30/10 Court Clerk: Linda Skinner Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley</i>
04/30/2010	Motion <i>ALL PENDING MOTIONS 4/30/10</i>
04/30/2010	Hearing <i>STATUS CHECK: DISCOVERY</i>
07/26/2010	 Status Check (9:00 AM) (Judicial Officer: Bonaventure, Joseph) 07/26/2010, 09/27/2010, 10/18/2010 Events: 04/30/2010 Hearing
02/15/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M Brown BAC #92713</i>
06/30/2011	 Order Filed By: Plaintiff State of Nevada <i>Order for Production of Inmate Erick M. Brown, BAC #92713</i>
07/28/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, Bac #92713</i>
09/29/2011	 Order for Production of Inmate
10/21/2011	CANCELED Evidentiary Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Vacated reset to 12/2</i>
12/14/2011	 Order <i>Order Resetting Evidentiary Hearing</i>
12/14/2011	 Stipulation <i>Stipulation to Continue Evidentiary Hearing</i>
01/10/2012	 Motion to Continue Filed By: Defendant Brown, Erick M <i>Motion to Continue Evidentiary Hearing</i>
01/23/2012	

03C189658-
10276.tif pages

03C189658-
10277.tif pages

DEPARTMENT 14
CASE SUMMARY
CASE No. 03C189658-1

	 Motion to Continue (9:00 AM) (Judicial Officer: Mosley, Donald) 01/23/2012, 01/25/2012 Events: 01/10/2012 Motion to Continue <i>Motion to Continue Evidentiary Hearing</i>
01/23/2012	 Order for Production of Inmate
01/27/2012	 Evidentiary Hearing (1:30 PM) (Judicial Officer: Mosley, Donald)
02/07/2012	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M
02/07/2012	 Case Appeal Statement Filed By: Defendant Brown, Erick M
02/07/2012	 Request Filed by: Defendant Brown, Erick M <i>Request for Rough Draft Transcript</i>

DATE

FINANCIAL INFORMATION

Defendant Brown, Erick M
Total Charges
Total Payments and Credits
Balance Due as of 2/7/2012

266.00
91.00
175.00

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 05, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

February 05, 2003**9:00 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk: Linda
Skinner/ls Relief
Clerk: Judy
McFadden
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Fritz, Andrew	Attorney
	Knapp, Gregory D.	Attorney

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Fritz requested a continuance to Monday as Defendant has not retained him as of yet. Upon Court's inquiry, Mr. Fritz advised he would have an answer by Monday.

AS TO DEFT BLACKWELL: Ms. Diefenbach had no objection to a continuance.

There being no objection, COURT ORDERED, matter CONTINUED as to both Defendants.

CUSTODY (BOTH)

2/10/03 9:00 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2003

03C189658-1

The State of Nevada vs Erick M Brown

February 10, 2003

9:00 AM

Arraignment Continued

ARRAIGNMENT
CONTINUED Court
Clerk: Linda
Skinner/ls Relief
Clerk: Judy
McFadden
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Bauer, Elizabeth B.	Attorney
	Brown, Erick M	Defendant
	Hughes, Edward B.	Attorney

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Hughes appeared for Mr. Fritz and advised Mr. Fritz would be confirming as counsel. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

AS TO DEFT BLACKWELL: DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

COURT ORDERED, matter set within sixty days for trial. Counsel requested 21 days from the filing of the Preliminary Hearing Transcript to file a writ. COURT ORDERED, Defendant's rights are reserved.

CUSTODY (BOTH)

03C189658-1

4/8/03 9:00 AM CALENDAR CALL (BOTH)

4/14/03 1:30 PM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 03, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 03, 2003**9:00 AM****Motion to Suppress****DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/ IN-
COURT ID/5 Relief
Clerk: Carole D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Lewis, Linda Y. Attorney**JOURNAL ENTRIES**

- Court TRAILED matter to end of calendar for argument.

Matter RECALLED and Ms. Lewis advised Ms. DeLaGarza left the file with her and submitted matter on opposition filed. Court noted the presence of Mr. Coffee and inquired why Ms. Diefenbach was not present to argue her motion. Mr. Coffee stated he is co-counsel on the matter. Court advised it wants the authors of the pleadings present to argue and, ORDERED, matter CONTINUED to tomorrow. Mr. Coffee stated he would contact Ms. Diefenbach and call Court this afternoon to let her know if she will be available tomorrow. Ms. Lewis advised she will have Ms. DeLaGarza present tomorrow.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 04, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 04, 2003**10:00 AM****Motion to Suppress****DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/ IN-
COURT ID/5 Relief
Clerk: Carole D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- Court advised it reviewed all the pleadings in this matter and there are two issues raised in Ms. Diefenbach's motion, the challenge of the photo I.D. line up and the in court I.D. at the Preliminary Hearing. Following arguments by counsel, COURT ORDERED, motion DENIED as it does not find the photo line up suggestive or prejudicial in any way and is not inclined to mandate new procedures for in court identifications. Ms. Diefenbach advised matter is set for Calendar Call on Tuesday and the Co-Defendant filed a writ. Court advised counsel it can adjust within reason to accommodate both Defendants for trial since Defendant Blackwell has invoked his speedy trial rights.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 08, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 08, 2003**9:00 AM****Calendar Call****CALENDAR CALL
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. De La Garza advised the State is ready for trial with 8-10 witnesses and 3-4 out of State witnesses lasting 4-5 days. Mr. Coffee advised he is ready as well, however, will already be in a trial in this Court next week. Mr. Fritz advised he would like to wait on the outcome of the writ tomorrow. COURT ORDERED, trial date VACATED and matter set for trial setting next week as to both Defendants.

CUSTODY (BOTH)**4/17/03 9:00 AM TRIAL SETTING (BOTH)**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 09, 2003

03C189658-1

The State of Nevada vs Erick M Brown

April 09, 2003

9:00 AM

Petition for Writ of Habeas
CorpusPTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- Arguments by Ms. De La Garza regarding aspirations and the fact that the Defendants increased the harm to the victims. As Ms. De La Garza cited case law that the Court would like to review, COURT ORDERED, matter CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2003

03C189658-1

The State of Nevada vs Erick M Brown

April 17, 2003

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 4/17/03
Court Clerk: Nora
Pena/np Relief
Clerk: Billie Jo Craig
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- DEFT'S PETITION FOR WRIT OF HABEAS CORPUS - BROWN...TRIAL SETTING

Court advised it sees two basic aspects - 1) asportation of the underlying offense and 2) question of increase danger to pursue alleged kidnapping to person or persons; it has doubts to this restraint not being incidental to robbery and asked Ms. DeLaGarza to work a hypothetical with the Court. Ms. DeLaGarza advised the defts bound the victims. Court asked where is the charge that the beating would justify. Ms. DeLaGarza advised kidnapping included bodily harm, and this binding was not just incidental to robbery. Mr. Fritz stated it deals with kidnapping and robbery, people were not kidnapped to be harmed but to be robbed. Court asked what is the separate offense. Ms. DeLaGarza advised the kidnapping is it's own offense charge and these victims sustained bodily harm. Mr. Fritz advised they say it's a robbery case and he thinks it's right on point with the Wright case. Court advised it should be left to the jury as to robbery. COURT ORDERED, Deft Brown's Petition for Writ is DENIED. Mr. Fritz advised we needed to set a trial date. Ms. DeLaGarza advised deft. Black

invoked and deft. Brown waived. COURT ORDERED, matter set for trial in 60 days. Trial date given due to request of the State. Mr. Fritz inquired about standard bail. Opposition by Ms. DeLaGarza. Court directed counsel to put bail request in a written motion.

CUSTODY (BOTH)

6/24/03 9:00 AM CALENDAR CALL (BROWN & BLACKWELL)

6/30/03 1:30 PM JURY TRIAL (BROWN & BLACKWELL)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 29, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 29, 2003**9:00 AM****Motion****DEFT'S MTN TO
REDUCE BAIL/11
Relief Clerk: Carole
D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- Court noted this is Mr. Jorgenson's motion to reduce bail from \$1,180,000 to \$98,000 and inquired if Defendant could make \$98,000 bail to which Defendant replied yes. Statements by Ms. De La Garza regarding the instant case, noting Defendant is a flight risk and, therefore, she opposes the motion. Mr. Jorgenson advised the Intake Services Report does not recommend an O.R. release but he is requesting standard bail be set. Upon inquiry of the Court, Defendant stated he lives in California. Court noted trial is set for June 30 and doesn't like the ideal of having to find Defendant in California when this case carries a possible life sentence and, ORDERED, motion DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 07, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

May 07, 2003**9:00 AM****Motion****DEFT'S MTN FOR
BAIL HEARING/12
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- Court noted Defendant has no ties to this State. Mr. Fritz advised that was untrue as Defendant's aunt lives here and that he was arrested in California. Ms. De La Garza argued that the bail should not be lowered; that he and the co-defendant terrorized two elderly men. Mr. Fritz argued for reasonable bail. Court noted absent a persuasive reason, it would not reset the bail after another Judge heard the evidence. Arguments by Mr. Fritz and Ms. De La Garza. COURT ORDERED, Deft's Motion for Bail Reduction is DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 18, 2003

03C189658-1

The State of Nevada vs Erick M Brown

June 18, 2003

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 6/18/03
Court Clerk: Linda
Skinner Relief Clerk:
Sharry Frascarelli/SF
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Fritz, Andrew	Attorney
	Saragosa, Melissa A.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

Ms. Saragosa advised this is Ms. DelaGarza's case who is requesting a couple of days continuance.
Court noted is unavailability and the pending trial date and ORDERED, matter CONTINUED.
CUSTODY

6/23/03 9:00 AM DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 23, 2003

03C189658-1

The State of Nevada vs Erick M Brown

June 23, 2003

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 6/23/03
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY
AS TO MOTION TO SEVER TRIAL: Court noted it has read this at length and Mr. Fritz feels Defendant would be prejudiced if he were tried with the co-defendant. Mr. Fritz concurred and stated the co-defendant was in the jewelry store earlier the day of the robbery and there is better identification on the co-defendant than on this Defendant. Court noted the case law needs to be substantial and ORDERED, Motion DENIED.

AS TO MOTION TO COMPEL DISCOVERY: Mr. Fritz advised Defendant was arrested in Los Angeles five days after the robbery; that Henderson Police were relaying descriptions to Los Angeles Police that were different from that of this Defendant. Mr. Fritz would like those notes. Ms. De La Garza advised Mr. Fritz has everything she has; that she will contact the Henderson Police and see if there is anything else. COURT ORDERED, matter RESOLVED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 24, 2003

03C189658-1

The State of Nevada vs Erick M Brown

June 24, 2003

9:00 AM

Calendar Call

CALENDAR CALL
Relief Clerk: Melissa
Davis
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	De La Garza, Melisa	Attorney
	Fritz, Andrew	Attorney

JOURNAL ENTRIES

- Mr. Ericsson appearing on behalf of Ms. Diefenbach. Court noted Defendant Brown waived the 60 day rule and Defendant Blackwell invoked his right to a speedy trial. COURT ORDERED, matter RESET.

7/15/03 9AM CALENDAR CALL

7/21/03 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 10, 2003

03C189658-1

The State of Nevada vs Erick M Brown

July 10, 2003

9:00 AM

Motion

DEFT'S MTN TO
TAKE A WITNESS
OUT OF
ORDER/ALT
CONTINUE
TRIAL/20 Court
Clerk: Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Saragosa, Melissa A. Attorney

JOURNAL ENTRIES

- Ms. Diefenbach advised her expert will not be available on 7/24 or 7/25 and would request to have him testify on 7/23. Ms. Saragosa appeared for Ms. De La Garza and had no objection to the motion. COURT ORDERED, Deft's Motion to Take a Witness Out of Order is GRANTED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 15, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 15, 2003**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk: Linda
Skinner****Reporter/Recorder:****Maureen Schorn****Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Fritz, Andrew

Attorney

Zadrowski, Bernard

Attorney

B.

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Fritz advised Defendant would like him to withdraw; he stated there has been a breakdown in communication and would request to withdraw. Mr. Zadrowski advised there are 4 out of state witnesses and this would not be appropriate for Overflow. Following further statements by counsel and Defendant, COURT ORDERED, Mr. Fritz is ALLOWED to withdraw as counsel and matter set for Faretta Canvass.

AS TO DEFT BLACKWELL: Ms. Diefenbach advised she would oppose a continuance, is ready for trial and has an out of State expert. Mr. Zadrowski stated Ms. De La Garza is ready as well with 8-10 witnesses, 4 out of State and lasting 3-4 days. COURT ORDERED, jury selection would begin at 1:30 PM in this Court on Monday.

CUSTODY (BOTH)

7/16/03 9:00 AM FARETTA CANVAS (BROWN)

7/21/03 1:30 PM JURY TRIAL (BLACKWELL)

PRINT DATE: 02/07/2012

Page 17 of 71

Minutes Date:

February 05, 2003

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 16, 2003**9:00 AM****Conversion Hearing Type****FARETTA
CANVASS Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Brown, Erick M Defendant
De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- Upon completion of the Faretta Canvass, COURT ORDERED, Defendant may represent himself. Following colloquy, Court directed Defendant to have his Investigator contact Ms. De La Garza for the discovery. COURT ORDERED, matter set for trial.

CUSTODY

12/2/03 9:00 AM CALENDAR CALL

12/8/03 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 21, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 21, 2003**1:30 PM****Jury Trial****TRIAL BY JURY****Relief Clerk: Melissa
Davis****Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- 2:21 p.m. Prospective jury panel present, clerk called roll and after introduction by counsel, clerk administered voir dire oath. Counsel began jury selection. 5:00 p.m. State exercised one preemptory challenge and COURT ORDERED, matter CONTINUED and ADMONISHED prospective jurors. CUSTODY

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

03C189658-1

The State of Nevada vs Erick M Brown

July 22, 2003**1:30 PM****Jury Trial****TRIAL BY JURY**
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- 1:31 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection continues. 3:07 PM Jury and 1 Alternate selected and sworn. Information read by Clerk and stated Defendant's plea thereto. Exclusionary rule invoked. Opening statements by counsel. 4:58 PM EVENING RECESS. OUTSIDE PRESENCE OF JURY: Mr. Coffee requested the proposed questions be admitted as Court's exhibits. COURT SO ORDERED. Discussion regarding statement of Defendant Blackwell. Ms. DeLaGarza advised she was not planning on bringing this up. Court noted absent any further discussion, it will not be received. Mr. Coffee stated that one of the victims is a Holocaust survivor and would request he be admonished not to bring this up. Ms. DeLaGarza stated when referring to this incident, he explains that he has been through worse. Following arguments by counsel, Court advised depending on what the defense expert has to say, will determine if the Holocaust issue is relevant; therefore, this issue will be discussed after the expert testifies.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 23, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 23, 2003**1:30 PM****Jury Trial****TRIAL BY JURY**
Relief Clerk: Melissa
Davis
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- 1:36 Jury present; Clerk called roll, all jurors and alternate present. Testimony and exhibits per worksheet. 1:51 p.m. OUTSIDE PRESENCE OF JURY. Colloquy between Court and counsel regarding inconsistency in testimony during trial versus the preliminary hearing. Statements by counsel. 2:05 p.m. JURY PRESENT. Continued testimony and exhibits per worksheet. 4:48 p.m. COURT ORDERED, matter CONTINUED and jury ADMONISHED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2003

03C189658-1

The State of Nevada vs Erick M Brown

July 24, 2003

1:30 PM

Jury Trial

TRIAL BY JURY
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: De La Garza, Melisa Attorney

JOURNAL ENTRIES

- 1:34 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued. 3:33 PM OUTSIDE PRESENCE OF JURY: Mr. Coffee advised he and Ms. Diefenbach have discovered an over site; 2 counts of Robbery with State retaining the right to argue was the original offer before trial. Mr. Coffee advised he was researching the kidnaping issue and discovered that he and Ms. Diefenbach advised Defendant of the wrong possible sentence. They did inform him of the enhancement but not the correct sentence. Mr. Coffee stated kidnaping carries a 15 to Life sentence and that Defendant did not make an informed decision when deciding to go to trial. COURT ORDERED, recess for counsel to speak with Defendant. 4:38 PM Mr. Coffee advised matter is negotiated. There being no objection, Second Amended Information and Guilty Plea Agreement FILED IN OPEN COURT. Ms. DeLaGarza requested the additional language of "and/or aiding and abetting Erick Brown" be added to the Second Amended Information. COURT SO ORDERED. NEGOTIATIONS: State retains the full right to argue at time of sentencing. Ms. DeLaGarza concurred. DEFENDANT BLACKWELL WITHDREW NOT GUILTY PLEAS AND PLED GUILTY to COUNTS 1,2-ROBBERY (F). Court ACCEPTED pleas; referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, trial date VACATED and set for sentencing. 4:46 PM JURY

03C189658-1

PRESENT: Court advised there had been a problem and that a plea had been entered. Court thanked and excused the Jury.

CUSTODY

9/9/03 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 07, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

August 07, 2003**9:00 AM****Motion to Reconsider****DEFT'S PRO PER
MTN FOR COURT
RECONSIDERATIO
N/25 Relief Clerk:
Melissa Davis
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Lewis, Linda Y.Defendant
Attorney**JOURNAL ENTRIES**

- Defendant stated he would like standby counsel. Court advised Defendant that standby counsel will not be appointed. Upon Court's inquiry, Defendant stated he would like to continue to represent himself. COURT ORDERED, motion DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 19, 2003

03C189658-1

The State of Nevada vs Erick M Brown

August 19, 2003

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS (8/19/03)
Court Clerk: Melissa
Davis Relief Clerk:
Jennifer Kimmel/jk
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Brown, Erick M Defendant
De La Garza, Melisa Attorney

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DISCOVERABLE EVIDENCE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION TO DISMISS INFORMATION FAILURE TO DISCLOSE EVIDENCE...DEFENDANT'S PRO PER MOTION FOR ALL TRANSCRIPTS STARTING ON 1/22/03 TO PRESENT DATE COURT STATED the letter from Mr. Andrew Fritz indicated he had provided Deft. with a copy all the information in Deft's file. Colloquy regarding discovery and Deft's receiving a copy of his file. Court directed Ms. De La Garza to provide a copy of Deft's file. COURT additionally STATED D.A. is not required to obtain information relating to what the Deft. wants, as in Deft's request for information from Henderson Police. COURT ORDERED as follows: Deft's Motion for Production of Discoverable Evidence is GRANTED. Deft's Motion for Writ of Habeas Corpus is DENIED. Deft's Motion for Indigent Status is GRANTED. Deft's Motion to Dismiss Information Failure to Disclose Evidence is DENIED. Deft's Motion for All Transcripts is DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2003

03C189658-1

The State of Nevada vs Erick M Brown

September 09, 2003

9:00 AM

Sentencing

SENTENCING

**Court Clerk: Linda
Skinner**

Reporter/Recorder:

Maureen Schorn

**Heard By: Mosley,
Donald M.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: De La Garza, Melisa Attorney

JOURNAL ENTRIES

- Nancy Eason from the Division of Parole and Probation present. Ms. Diefenbach appeared for Mr. Coffee and at his request, COURT ORDERED, matter CONTINUED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 23, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

September 23, 2003**9:00 AM****Sentencing****SENTENCING****Court Clerk: Linda
Skinner****Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** De La Garza, Melisa Attorney**JOURNAL ENTRIES**

- Barbara Combs from the Division of Parole and Probation present. DEFENDANT BLACKWELL ADJUDGED GUILTY of COUNTS I,II - ROBBERY (F). Statements by Ms. De La Garza, Defendant and Mr. Coffee. Speaker Emmett Connely sworn and testified. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT I - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, COUNT II - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, to run CONSECUTIVE to Count I, PAY \$143,541.75 RESTITUTION jointly and severally with co-defendant with 264 days credit for time served. This matter to run CONCURRENT to Defendant's California case.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 18, 2003

03C189658-1

The State of Nevada vs Erick M Brown

November 18, 2003

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 11/18/03
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Ponticello, Frank M. Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS,
PLEADINGS...DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO
PER MOTION TO WITHDRAW COUNSEL

Mr. Ponticello advised he feels this Court does not have jurisdiction. Upon Court's inquiry, Ms. Diefenbach advised they have filed an appeal and the Supreme Court has stated they are to remain on the case. COURT ORDERED, Deft's Pro Per Motions are DENIED and he may not file any pleadings while he has an attorney.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 02, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

December 02, 2003**9:00 AM****Calendar Call****CALENDAR CALL
(#2 ON STACK)****Court Clerk: Linda
Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Zadrowski, Bernard

Attorney

B.

JOURNAL ENTRIES

- Mr. Cristalli advised he would like to substitute in as counsel of record and will provide the proper paperwork. COURT SO ORDERED. Mr. Cristalli requested trial date be vacated and reset in ordinary course. COURT SO ORDERED and trial date set with priority.

CUSTODY

11/16/04 9:00 AM CALENDAR CALL

11/22/04 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 19, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

April 19, 2004**9:00 AM****Motion to Dismiss****DEFT'S MTN TO
DISMISS /37 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Schubert, David	Attorney

JOURNAL ENTRIES

- Mr. Cristalli advised the State has not responded, but is unsure if the State was served. COURT ORDERED, matter CONTINUED to allow State to file a response, if any.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 12, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

May 12, 2004**9:00 AM****Motion to Dismiss**

**DEFT'S MTN TO
DISMISS /37 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	De La Garza, Melisa	Attorney

JOURNAL ENTRIES

- Court noted these issues were brought before the Court in a Writ on April 17, 2003 which was previously denied. Arguments by counsel. Court finds there is no merit and stated its findings and ORDERED, motion DENIED as to all issues.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 01, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

June 01, 2004**9:00 AM****Motion to Suppress****DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/38 Court
Clerk: Linda Skinner
Relief Clerk: Elaine
York/ey
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Brown, Erick M Defendant
Cram, Roger Attorney**JOURNAL ENTRIES**

- Mr. Cram requested 60 day continuance for the return of Ms. DeLaGarza. COURT ORDERED, matter set for argument; response to be filed two weeks before argument.

CUSTODY**CLERK'S NOTE:** 6/7/04 Clerk left a voice mail message as to above. ls

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 08, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

July 08, 2004**9:00 AM****Motion to Withdraw as
Counsel****PUBLIC
DEFENDER'S
MOTION TO
WITHDRAW AS
ATTORNEY OF
RECORD/39 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Pesci, Giancarlo Attorney**JOURNAL ENTRIES**

- Court noted this is post-conviction in nature and there being no objection, COURT ORDERED, GRANTED. Mr. Christensen advised Ms. Diefenbach has already sent the file to Defendant.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 13, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

September 13, 2004 9:00 AM**All Pending Motions****ALL PENDING
MOTIONS 9-13-04
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Di Giacomo, Marc P.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN COURT IDENTIFICATION . . . DEFT'S MOTION FOR DISCOVERY

Mr. Saggese appearing on behalf of Mr. Cristalli. Court noted that the motion regarding the photo line up has previously been proffered by prior counsel. Colloquy between Court and counsel regarding discovery. COURT ORDERED, motions CONTINUED until Thursday.

CUSTODY

CONTINUED TO: 9/16/04 @ 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 16, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

September 16, 2004**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 9-16-04
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN-COURT IDENTIFICATION . . . DEFT'S MOTION FOR DISCOVERY

AS TO MOTION FOR DISCOVERY: Arguments by counsel regarding description of Defendant. State advised that palm prints were taking and awaiting evaluation. COURT ORDERED, all discovery issues to be available to defense and therefore, motion GRANTED.

AS TO MOTION TO SUPPRESS: COURT ORDERED, matter OFF CALENDAR and can be re-calendared if it becomes necessary.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 16, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

November 16, 2004**9:00 AM****Calendar Call****CALENDAR CALL
(#1 ON STACK)
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Parris, John P.Defendant
Attorney**JOURNAL ENTRIES**

- Mr. Parris appeared for Mr. Cristalli and advised with the Binion trial still going, he is not prepared to go forward on this matter. Mr. Fattig stated Mr. Cristalli's Office had phoned to advise him of the situation. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

3/29/05 9:00 AM CALENDAR CALL (#1 ON STACK)

4/4/05 1:30 PM JURY TRIAL (#1 ON STACK)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2004

03C189658-1

The State of Nevada vs Erick M Brown

December 16, 2004

9:00 AM

Motion for Own
Recognizance
Release/Setting Reasonable
Bail

DEFT'S MOTION
FOR REASONABLE
BAIL/45 Court Clerk:
Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney

JOURNAL ENTRIES

- Mr. Cristalli stated bail was set without Defendant being present. Arguments by Mr. DiGiacomo including that Defendant is facing 2 life sentences and he feels the bail is appropriate. Mr. Cristalli argued that he feels the bail was set so high because Defendant was fighting extradition. Further arguments by Mr. DiGiacomo. Court noted Defendant is a flight risk and a danger to the community. Therefore, COURT ORDERED, Deft's Motion is DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 28, 2005**

03C189658-1

The State of Nevada vs Erick M Brown

February 28, 2005**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 2/28/05
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Miller, Ross J. Attorney**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION TO TRANSPORT AND PRODUCE INMATE...DEFT'S PRO PER
REQUEST FOR APPOINTMENT OF COUNSEL

AS TO TRANSPORT: COURT ORDERED, GRANTED, however feels it is moot. Mr. Miller advised
there is a Transportation Order in the file.

AS TO COUNSEL: Defendant does not set out any complicated issues; therefore, COURT ORDERED,
DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 29, 2005

03C189658-1

The State of Nevada vs Erick M Brown

March 29, 2005

9:00 AM

Calendar Call

CALENDAR CALL
 (#1 ON STACK)
 Relief Clerk: Melissa Swinn
 Reporter/Recorder:
 Joe D'Amato Heard
 By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Mr. Cristalli requested matter be continued. For the record, Mr. Fattig advised the State is ready to go forward and has several out of state witnesses. COURT ORDERED, request to continue GRANTED; trial date VACATED and RESET with #1 priority. Mr. Cristalli stated he needs statements from victim. Mr. Fattig advised that there were no voluntary statements exist because the victim was transported to the hospital and was too ill to ever complete a statement. Court advised that Defense's request for discovery is GRANTED, if necessary.

CUSTODY

2/14/06 9 AM CALENDAR CALL #1

2/21/06 1:30 PM JURY TRIAL #1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 09, 2005

03C189658-1

The State of Nevada vs Erick M Brown

December 09, 2005

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PTN FOR
WRIT OF HABEAS
CORPUS/46 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Simon, H. L.

Attorney

JOURNAL ENTRIES

- Court advised the Defendant it is familiar with the issues before the Court. Defendant inquired as to his motion for counsel. Mr. Simon stated that the same motion was previously filed and was denied in early 2005. Defendant stated that he requested help to argue and was not notified that his motion was denied. Court inquired as to why he feels counsel is necessary. Defendant stated he needs help obtaining discovery and investigation matters. Court informed the Defendant that there is not a new trial and the only issue is regarding ineffective assistance of counsel. Defendant stated he feels he was not properly canvassed. Court FINDS no reason to appoint counsel and request DENIED. Defendant requested matter be continued to retain counsel, possibly Mr. Cristalli. Court and State noted there may be a conflict with Mr. Cristalli's office or Mr. Momot's office representing him. COURT ORDERED, matter CONTINUED until a Friday in March. Court advised Defendant it is his responsibility to retain private counsel, if so desired.

NDC

CLERK'S NOTE: Court noted Motion for Counsel on calendar 12/20/05. As that matter was addressed today, Court vacated the aforementioned date./ms

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 10, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

January 10, 2006**9:00 AM****Request of Court****AT REQUEST OF
COURT:
APPLICATION FOR
FEES Court Clerk:
Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Fattig, John T	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Saggese advised the family had hired Mr. Franke and he exhausted the early funds that were granted. Mr. Saggese stated his Investigator, Mr. Needham needs to contact the witnesses in California and review the fingerprint evidence. Mr. Saggese advised they have not been paid, however, will see the case to the end and requested a little relief for the Investigator. COURT ORDERED, \$3,000 will be afforded. Mr. Fattig presented an Order to release the fingerprint cards from the Clerk's Office Vault. ORDER SIGNED AND FILED IN OPEN COURT. Court admonished both counsel to be ready for trial on 2/21/06.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 14, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

February 14, 2006**9:00 AM****Calendar Call****CALENDAR CALL****(#1) Court Clerk:****Linda Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Court noted this matter was discussed in chambers. Mr. Fattig concurred and FILED IN OPEN COURT State's Motion to Continue. Pursuant to discussion, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

6/20/06 9:00 AM CALENDAR CALL (#2)

6/26/06 1:30 PM JURY TRIAL (#2)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 10, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

March 10, 2006**9:00 AM****Petition for Writ of Habeas
Corpus****DEFT'S PTN FOR
WRIT OF HABEAS
CORPUS/46 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Simon, H. L.

Attorney

JOURNAL ENTRIES

- Court noted Defendant's Writ alleges ineffectiveness of counsel. Hearing proceeded. Mr. Coffee and Ms. Diefenbach sworn and testified. Exhibit submitted. Following closing statements by Mr. Simon and none by Defendant, Court stated it does not find counsel to be ineffective and ORDERED, Writ DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2006

03C189658-1

The State of Nevada vs Erick M Brown

June 20, 2006

9:00 AM

Calendar Call

CALENDAR CALL

(#2) Court Clerk:

Linda Skinner

Reporter/Recorder:

Joe D'Amato Heard

By: Mosley, Donald
M.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Mr. Fattig advised he is ready with 13 witnesses (7 out of State) and lasting 4-5 days. Mr. Cristalli stated he is ready as well. Court noted there is a trial ahead of this, however, if it negotiates, this case will go forward. Mr. Cristalli advised there are 4 subpoenas that were not complied with. Upon review of Court, Mr. Fattig noted Mr. Cristalli keeps issuing subpoenas that have nothing to do with this case. Mr. Cristalli stated he would like a copy of the procedural manual from the Henderson Police. Further, he feels they (the Henderson Police Department) have evidence of another person that is responsible for committing this crime that they have not turned over to the District Attorney. Mr. Fattig stated it is untrue, the person Mr. Cristalli is referring to was not picked out of the lineup and his fingerprints do not match. Mr. Cristalli argued there are errors in the report and the Police ignored evidence of another individual. Following additional colloquy, Court advised the subpoenas would not be issued and stated its displeasure as he feels Mr. Cristalli is trying to put the Henderson Police Department on trial. Mr. Cristalli stated he needs an exemplar as the signatures do not match;

that there are 3 documents and 1 does not match. COURT ORDERED, DENIED. Mr. Cristalli asked for Internal Affairs information and computer information. COURT ORDERED, DENIED. FURTHER, COURT ORDERED, matter CONTINUED to see if other matter resolves. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 21, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 21, 2006**9:00 AM****Calendar Call****CALENDAR CALL****(#2) Court Clerk:****Linda Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

DiGiacomo, Sandra

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Discussion by Mr. Cristalli regarding expert. Mr. DiGiacommo stated he had no objection to this expert as long as he gets the report as soon as possible. Mr. Cristalli stated he does not have one yet. Court noted this witness may not be called anyway and will visit this issue if there is a legitimate reason for discussion. As all counsel are ready, COURT ORDERED, jury selection will begin at 1:30 on 6/26/06.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 26, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 26, 2006**1:30 PM****Jury Trial****TRIAL BY JURY**
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:47 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection begins. 5:04 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2006

03C189658-1

The State of Nevada vs Erick M Brown

June 27, 2006

1:30 PM

Jury Trial

TRIAL BY JURY
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:27 PM OUTSIDE PRESENCE OF PROSPECTIVE JURORS: Mr. Cristalli issued a Batson challenge as to Juror #488 and advised he did not feel the State was warranted in letting her go because of her job history and the t-shirt she wore, however, did note there are 2 other African Americans in the box. Mr. Fattig advised she had 3 jobs in 7 months and the lack of maturity in her dress were the reasons she was excused. Court stated collectively it finds no good cause for the challenge and ORDERED, DENIED. There being no objection, Amended Information FILED IN OPEN COURT. 1:32 PM PROSPECTIVE JURORS PRESENT: Roll call taken. 1:45 PM Jury and 1 Alternate selected and sworn. Information read by Clerk. Instructions by Court. Exclusionary rule invoked. 1:56 PM Opening statements by counsel. Testimony and exhibits presented (see worksheets). 5:16 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 28, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 28, 2006**1:30 PM****Jury Trial****TRIAL BY JURY**
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:35 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued (see worksheets). 4:56 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2006

03C189658-1

The State of Nevada vs Erick M Brown

June 29, 2006

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: Linda
Skinner

Reporter/Recorder:

Joe D'Amato Heard

By: Mosley, Donald
M.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:42 PM OUTSIDE PRESENCE OF JURY: Mr. Cristalli objected to the co-defendant being brought in when the State knows he will not cooperate and testify. Mr. DiGiacomo stated the only issue is identification. Mr. Cristalli argued the inference through seeing co-defendant, is that Defendant Brown committed the crime. Following discussions, Court noted co-defendant will be brought in before the Jury is seated and he is to be dressed in street clothes. Mr. DiGiacomo requested for identification purposes, that co-defendant Blackwell, be allowed to come into the well. COURT SO ORDERED. 1:50 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 3:39 PM OUTSIDE PRESENCE OF JURY: Mr. DiGiacomo advised he will have the FBI Agent identify Deft. Blackwell. Defendant admonished of his rights to testify. Discussion regarding prior convictions. Exhibits 14,9 & 7 offered and ADMITTED. Mr. Cristalli stated his Investigator found the reports were tampered with and Defendant wanted this issue to be raised. Court so noted. 4:19 PM JURY PRESENT: All present as

03C189658-1

before. 4:22 PM STATE RESTS. EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 30, 2006

03C189658-1

The State of Nevada vs Erick M Brown

June 30, 2006

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: Linda
SkinnerReporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney
	Fattig, John T	Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 9:25 AM OUTSIDE PRESENCE OF JURY: Mr. Cristalli requested Defendant's presence be waived as he has not arrived yet. Jury instructions settled on the record. 9:34 AM JURY & DEFENDANT PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 11:00 AM DEFENSE RESTS. Rebuttal by State. 11:25 AM STATE RESTS. Jury instructions read by Court. RECESS. 1:16 PM JURY PRESENT: All present as before. Closing arguments by counsel. 2:47 PM Jury retired to deliberate. Court thanked and excused the Alternate. 7:40 PM JURY PRESENT: Roll call taken. Jury fore person advised a verdict had been reached: COUNT 1 - Burglary While in Possession of a Firearm - GUILTY; COUNT 2 - First Degree Kidnapping with Use of a Deadly Weapon, Victim 65 Years of Age, or Older Resulting in Substantial Bodily Harm - GUILTY; COUNT 3 - First Degree Kidnapping with Use of a Deadly Weapon Resulting in Substantial Bodily Harm - GUILTY; COUNT 4 - Robbery with Use of a Deadly Weapon, Victim 65 Years of Age or Older - GUILTY; COUNT 5 - Robbery with Use of a Deadly Weapon - GUILTY.

At request of Mr. Cristalli, Jury polled. Court referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, set for sentencing. Defendant to be held without bail. Court thanked and excused the Jury. OUTSIDE PRESENCE OF JURY: Mr. Cristalli stated during cross examination of Defendant, Mr. DiGiacomo showed him a Notice of Alibi Witness; there was a conference at the Bench wherein Mr. Cristalli requested a mistrial, which was denied. Mr. Cristalli renewed his request for a mistrial Mr. DiGiacomo argued the Notice was never withdrawn and therefore he was allowed to use it. Court concurred and DENIED request for a mistrial.

CUSTODY

8/8/06 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2006

03C189658-1

The State of Nevada vs Erick M Brown

August 08, 2006

9:00 AM

Sentencing

SENTENCING

Court Clerk: Linda
Skinner

Reporter/Recorder:

Joe D'Amato Heard

By: Donald Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Brown, Erick M	Defendant
	Cristalli, Michael V.	Attorney
	Di Giacomo, Marc P.	Attorney

JOURNAL ENTRIES

- By virtue of the Jury's findings, DEFENDANT BROWN ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE (F) and COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Statements by Mr. DiGiacomo, Defendant and Mr. Cristalli. Speaker Emmett Connley sworn and addressed the Court. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT 1 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and; COUNT 2 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for Victim over 65 Years of Age or Older, to run CONCURRENT with Count 1, and; COUNT

3 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for the Deadly Weapon enhancement. to run CONSECUTIVE to Count 2 and PAY \$143,327 RESTITUTION, and; COUNT 4 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS plus an equal and CONSECUTIVE MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Victim 65 Years of Age or Older, to run CONCURRENT with Count 3, and; COUNT 5 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and plus an equal and CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Use of a Deadly Weapon, to run CONCURRENT with Count 4, with 1,349 days credit for time served.

At request of Mr. DiGiacomo, an Order to Release Mr. Connley's gold watch was SIGNED IN OPEN COURT.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 18, 2008

03C189658-1

The State of Nevada vs Erick M Brown

December 18, 2008

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PTN FOR
WRIT OF HABEAS
CORPUS (POST-
CONVICTION)/57
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Langford, Robert L. Attorney
 Pieper, Danielle K. Attorney

JOURNAL ENTRIES

- Mr. Langford advised he spoke to Mr. Simon and Mr. Simon does not have an objection to the time for filing his response being delayed until next month. COURT ORDERED, the following briefing schedule: Mr. Langford to file by 1/20/09 Mr. Simon to respond by 3/20/09; Mr. Langford to reply by 4/3/09 and matter set for hearing.

NDC

4/17/09 9:00 AM HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-
CONVICTION)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 17, 2009

03C189658-1

The State of Nevada vs Erick M Brown

August 17, 2009

9:00 AM

Motion to Continue

DEFT'S MTN TO
CONTINUE PTN
FOR WRIT OF
HABEAS
CORPUS(POST
CONVICTION)/59
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Krusey, Amanda K. Attorney
Langford, Robert L. Attorney

JOURNAL ENTRIES

- Mr. Langford advised he will be out of the jurisdiction on 8/21 and requested the writ be continued to another day. COURT ORDERED, GRANTED, however, directed Mr. Langford contact Mr. Cristalli and Mr. Simon as to a date that is good for them and then contact chambers to have this put back on calendar.

NDC

CLERK'S NOTE: 8/20/09 Mr. Langford's Office phoned and advised all parties have agreed to 10/23/09. ls

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 03, 2009**

03C189658-1

The State of Nevada vs Erick M Brown

September 03, 2009**9:00 AM****Evidentiary Hearing****DEFT'S MOTION
FOR EVIDENTIARY
HEARING/60 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Langford, Robert L. Attorney
 Turner, Robert B. Attorney**JOURNAL ENTRIES**

- Court noted Defendant is in prison and not present today and that this motion is premature. When his writ is heard on 10/23, it will be determined if an Evidentiary Hearing is necessary; if one is, it will be set and Defendant will be transported for it. COURT ORDERED, matter OFF CALENDAR.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 04, 2009**

03C189658-1

The State of Nevada vs Erick M Brown

December 04, 2009**9:00 AM****Hearing****HEARING: DEFT'S
PETITION FOR
WRIT OF HABEAS
CORPUS (POST-
CONVICTION)
Relief Clerk: Susan
Jovanovich /sj
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Langford, Robert L. Attorney
 Thomson, Megan Attorney**JOURNAL ENTRIES**

- Upon review of the pleadings, Court FINDS that an evidentiary hearing would be necessary to resolve Deft's Petition for Writ of Habeas Corpus. Following colloquy, COURT ORDERED, matter SET for evidentiary hearing.

NDC

2-12-10 9:00 AM EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 12, 2010**

03C189658-1

The State of Nevada vs Erick M Brown

April 12, 2010**9:00 AM****Motion for Discovery****DEFT'S MTN FOR
DISCOVERY/62
Relief Clerk: Phyllis
Iryb/pi
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Fattig, John T

Attorney

JOURNAL ENTRIES

- Deft not present. Mr. Fattig requested a continuance; advised Mr. Langford could not be present.
COURT ORDERED, MATTER CONTINUED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 30, 2010**

03C189658-1

The State of Nevada vs Erick M Brown

April 30, 2010**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 4/30/10
Court Clerk: Linda
Skinner
Reporter/Recorder:
Marcia Leonard
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Brown, Erick M	Defendant
	Fattig, John T	Attorney
	Langford, Robert L.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION FOR DISCOVERY...EVIDENTIARY HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Court advised due to time constraints, the Evidentiary Hearing will need to be continued but the discovery issue can be resolved and inquired about fingerprints. Mr. Fattig advised there were 9 prints that were all run through AFIS of which 2 did not come back to anyone. Arguments by Mr. Langford. Court stated absent a showing that prints put into the AFIS system was not a general search, it will not be done again. Arguments by Mr. Langford as to item #2 of his motion. Mr. Fattig advised these prints were entered into the Henderson Police Department's new computer system; that the date on the report was the date the information was entered into the system, not the date of the actual test. Mr. Fattig argued this was testified to during trial and the witness was cross examined by Mr. Cristalli. Mr. Langford argued that the transcript is not clear as to what was said at trial and it is his recollection there was nothing mentioned as to why the dates came out incorrectly.

Mr. Fattig advised Mr. Cristalli and his Investigator were allowed to go to the Henderson Crime Lab to look at the original reports. Following additional arguments, Court advised it is not satisfied that further discovery is needed at this time.

Mr. Langford advised he would like to do DNA testing on the ear ring. Arguments by Mr. Fattig. Following, COURT ORDERED, the ear ring to be sent over for DNA testing.

Mr. Langford advised he believes there were several communications via e-mails between Las Angeles and Nevada indicating that Defendant was not originally a good suspect. Mr. Fattig stated Defendant's credibility is lacking, he is claiming that reports existed that Mr. Cristalli did not ask for previously and that he (Defendant) also gave an interview to an FBI Agent when in fact he did not. Mr. Langford argued that he has over 1,000 pages of Investigation that he needs to review and would request leave to file a reconsideration motion if need be. Court advised a Motion maybe submitted, however at this time, it feels nothing more is warranted. Further, copies of the fingerprint cards are to be released to show they were run in the AFIS system.

Following colloquy, Mr. Langford advised he will prepare the Order as to DNA testing. Court so noted and ORDERED, matter set for status check.

NDC

7/26/10 9:00 AM STATUS CHECK: DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 26, 2010**

03C189658-1

The State of Nevada vs Erick M Brown

July 26, 2010**9:00 AM****Status Check****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Fattig, John T	Attorney
	Langford, Robert L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Langford advised Defendant is in prison and requested his presence be waived. Court noted the discovery needed is latent fingerprint cards and DNA from the earring. Mr. Langford concurred and advised he will prepare an Order to get the earring out of evidence for testing. Mr. Fattig stated he does not have an objection and will stipulate that there is no DNA on the earring as it had been in the jewelry washing machine. As to the finger print cards, Mr. Fattig advised he needs to get them and have them copied for Mr. Langford. Following additional colloquy and at request of counsel, COURT ORDERED, matter CONTINUED 60 days.

NDC

... CONTINUED 9/27/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 27, 2010

03C189658-1

The State of Nevada vs Erick M Brown

September 27, 2010 9:00 AM Status Check

HEARD BY: Mosley, Donald

COURTROOM: RJC Courtroom 12B

COURT CLERK: Karina Kennedy

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT: Fattig, John T Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- The Court advised Mr. Langford was en-route to the hospital and ORDERED, matter CONTINUED.

NDC

10.18.10 9:00 A.M. CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 18, 2010

03C189658-1

The State of Nevada vs Erick M Brown

October 18, 2010 9:00 AM Status Check

HEARD BY: Bonaventure, Joseph

COURTROOM: RJC Courtroom 12B

COURT CLERK: Linda Skinner

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Fattig, John T	Attorney
	Langford, Robert L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Langford advised all discovery has been received and the matter can be set for hearing. Mr. Fattig concurred. COURT SO ORDERED.

NDC

12/10/10 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2012

03C189658-1

The State of Nevada vs Erick M Brown

January 23, 2012

9:00 AM

Motion to Continue

HEARD BY: Mosley, Donald

COURTROOM: RJC Courtroom 12B

COURT CLERK: Linda Skinner

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT: Fattig, John T Attorney
Hernandez, Krystallin Attorney
D, ESQ
State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Hernandez appeared for Mr. Langford, advised they are going to be hiring a forensic data expert and would like a continuance as to the hearing. Objections stated by Mr. Fattig including that this is the 10th continuance for this hearing. Following colloquy, COURT ORDERED, matter CONTINUED for Mr. Langford to be present and absent a very persuasive reason, this matter will go forward on Friday.

NDC

... CONTINUED 1/25/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 25, 2012**

03C189658-1

The State of Nevada vs Erick M Brown

January 25, 2012**9:00 AM****Motion to Continue****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Fattig, John T	Attorney
	Langford, Robert L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Langford advised they have been trying to hire a Forensic Data expert but the family could not afford one earlier. Upon Court's inquiry, Mr. Langford advised the expert is going to review the e-mails from the Henderson Police Dept. to the Los Angeles Police Dept. Conference at the Bench. Pursuant to that conference, COURT ORDERED, Motion WITHDRAWN and Mr. Langford will re-address this issue at the time of the hearing if necessary.

NDC