

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4
267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
Package #	Item #	Description	Location of Evidence
1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

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Package #	Item #	Description	Location of Evidence
1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
1267-9	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
7-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
1267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
1267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
Package #	Item #	Description	Location of Evidence
1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

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1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
1267-9	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
1267-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
1267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
1267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
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1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

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1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
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1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
7-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
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1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
1267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

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Package #	Item #	Description	Location of Evidence
Package #	Item #	Description	Location of Evidence
1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
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1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

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Package #	Item #	Description	Location of Evidence
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1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
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1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
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1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
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1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

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1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
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1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
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1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
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1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
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1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
7-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
1267-9	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
1267-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
1267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
1267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

EVIDENCE IMPOUND REPORT**DR Number:** 06-11513

Package #	Item #	Description	Location of Evidence
Package #	Item #	Description	Location of Evidence
1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3
7-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3

EVIDENCE IMPOUND REPORT**DR Number:** 06-11513

Package #	Item #	Description	Location of Evidence
1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
1267-9	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3
7-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
1267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
1267-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

Patrick Farrell 1267
Patrick Farrell
Crime Scene Tech

Mary L Bassett
REVIEWED

End of Report

Henderson Police Department

Criminalistics Bureau

CRIME SCENE REPORT

Investigator(s): Gerard G Collins

324

DR Number: 06-11513

Incident(s): Homicide

Location(s): 1165 Blankenship #10

Lab Case #: LAB06-00194

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

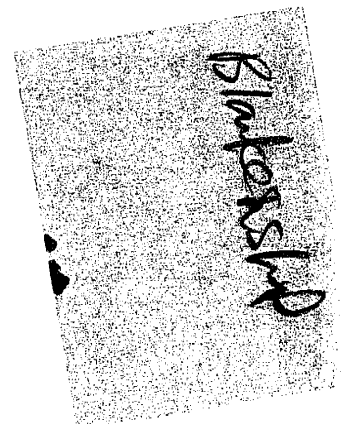
Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report



EVIDENCE IMPOUND REPORT

Possible Duplicate
DR Number: 06-11513 TB1173 10/17/02

Package #	Item #	Description	Location of Evidence
Package #	Item #	Description	Location of Evidence
1173-1	1	Fingerprint and palmprint exemplars for Melyssa Estores recovered by Det June Castro	Civil Processing 223 Lead St.
1173-1	2	Fingerprint and palmprint exemplars from Ryan Noe recovered by Det. June Castro	Civil Processing 223 Lead St.
1173-2	3	One latent lift recovered by CSA Barber off the front door of the leasing office (Access Rd and Dawson Ave, in front of fire hydrant 267-038)	Access Rd and Dawson Ave (leasing office trailer)
1173-3	4	Two latent prints lifts recovered by CSA Barber from respective locations at 1525 Fremont St. Apt. 222	1525 Fremont St. Apt. 222
1173-4	5	One pair of white socks	North of the second power pole to the east (Access Rd and Dawson Ave)
1173-5	6	One Top Flite XL golf ball	Desert area to the Left of Dawson 1 and 2
1173-6	7	One pair of blue jeans recovered by INV HOSAKA 777	Mound of dirt in desert area near Access Rd and Dawson Ave
1173-7	8	One right foot Ivan sandal and one right black slip sandal	in the northeast desert area in reference to Dawson 1 and 2's locations
1173-8	9	One left black flip flop, one left slip Ivan sandal and one right close toed dress shoe	Northeast desert area in reference to Dawson 1 and 2's locations (Access Rd and Dawson Ave)
1173-9	10	One close toed dress shoe	Northeast desert area from Dawson 1 and 2's respective locations (Access Rd and Dawson Ave)
1173-10	11	One used condom recovered near 1173-9-10 (shoe)	Northeast desert area in reference to Dawson 1 and 2's locations (Access Rd and Dawson Ave)
1173-11	12	One berlap sack (negative phenolphthalein test for the presence of blood)	northeast desert area from the locations of Dawson 1 and 2 (Access Rd and Dawson Ave)
1173-12	13	One Berlap bag (negative phenolphthalein presumptive test for the presence of blood)	northeast desert area from the location of Dawson 1 and 2 (Access Rd and Dawson Ave)
1173-13	14	One bedspread blanket recovered from the bed inside Apt. 222	1525 Fremont Apt. 222
1173-14	15	Various beverage containers from the interior of Apt. 222	1525 Fremont St. Apt. 222

EVIDENCE IMPOUND REPORT

Possible Duplicate
DR Number: 06-11513-1173
10/17/06

Package #	Item #	Description	Location of Evidence
3-15	16	One unknown brand cigarette butt recovered from the nightstand inside Apt. 222	1525 Fremont St. Apt. 222
1173-15	17	One Kool Cigarette pack recovered from the nightstand inside Apt. 222	1525 Fremont St. Apt. 222
1173-16	18	One unknown brand cigarette butt recovered from inside an aluminum can on the coffee table	1525 Fremont St. Apt. 222
1173-17	19	One unknown brand cigarette butt recovered from on the floor near the nightstand	1525 Fremont St. Apt. 222
1173-18	20	One small silver metallic earring with a clear stone in the center	1525 Fremont St. Apt. 222
1173-19	21	One rent receipt containing handwriting laying on the pass through edge near the kitchen sink	1525 Fremont St. Apt. 222
1173-20	22	One inhaler recovered from the top of the bed	1525 Fremont St. Apt. 222
1173-21	23	One green toothbrush and one purple toothbrush recovered from the medicine cabinet	1525 Fremont St. Apt. 222
1173-22	24	One golf ball recovered from the kitchen counter	1525 Fremont St. Apt. 222
1173-23	25	One white plastic garbage bag full of miscellaneous papers and other items recovered from underneath the master bedroom bed	1165 Blankenship Apt. 10
1173-24	26	One Estwin hammer recovered from underneath the masterbedroom bed	1165 Blankenship Apt. 10
1173-25	27	Thirteen disposable cameras recovered from a Century safe underneath the master bedroom bed	1165 Blankenship Apt. 10
1173-26	28	Miscellaneous CD's recovered from the top of the TV in the living room	1165 Blankenship Apt. 10
1173-27	29	One disposable camera recovered from the nightstand in the masterbedroom	1165 Blankenship Apt. 10
1173-28	30	Four CD's recovered from the top of the TV dresser drawer in the master bedroom	1165 Blankenship Apt. 10
1173-29	31	Medicaid paperwork for Trey Von M Ford and Verizon Paperwork for Sarah Hughes recovered from the top of the fridge	1165 Blankenship Apt. 10
1173-30	32	One Greyhound Lines receipt for 3/30/06 1:19pm recovered from a cardboard box in the living room	1165 Blankenship Apt. 10

EVIDENCE IMPOUND REPORT

Possible Duplicate
DR Number: 06-11613 10/17/06
TB 1173.

Package #	Item #	Description	Location of Evidence
1173-31	33	One copy of Domonic Malone's NV Instruction Permit and SS card and one miscellaneous piece of paper with a name and # on it	1165 Blankenship Apt. 10 (underneath master bedroom bed)
1173-32	34	One rent receipt and one small blank notebook containing handwriting recovered from the TV entertainment center in the master bedroom	1165 Blankenship Apt. 10
1173-33	35	One piece of Welfare paperwork for Latanya Jenkins containing handwritten names and numbers on it recovered from The floor underneath the master bedroom bed	1165 Blankenship Apt. 10
1173-34	36	One Wells Fargo Account Statement for Domonic Malone recovered from the cardboard box in the living room	1165 Blankenship Apt. 10
1173-35	37	Two pieces of lined paper containing handwritten names and numbers recovered from the living room cardboard box	1165 Blankenship Apt. 10
1173-36	38	One small address book recovered from the top of the dresser in the bedroom	1165 Blankenship Apt. 10
1173-37	39	One piece of paper containing the number 208-5157 recovered from inside a vase on top of the TV in the living room	1165 Blankenship Apt. 10
1173-38	40	One DMV receipt for Domonic Malone recovered from the cardboard box in the living room	1165 Blankenship Apt. 10
1173-39	41	California Title for 1987 Nissan to Gabriel Rodriguez and DMV registration for the same vehicle recovered from a cardboard box in the living room	1165 Blankenship Apt. 10
1173-40	42	One piece of lined paper containing handwritten names and numbers recovered from the top of the couch in the living room	1165 Blankenship Apt. 10
1173-41	43	Miscellaneous papers with handwriting on them and a Budget Suites receipt recovered off the kitchen table	1165 Blankenship Apt. 10

CRIME SCENE REPORT

DR Number: 06-11513

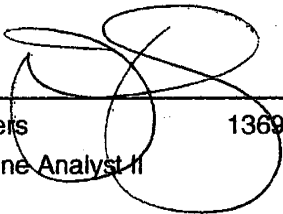
Scene Description:

Blankenship #10 is located at the street end of a number of apartment units. Apartment #10 consisted of a living room, kitchen and dining room, bathroom, and bedroom.


Details Narrative:

A search warrant was executed on 1165 Blankenship #10 on May 24, 2006 by INV RIDINGS. Entering the apartment, one first encounters the living room. Adjacent to the living room is the dining area and kitchen. Directly behind the kitchen is the bathroom. Adjacent to the bathroom and directly behind the living room is the bedroom. The only access in or out of the apartment is the door that enters the living room. In order to reach the bathroom and bedroom, one must travel through the kitchen.

I photographed apartment #10 for orientation and general locations of items. I also photographed specific items of evidence. The apartment was searched by myself, CST FARRELL, CSA BARBER, and numerous investigators. Evidence was collected by CSA BARBER.



Jennie Ayers 1369
Crime Scene Analyst II



REVIEWED

End of Report



06-11513

BEXAR COUNTY
CRIMINAL INVESTIGATION LABORATORY

7337 Louis Pasteur
San Antonio, Texas 78229-4565
(210) 335-4100
FAX (210) 335-4101



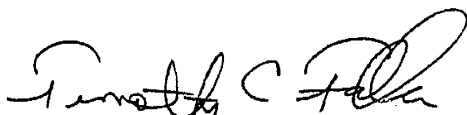
To Whom It May Concern:

Thank you for choosing the Bexar County Forensic Science Center (BCFSC) to meet your forensic needs. Enclosed are the results from the analysis done on your submitted evidence. **The evidence listed on this report may be ready for return.** Please call a Crime Lab Specialist at (210)335-4110 or (210)335-4111 to make arrangements to pick up the evidence or have it mailed back at your expense.

If you have not made arrangements with our Office to retrieve your evidence within three (3) weeks of the date listed on the enclosed report, the evidence will be mailed to your office. You will be billed a shipping and handling fee.

Again, thank you for allowing the BCFSC to serve you.

Sincerely,


Timothy C. Fallon
Crime Laboratory Manager

Narratives

HENDERSON POLICE
23 LEAD ST,
HENDERSON, NEVADA 89015

Incident Number: 06-11513

ENTERED DATE/TIME: 7/3/2007 10:05:12

NARRATIVE TYPE: SUPPLEMENT

SUBJECT: RESULTS OF DNA TEST ON ESTORES

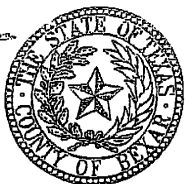
AUTHOR: COLLINS, GERARD

DISTRICT ATTORNEY CS# 06FH0742

On this date I received the results of the DNA test for the evidence that was sent to Bexar County Criminal Investigation Lab back on May 24, 2007.

Of the hair fibers submitted, the results show that "Melissa Estores is not excluded as a source of the human DNA extracted from the hairs from tape lift 1267-8-10 (item C) and tape lift 1267-8-12 (item 11E)". The report did state that Estores was excluded as a source of the human DNA detected on the swabbing from the right hand fingernail clippings (item 2C1), swabbing from left hand fingernail clippings (item 2C2), swabbing from putter head (item 3), swabbing from broken golf club shaft (item 4), swabbing from knife-blade (item 5), cutting from tissue paper (item 6) and cutting from cigarette butt (item 7A).

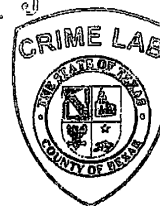
Copy of the test results are attached to this report. The evidence was received back from the lab and impounded into evidence.



**BEXAR COUNTY
CRIMINAL INVESTIGATION LABORATORY**

7337 Louis Pasteur
San Antonio, Texas 78229-4565
Office: (210) 335-4146
Fax: (210) 335-4101

06-11513



SEROLOGY/DNA REPORT

June 15, 2007

COPY

Detective Gerry Collins, #324
Henderson Police Department
223 Lead Street
Henderson, NV 89015

CIL Case #: 06-05938-A
HPD Case #: 06-11513
Complainant(s): Charlotte Combado
Victoria Magee
Mellissa Estores
Subject(s): Domonic Malone
Jason McCarty
Donald Herb

Death Investigations

EVIDENCE RECEIVED:

Evidence received in one (1) tape sealed cardboard box from FedEx, 919936117956, on May 25, 2007.

- 11. Tape Lifts
 - 11A. Tape Lift – “1267-8-8”
 - 11B. Tape Lift – “1267-8-9”
 - 11C. Tape Lift – “1267-8-10”
 - 11D. Tape Lift – “1267-8-11”
 - 11E. Tape Lift – “1267-8-12”
 - 11F. Tape Lift – “1267-8-13”
- 12. “Hair Tie”
- 13. Buccal Swabs – “Melissa Estores”

EXAMINATION REQUESTED: Short Tandem Repeat (STR) DNA Analysis

RESULTS AND CONCLUSIONS:

Hairs suitable for nuclear DNA analyses were observed on the tape lift – “1267-8-10” (Item 11C), tape lift – “1267-8-11” (Item 11D), tape lift – “1267-8-12” (Item 11E), and tape lift – “1267-8-13” (Item 11F).

No apparent hairs were observed on the tape lift – “1267-8-8” (Item 11A) or tape lift – “1267-8-9” (Item 11B).

Human deoxyribonucleic acid (DNA) was extracted from one (1) hair from tape lift – “1267-8-10” (Item 11C), one (1) hair from tape lift – “1267-8-11” (Item 11D), two (2) hairs from tape lift – “1267-8-12” (Item 11E), one (1) hair from tape lift – “1267-8-13” (Item 11F), and known

CIL Case # 06-05938-A
June 15, 2007

RESULTS AND CONCLUSIONS (continued):

genetic standard of "Melissa Estores" (Item 13). The extracted DNA was quantitated by real-time Polymerase Chain Reaction (PCR) analysis at genetic locus hTERT with the Applied Biosystems Quantifiler™ kit. Based upon this analysis, the samples extracted from the tape lift – "1267-8-11" (Item 11D) and tape lift – "1267-8-13" (Item 11F) proved unsuitable for forensic STR analyses.

Samples deemed acceptable for STR DNA analysis were examined by PCR analysis at genetic loci D3S1358, vWA, FGA, D8S1179, D21S11, D18S51, Amelogenin, D5S818, D13S317, D7S820, D16S359, TH01, TPOX and CSF1PO with the Applied Biosystems AmpF/STR Profiler Plus™ and AmpF/STR Cofiler™ kits. Based upon these analyses, "Melissa Estores" is **not excluded** as a source of the human DNA extracted from the hairs from tape lift – "1267-8-10" (Item 11C) and tape lift – "1267-8-12" (Item 11E). Additionally, "Melissa Estores" is **excluded** as a source of the human DNA detected on the swabbing from right hand fingernail clippings (Item 2C1), swabbing from left hand fingernail clippings (Item 2C2), swabbing from putter head (Item 3), swabbing from broken golf club shaft (Item 4), swabbing from knife – blade (Item 5A), cutting from tissue paper (Item 6), and cutting from cigarette butt (Item 7A) [reference CIL # 06-05938 Serology/DNA report issued January 19, 2007].

Based upon the statistical frequencies for the genetic loci examined (except amelogenin) where "Melissa Estores" is not excluded as a source of the human DNA extracted from the hairs from tape lift – "1267-8-12" (Item 11E), the DNA profile is calculated to appear in the given populations at the approximate point frequencies (or point estimate of probability of occurrence):

Caucasian:	2.79×10^{-14} (or 1 in 3.58×10^{13} Caucasian individuals)
African-American:	1.06×10^{-15} (or 1 in 9.43×10^{14} African-American individuals)
Southeastern Hispanic:	6.76×10^{-14} (or 1 in 1.48×10^{13} Southeastern Hispanic individuals)
Southwestern Hispanic:	1.11×10^{-14} (or 1 in 9.01×10^{13} Southwestern Hispanic individuals)

REMARKS:

All of the above items have been transferred to the Evidence Receiving section.

A sample from Item 13 and DNA extracts from Items 11C, 11D, 11E, 11F, and 13 have been retained frozen.

No serological analyses were performed on Item 12.

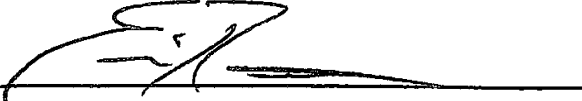
The evidence submission form identified a complainant as "Melissa Estores"; however, the evidence identified the complainant as "Melissa Estores".

BEXAR COUNTY CRIMINAL INVESTIGATION LABORATORY
SEROLOGY/DNA SECTION


CIL Case # 06-05938-A
June 15, 2007

06-11513

Reported By:



Erin Reat
Forensic Scientist

Reviewed By: 

Date: 6/18/07

xc: Henderson PD

Narratives

HENDERSON POLICE
223 LEAD ST,
HENDERSON, NEVADA 89015

Incident Number: 06-11513

ENTERED DATE/TIME: 5/24/2007 16:52:09

NARRATIVE TYPE: SUPPLEMENT

SUBJECT: DNA OF MELISSA ESTORES

AUTHOR: COLLINS, GERARD

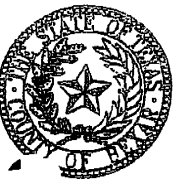
DISTRICT ATTORNEY CS# 06FH0742

On May 17, 2007, I received a phone call from Investigator Faulkner with the Clark County District Attorney's office. He advised me that he had made contact with Melissa Estores and obtained a buccal swab kit from her. I met him on 5-18-2007 and received the packet from him. I then placed it into a Henderson Police Department evidence package and impounded it into evidence.

On 5-23-07 I responded to the evidence vault and checked on evidence that was labeled 1267-8 and 1267-13-24. The first envelope contained six pieces of evidence numbered 8-13 and labeled tape lifts unknown debris. I opened package 1267-8 and saw that the individual packages contained hair fibers that were recovered from the green Alero that the victim's rode in at the time of the incident.

In Estores' many statements to me, she told me that after she had been beaten up by Malone, on the night of May 10, 2006, in which she, Magee, Combado, McCarty and Malone were riding in Donald Herb's green Alero back to the Sportsman lounge, she said that her hair was falling from her head in clumps and Estores said that she was throwing the hair on the floorboard, in the rear seat area, so that Police could find it and it would prove what she was saying.

Based on this testimony, I sent the evidence along with the buccal swabs to Bexar County Crime Lab in San Antonio, TX for DNA profiling and analysis. The items were packaged in a box and sent overnight by Federal Express on the morning of 5-24-2007. A copy of the submittal packet is attached to this report.



BEXAR COUNTY
Criminal Investigation Laboratory
 7337 Louis Pasteur
 San Antonio, Texas 78229-4565
 (Tel.) 210-335-4100 (Fax) 210-335-4101



PHYSICAL EVIDENCE SUBMISSION

AGENCY: Henderson Police Department, CIL No. 06-05938
 AGENCY No.: 06-11513 ADDRESS: Evidence Vault, 223 Lead Street
 TELEPHONE: 702-267-4762 FAX: 702 267-4534 CITY: Henderson STATE: NV ZIP: 89015
 INVESTIGATING OFFICER: GERRY Collins #324

OFFENSE: MURDER DATE OF OFFENSE: 05-20-06
 VICT/COMPL: COMBASSO, CHALLENGE DOB: _____ S: _____ R: _____ ME #: _____
 VICT/COMPL: MAGEE, VICTORIA DOB: _____ S: _____ R: _____ ME #: _____
 VICT/COMPL: ESTRADA, MELISSA DOB: _____ S: _____ R: _____ ME #: _____
 SUSPECT: Malone, DONOVAN DOB: _____ S: _____ R: _____
 SUSPECT: McCarthy, JASON DOB: _____ S: _____ R: _____

HEXES, DONALD
 LIST ITEMS SUBMITTED:

1267-8-8 Tape Lifts
 1267-8-9 Tape Lifts
 1217-8-10 Tape Lifts
 1267-8-11 Tape Lifts
 1267-8-12 Tape Lifts
 267-8-13 Tape Lifts
 267-13-24 Hair Scrunchie
 24-1-2 Buccal Swab Kit

HAIR FIBERS

(Attach Additional Pages if Necessary)

EXAMINATION(S) DESIRED: DNA Profiles from evidence submitted and
if any match with victim's profiles.

(Attach Additional Pages if Necessary)

RECEIVED BY: G. Collins (PRINT) [Signature] (SIGNATURE) 324 DATE: 5-23-07
 RECEIVED BY: _____ (PRINT) _____ (SIGNATURE) DATE: _____
 RECEIVED BY: _____ (PRINT) _____ (SIGNATURE) DATE: _____
 RECEIVED TO: _____ (PRINT) _____ (SIGNATURE) DATE: _____

NOTES/COMMENT:

(Attach Additional Pages if Necessary)

Time and Date Stamp



HENDERSON POLICE DEPARTMENT

RICHARD PERKINS
Chief of Police



223 Lead Street ♦ P.O. Box 95050 ♦ Henderson, NV 89009-5050 ♦ (702)267-4501

May 23, 2007

Mr. Erin Reat
BEXAR COUNTY CRIMINAL INVESTIGATION LAB
7337 Louis Pasteur
San Antonio, TX 78229-4565
Office 210-335-4100
Fax 210-335-4101

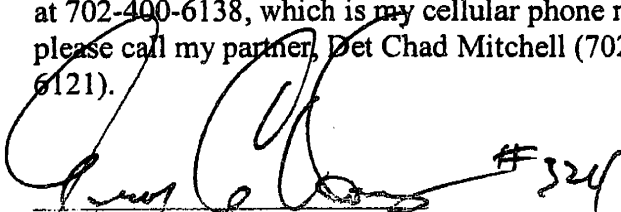
Mr Reat,

I have enclosed a copy of the previous letter that was sent to you that outlines the facts and circumstances of the case in question. In it, I advised that a buccal swab for Melissa Estores was pending. The exemplar was received and impounded into evidence back on May 18, 2007. Your case number on this is CIL# 06-05938

The test that I would like completed is that a DNA profile of the exemplar be done and that the evidence submitted in evidence package # 1267-8-8 through 1267-8-13 (hair fibers collected from the floorboard of the suspect vehicle mentioned in the original request letter submitted paragraph 4) be tested for DNA to see if Estores is the possible donor. There was also a hair scrunchy recovered from the suspect vehicle, in the back seat area. If there are hair fibers found in that, please also test those for DNA and see if Estores is a possible donor.

If Estores is excluded from being the donor, please check the results with the profiles of the homicide victims, Combado and Magee.

We have a trial date of August 13, 2007, so as you can see, speed is a factor so that the defense counsel receives the results in a reasonable amount of time prior to trial. Your cooperation and attention to this matter is greatly appreciated. If there are any questions, feel free to contact me at 702-400-6138, which is my cellular phone number. If you cannot reach me for any reason, please call my partner, Det Chad Mitchell (702-400-2810) or Sgt David McKenna (702-400-6121).

 #324
Detective Gerry Collins
INVESTIGATIONS BUREAU
HENDERSON POLICE DEPARTMENT
702-267-4762 (office)
702-267-4554 (fax)



HENDERSON POLICE DEPARTMENT

RICHARD PERKINS
Chief of Police



223 Lead Street ♦ P.O. Box 95050 ♦ Henderson, NV 89009-5050 ♦ (702)267-4501

October 31, 2006

BEXAR COUNTY CRIMINAL INVESTIGATION LAB

7337 Louis Pasteur
San Antonio, TX 78229-4565
Office 210-335-4100
Fax 210-335-4101

On May 20, 2006, two naked, deceased female bodies were found in the desert area about a couple hundred yards from a roadway. Both girls died as a result of blunt and sharp force trauma. Both girls were the victim's of the same suspects within the same incident and were killed at that location.

The investigation showed that Domonic Malone, Jason McCarty and Donald Herb were responsible for the deaths of Victoria Magee and Charlotte Combado, although Herb was not directly involved with the killing. The investigation also showed that the weapons used in the murders were a knife, golf club and rock(s).

The investigation proved that a third person, Melissa Estores, was also an intended victim, but was not kidnapped with the two victims on the night of 5-17-2006. Estores, however, is a victim of a Battery with Substantial Bodily Harm in which McCarty and Malone are the suspects. The incident involving Estores occurred on the previous night of the homicide, 5-16-2006. At the time of the Estores incident, both Magee and Combado were also with Estores. The vehicle used in both incidents was a green Alero that McCarty was driving.

Estores said that when she was beat, on the night of 5-16-2006, and that while she was riding back from the beating, she had deposited hair fibers, from her scalp, which had come loose while she had been beaten. She stated that her hair "came out in clumps" and she said that she deposited the hair on the back seat floor board. A search warrant on the vehicle produced several deposits of hair that were consistent with Estores' hair color and length.

At the time that Combado and Magee were kidnapped from an apartment, the suspects, with the exception of Herb, were seen escorting the two females to the green Alero and Malone was seen with a golf club in his hands. A golf club (in two pieces) was recovered and a presumptive for blood tested positive. A knife was also recovered that a presumptive for blood tested positive.

There was no indication that any of the suspects were wearing gloves at the time that the incident occurred.

A search of the apartment where the two victims were kidnapped from produced several items of evidence; cigarette butts and a tissue with blood on it.

Buccal swab kits were recovered from Herb, Malone and McCarty. Kits were obtained from Magee and Combado. A buccal swab kit is pending from Estores.

Reference the golf club and knife.

1. The blood recovered from the above items, does it belong to either Magee and Combado, or both?
2. If you are able to obtain a swab from the golf club grip, does it match Malone and/or McCarty?

Reference the cigarette butts and blood on tissue.

1. Obtain DNA profile of the cigarette butts found in the apartment, along with the blood on the tissue paper, and see if it matches any of the exemplars provided.

Reference fingernail scrapings obtained from Magee and Combado.

1. See if DNA profiles of scrapings match Malone and/or McCarty.

Reference hair fibers recovered from green Alero.

1. Create profile to test with pending buccal swab exemplar from Estores (buccal swab kit will be forwarded upon being obtained).

Please forward the results of those test to me as soon as possible. There is a pending trial date of January, 2007. Any questions or other inquiries, please contact me at 702-400-6138. If I am not available, please contact Sgt David McKenna at 702-267-5064. Thank you in advance for your attention to this matter.

Detective Gerry Collins
INVESTIGATIONS BUREAU
HENDERSON POLICE DEPARTMENT
702-267-4762 (office)
702-267-4554 (fax)

**Henderson Police Department
Criminalistics Bureau
AUTOPSY REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location: Clark County Coroner's Office

Coroner's Case#: 06-4157 **Forensic Pathologist** Dr. Kubiczek

Assistant: Marvis Walton

Date: 05/21/2006

Deceased: Charlotte Fountain

DOB: 01/17/72

Race:

Age: 34

Sex:

Hair:

Eyes:

Height:

Weight:

Facial Hair:

Scars/Marks/Tattoos

Evidence

☒ Photography ☐ Clothing ☒ Fingernail Clipping ☐ Fingernail Swabs ☒ Jewelry ☒ Sheet
☐ Fingerprints ☒ Palm prints ☐ Bullets/projectiles ☐ Bullet/projectile fragment ☐ Trace ☒ Other

Notes:

Biology Standards Kit

☐ Blood vials ☒ Buccal swabs

Buccal Swab Kit ☐

Sex Assault Kit

☐ Buccal swabs ☒ Oral swabs ☒ Vaginal swabs ☐ Penile swabs ☒ Rectal swabs
☐ Blood vials ☐ Underpants ☐ Secretions on skin ☐ Debris/other hairs ☐ Bitemark swabs
☐ Combed head hair ☐ Pulled head hair ☐ Combed pubic hair ☐ Pulled pubic hair

DNA Evidence

☐ DNA blotter ☐ Rib bone ☐ Kidney ☐ Other

See Evidence Impound Report ☒

Comments:

Jennie Ayers
Crime Scene Analyst II

1369

REVIEW

End of Report

EVIDENCE IMPOUND

1369

1435

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**



Investigator(s): Gerard G Collins

324

DR Number: 06-11513

Incident(s): Homicide

Location(s): 1165 Blankenship #10

Lab Case #: LAB06-00194

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

WEAPONS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

1165 Blankenship #10 is located at the street end of a number of apartment units. Apartment #10 consisted of a living room, kitchen and dining room, bathroom, and bedroom.

Details Narrative:

A search warrant was executed on 1165 Blankenship #10 on May 24, 2006 by INV RIDINGS. Entering the apartment, one first encounters the living room. Adjacent to the living room is the dining area and kitchen. Directly behind the kitchen is the bathroom. Adjacent to the bathroom and directly behind the living room is the bedroom. The only access in or out of the apartment is the door that enters the living room. In order to reach the bathroom and bedroom, one must travel through the kitchen.

I photographed apartment #10 for orientation and general locations of items. I also photographed specific items of evidence. The apartment was searched by myself, CST FARRELL, CSA BARBER, and numerous investigators. Evidence was collected by CSA BARBER.

Jennie Ayers 1369
Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location(s): Hwy 93 Boulder City

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Highway 93 in Boulder City, approximately one half mile East of the electronic sign at the Hacienda Casino. Areas off Highway 93 near the sign reading "Lake Mead information Tune 1610 AM," on both the Northwest and Southeast sides of the highway.

Details Narrative:

06/05/06

I responded to Highway 93 in Boulder City and was met by INV RIDINGS. INV RIDINGS briefed me on the scene. I photographed the area for overall location and orientation. I photographed and collected five items of evidence: golf club head, jeans, two rocks and golf club shaft.

Upon returning to the Criminalistics lab, I tested the rocks, jeans, and golf club head using phenolphthalein, a presumptive test for blood. The rocks and the jeans tested negative and the golf club head tested presumptive positive for the presence of blood.

06/06/06

I responded to Highway 93 in Boulder City with CSA SMITH and was met by INV RIDINGS, who briefed us on the scene. I photographed the area for overall location and orientation. I photographed and CSA SMITH collected one item of evidence, a wooden handled knife.

Upon returning to the Criminalistics lab, I tested the knife using phenolphthalein, a presumptive test for blood. The knife tested presumptive positive for the presence of blood.

J. Ayers

1369

Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
EVIDENCE IMPOUND REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case ID: LAB06-00194

Victim(s): Victoria Magee
Charlotte Fountain

Date: May 21, 2006

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Other:

Package #	Item #	Description	Location of Evidence
1369-1	1	Palmprint exemplars for Dawson 2 recovered by CSA Ayers	Clark County Coroner's Office
AUTOPSY-	1	Autopsy Report	
1369-2	2	Silver colored chain with silver colored flower pendant with white stone	Autopsy- neck of Charlotte Fountain
1369-3	3	Plastic zipper top bag containing one plastic vial containing larvae	Autopsy- Charlotte Fountain
1369-4	4	Sex assault kit swabs: Buccal (2), Oral (1), Vaginal (2), Rectal (1), fingernail clippings (2 envelopes)	Autopsy- Charlotte Fountain
1369-5	5	partial Knight golf club shaft with black leather like grip (approx 20.5" in length)	Boulder City 0.4mi east of Hacienda Casino- South of roadway-Hwy 93
1369-6	6	Knight golf club head with partial shaft (presumptive positive for blood)	Boulder City 0.4mi East of Hacienda Casino- North of roadway- Hwy 93
1369-7	7	One pair denim jeans "A[X]IST" brand	Boulder City 0.4mi East of Hacienda Casino- North of roadway- Hwy 93

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1369-8	8	One rock	Boulder City 0.4mi East of Hacienda Casino- South of roadway- Hwy 93
1369-9	9	One rock	Boulder City 0.4mi East of Hacienda Casino- South of roadway- Hwy 93
1369-10	10	One stainless steel knife with wooden handle, serrated edge, rounded tip; positive presumptive test for blood; hairs removed from blade- in plastic vial	Boulder City 0.4mi East of Hacienda Casino- North of roadway- Hwy 93
1369-11	11	Black t-shirt "ghs strings"	Boulder City 0.4mi East of Hacienda Casino- South of roadway- Hwy 93
1369-12	12	Sheet wrapped around Charlotte Fountain in body bag, paper used to collect drippings from sheet	Autopsy- Charlotte Fountain
1369-13	13	brown bags covering Charlotte Fountain's hands during transport to autopsy	Autopsy- Charlotte Fountain

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
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1369-1	1	Palmprint exemplars for Dawson 2 recovered by CSA Ayers	Clark County Coroner's Office
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1369-12	12	Sheet wrapped around Charlotte Fountain in body bag, paper used to collect drippings from sheet	Autopsy- Charlotte Fountain
1369-13	13	brown bags covering Charlotte Fountain's hands during transport to autopsy	Autopsy- Charlotte Fountain

EVIDENCE IMPOUND REPORT

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EVIDENCE IMPOUND REPORT

DR Number: 06-11513

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1369-12	12	Sheet wrapped around Charlotte Fountain in body bag, paper used to collect drippings from sheet	Autopsy- Charlotte Fountain
1369-13	13	brown bags covering Charlotte Fountain's hands during transport to autopsy	Autopsy- Charlotte Fountain

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package # Item # Description

Location of Evidence

Jennie Ayers 1369
Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
EVIDENCE IMPOUND REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case ID: LAB06-00194

Victim(s): Victoria Magee
Charlotte Fountain

Date: August 29, 2006

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Other:

Package #	Item #	Description	Location of Evidence
1179-1	1	One swab	A DNA sample obtained from a "Top Flite XL Blue Streak" golf ball (pkg. 1173-5, itm 6 by T. Barber #1173.)



Dan Connell 1179
Forensic Investigative Assistant

REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
AUTOPSY REPORT

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location: Clark County Coroner's Office

Coroner's Case#: 06-4157 **Forensic Pathologist** Dr. Kubiczek

Assistant: Marvis Walton

Date: 05/21/2006

Deceased: Charlotte Fountain

DOB: 01/17/72

Race:

Age: 34

Sex:

Hair:

Eyes:

Height:

Weight:

Facial Hair:

Scars/Marks/Tattoos

Evidence

☒ Photography ☐ Clothing ☒ Fingernail Clipping ☐ Fingernail Swabs ☒ Jewelry ☒ Sheet
☐ Fingerprints ☒ Palm prints ☐ Bullets/projectiles ☐ Bullet/projectile fragment ☐ Trace ☒ Other

Notes:

Biology Standards Kit

☐ Blood vials ☒ Buccal swabs

Buccal Swab Kit ☐

Sexual Assault Kit

☐ Buccal swabs ☒ Oral swabs ☒ Vaginal swabs ☐ Penile swabs ☒ Rectal swabs
☐ Blood vials ☐ Underpants ☐ Secretions on skin ☐ Debris/other hairs ☐ Bitemark swabs
☐ Combed head hair ☐ Pulled head hair ☐ Combed pubic hair ☐ Pulled pubic hair

DNA Evidence

☐ DNA blotter ☐ Rib bone ☐ Kidney ☐ Other

See Evidence Impound Report ☒

Comments:

Jennie Ayers 1369
Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location(s): 1165 Blankenship #10

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

1165 Blankenship #10 is located at the street end of a number of apartment units. Apartment #10 consisted of a living room, kitchen and dining room, bathroom, and bedroom.

Details Narrative:

A search warrant was executed on 1165 Blankenship #10 on May 24, 2006 by INV RIDINGS. Entering the apartment, one first encounters the living room. Adjacent to the living room is the dining area and kitchen. Directly behind the kitchen is the bathroom. Adjacent to the bathroom and directly behind the living room is the bedroom. The only access in or out of the apartment is the door that enters the living room. In order to reach the bathroom and bedroom, one must travel through the kitchen.

I photographed apartment #10 for orientation and general locations of items. I also photographed specific items of evidence. The apartment was searched by myself, CST FARRELL, CSA BARBER, and numerous investigators. Evidence was collected by CSA BARBER.

Jennie Ayers

1369

Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location(s): Hwy 93 Boulder City

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis
Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint
Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered
Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit
Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

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Location(s): Hwy 93 Boulder City

Date:

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☐ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Highway 93 in Boulder City, approximately one half mile East of the electronic sign at the Hacienda Casino. Areas off Highway 93 near the sign reading "Lake Mead information Tune 1610 AM," on both the Northwest and Southeast sides of the highway.

Details Narrative:

06/05/06

I responded to Highway 93 in Boulder City and was met by INV RIDINGS. INV RIDINGS briefed me on the scene. I photographed the area for overall location and orientation. I photographed and collected five items of evidence: golf club head, jeans, two rocks and golf club shaft.

Upon returning to the Criminalistics lab, I tested the rocks, jeans, and golf club head using phenolphthalein, a presumptive test for blood. The rocks and the jeans tested negative and the golf club head tested presumptive positive for the presence of blood.

06/06/06

I responded to Highway 93 in Boulder City with CSA SMITH and was met by INV RIDINGS, who briefed us on the scene. I photographed the area for overall location and orientation. I photographed and CSA SMITH collected one item of evidence, a wooden handled knife.

Upon returning to the Criminalistics lab, I tested the knife using phenolphthalein, a presumptive test for blood. The knife tested presumptive positive for the presence of blood.

Jennie Ayers
Crime Scene Analyst II

1369

REVIEWED

End of Report

TRAN

COPY

FILED

JUL 25 9 52 AM '11

Ann D. Schuman
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DOMONIC RONALDO MALONE,

Defendant.

CASE NO. C224572-2

DEPT. XVII

BEFORE THE HONORABLE MICHAEL P. VILLANI, DISTRICT COURT JUDGE

TUESDAY, JULY 19, 2011

RECORDER'S TRANSCRIPT OF HEARING RE:

ALL PENDING MOTIONS

APPEARANCES:

For the State:

CHRISTOPHER LALLI, ESQ.,
Deputy District Attorney

For the Defendant:

Pro Se

Stand-by counsel:

RANDALL H. PIKE, ESQ.,
Special Public Defenders

RECORDED BY: MICHELLE L. RAMSEY, COURT RECORDER

1 LAS VEGAS, NEVADA; TUESDAY, JULY 19, 2011

2 [Proceeding commenced at 8:33 a.m.]

3
4 THE COURT: Is this the Malone matter?

5 MR. LALLI: It is, Your Honor.

6 THE COURT: Okay. Mr. Malone is present. Mr. Pike is here.

7 And this is a Pro Se Motion for Complete Rough Draft Transcript of
8 case number 224572; Pro Se Motion for Discovery of Prosecution
9 Records, Riles and Information Necessary to a Fair Trial. Before
10 we start, I did receive a pleading titled Ex Parte Communication
11 Defendant Memorandum to Court. Have you received this, Mr. Lalli?

12 MR. LALLI: Your Honor, I just pulled it off of Odyssey this
13 morning.

14 THE COURT: All right. Have you received this, Mr. Pike?

15 MR. PIKE: I received a copy of it after Mr. Malone filed it.

16 THE COURT: All right. Mr. Malone, is everything in your --
17 in this pleading the one -- there's a couple of pleadings.

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: This is the pleading that it appears to be in
20 your handwriting.

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Hang on. It's Ex Parte Communication Defendant
23 Memorandum to Court. Is everything contained within that pleading
24 true and correct?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: All right. The -- as all parties know, we went
2 through a Faretta Canvassing, a very thorough canvass in this
3 matter.

4 Mr. Malone has just advised the Court that he was
5 forced to represent him in this case. I'm quoting from his
6 pleading. It said, had not the Defendant been forced to represent
7 him in this case, this matter would have been swept under the rug.
8 Another section in his pleading he states the Defendant did not
9 want to represent himself. So he has motion this Court for help
10 only to be denied by this Court on numerous occasions which I think
11 it says exhorted -- exerted the forced situation. And so Mr.
12 Malone has advised me that everything contained in this pleading is
13 correct.

14 Sir, if you feel you have been forced to represent
15 yourself and there's -- and that you did not want to represent
16 yourself, your request to represent yourself is now vacated or is
17 denied. Also, the Court looks at the -- the various cases that
18 state that when a case is overly complex, this Court can also deny
19 someone his right to represent himself; that's Lyons v. State.

20 And for Defendant's request or Defendant advising the
21 Court that he was forced and he did not want to represent himself,
22 therefore, his status no longer exists. The Special Public
23 Defender's Office is ordered to represent him no longer as stand-by
24 counsel.

25 Mr. Pike, how long is -- will you and Mr. Cano be

1 prepared to go to trial in January of 2012?

2 MR. PIKE: Yes, we will, Your Honor.

3 THE COURT: All right.

4 MR. PIKE: In reference to the motion for the transcript,
5 we've provided the transcripts to his investigator while the
6 McCarty case was ongoing. Apparently, his investigator never
7 transcribed them. We gave them to him. So, we did a -- printed up
8 a complete transcript and have sent that over to him at the
9 Detention Center.

10 THE COURT: All right.

11 THE DEFENDANT: [indecipherable]

12 THE COURT: Yes, Mr. Malone.

13 THE DEFENDANT: Sir, the memorandum that I filed with this
14 Court was saying that you was forcing the Special Public Defender's
15 Office on me, Your Honor. That's what --

16 THE COURT: That's not what it said.

17 THE DEFENDANT: -- that's what I was saying when I said
18 forced -- the attorneys forced me to represent myself 'cause I'm
19 only represented by the stand-by counsel which was created a issue
20 at first; that's the reason why I had wrote the memorandum, sir.

21 THE COURT: Sir, your pleadings very clear. The Defendant
22 did not want to represent himself in this matter.

23 THE DEFENDANT: Yes. Yes, sir.

24 THE COURT: Okay. Your wish is granted, sir.

25 THE DEFENDANT: Sir --

1 THE COURT: Mr. Pike and Mr. Cano will represent you. We're
2 done.

3 Mr. Pike, if you have any other motions to file, please
4 do so in this case.

5 Mr. Malone, since you are represented by counsel under
6 the Eighth District Court Rules, any motions you wish to file,
7 you'll need to go through your attorneys and they will file the
8 appropriate motion if they think it is legally sound.

9 MR. LALLI: Your Honor, if I can just supplement the record a
10 bit. On calendar this morning, I think they were continued from
11 the 12th of July. There are two motions. Mr. Pike has addressed
12 this motion for complete rough draft transcript of -- of the case
13 and he references the Co-defendant's case number. This by my count
14 is the third time this exact motion has been on calendar. And each
15 time the Defendant is advised that either he was provided. I think
16 the representations have always been that he was provided with the
17 actual transcripts.

18 The same with respect to the other motion for
19 discovery; I mean, in substance, this does not differ in any way
20 from I think the last three or four motions that he has filed. And
21 I think it clearly indicates his inability to effectively amass or
22 discern or parch through the discovery in this case and represent
23 himself in any intelligent manner whatsoever.

24 THE COURT: I would agree and as I previously stated this is
25 a very -- after further review by the Court it's -- I have so many

1 cases that this is a very complex matter and -- so that's why the
2 Defendant is going to be represented by Special PD's Office, but
3 more so by his statement that he was forced into this and the
4 Court's not going to force him into this.

5 Sir, I would suggest that you contact your attorney for
6 any --

7 THE DEFENDANT: I have --

8 THE COURT: -- comments you want to make.

9 THE DEFENDANT: -- I have contacted them on numerous
10 occasions. What I specifically was missing was 21 additional pages
11 of the evidence impound report. This is what I had made clear to
12 them.

13 THE COURT: Okay. Send them a letter. Talk to them.

14 THE DEFENDANT: I have, sir.

15 THE COURT: Okay. Sir, Mr. Pike is going to follow up. Mr.
16 Pike's office provided me with an inventory of the numerous times
17 they have given you discovery and so I think Mr. -- Mr. Pike and
18 Mr. Cano are going to comply with their ethical duties in this
19 particular matter and make sure that you do have a fair trial.

20 Anything else, Mr. Pike?

21 MR. PIKE: No, Your Honor.

22 THE COURT: All right. Thank you sir.

23 MR. PIKE: Thank you.

24 THE COURT: These motions are off calendar.

25 Mr. Pike, if you feel they need to be refiled, please

1 do so.

2 MR. PIKE: Thank you.

3 THE COURT: All right. Thank you.

4 [Proceeding concluded at 8:40 a.m.]

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19

20 ATTEST: I hereby certify that I have truly and correctly
21 transcribed the audio/video proceedings in the above-entitled case
to the best of my ability.

22

23

24

25



Michelle Ramsey
Court Recorder/Transcriber

TRAN

FILED

SEP 21 1 15 PM '11

Thomas J. Quinn
CLERK OF THE COURT

COPY

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DOMONIC RONALDO MALONE,

Defendant.

CASE NO. C224572-2

DEPT. XVII

BEFORE THE HONORABLE MICHAEL P. VILLANI, DISTRICT COURT JUDGE

TUESDAY, AUGUST 9, 2011

RECORDER'S TRANSCRIPT OF HEARING RE:

DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL

APPEARANCES:

For the State:

CHRISTOPHER LALLI, ESQ.,
Deputy District Attorney

For the Defendant:

DAVID M. SCHIECK, ESQ.,
RANDALL H. PIKE, ESQ.,
Special Public Defenders

RECORDED BY: MICHELLE L. RAMSEY, COURT RECORDER

1 LAS VEGAS, NEVADA; TUESDAY, AUGUST 9, 2011

2 [Proceeding commenced at 8:20 a.m.]

3
4 THE COURT: All right, Mr. Malone is present in custody. We
5 have Mr. Pike, Mr. Schieck, Mr. Lalli for the State. This is
6 defense, its Motion to Withdraw as Counsel.

7 MR. SCHIECK: Mr. Malone contacted our office by letter asking
8 us to withdraw from the case and we thought it prudent put it on
9 the Court's calendar so that Mr. Malone could make whatever
10 representations he felt he wanted to make.

11 THE COURT: All right, Mr. Malone, why do you want to have the
12 Special Public Defender's office removed from your case?

13 THE DEFENDANT: We have a conflict, sir, that cannot be
14 resolved.

15 THE COURT: Specifically what?

16 THE DEFENDANT: Your Honor, I believe that they're trying to
17 help the State murder me, sir. That's -- I think that -- my belief
18 is that I just can't get around that, sir.

19 THE COURT: Okay. Do you have any more specifics? I don't
20 want you to violate any attorney/client privilege, but merely --

21 THE DEFENDANT: Sir, I --

22 THE COURT: -- hang on -- but merely stating, you know,
23 they're trying to help the State out or they're trying to get you
24 murdered; do you have anything specific to tell me because these
25 are probably -- well, Mr. Schieck is in charge of the Special

1 Public Defender's Office. I think Mr. Pike is the assistant of the
2 Special Public Defender's Office, so I don't know that you're going
3 to find any more two seasoned attorneys to defend you on this case.

4 THE DEFENDANT: Sir, it's not that they qualifications is the
5 problem, sir. The problem is like I'm trying to tell the Court is
6 that they're trying to murder me, sir. My family is not going to
7 cooperate with them, sir. I have not been able to properly
8 cooperate with them as well, sir.

9 We -- I believe that we're working basically against each
10 other instead of working with each other, sir. This is a death
11 penalty case. I don't think that State need any help with dealing
12 with that, sir. It's my belief this is what's been going on. I
13 have tried everything I can without going into our privileged
14 conversation to come to a resolved situation where we could work
15 together. There is nothing that I can state that we can't work
16 together, sir. It's just this is my belief. This is what happened
17 due to the actions that -- any actions of what had happened.

18 THE COURT: Well, up until recently they were stand-by counsel
19 and you were in charge of your case.

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And so there really wasn't a lot for them to do
22 except answer any questions you have and I recall you stating you
23 weren't getting any discovery. And then I think Mr. Pike submitted
24 a pleading that showed letter after letter and an inventory of the
25 numerous documents that they have turned over to you when you were

1 alleging you never received them.

2 But you're just saying right now it's a trust issue; is
3 that correct? And --

4 THE DEFENDANT: Sir --

5 THE COURT: -- they're trying to get you killed; is that --

6 THE DEFENDANT: Yes, sir. Just to put in quite frankly yes,
7 sir.

8 The discovery -- I have submitted some numerous letters
9 to them as well, sir. I just didn't want to go into that. I just
10 stated that I didn't want to go into that. I've never received the
11 discovery which I've kept asking them for, sir. I kept doing that.
12 I did everything that I was told me to do. You said be specific.
13 So I wrote specifics of about what I was not getting. They tried
14 to give me some things and some things they did not give to me. I
15 guess that some of things had to be transcribed, but I had asked
16 for those to be transcribed. I was not given those, sir.

17 Also the list that they received that you received from
18 them that the document I had wrote to them about that and you said
19 that you didn't give me this, this or that, sir. I catalog
20 everything that I had supposed to do. Everything that this --

21 THE COURT: Okay. I remember we were here a couple of times
22 back and I asked you to be very specific --

23 THE DEFENDANT: Specific.

24 THE COURT: -- as to what you are missing.

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And you come back with generalities. Submit a
2 pleading or submit -- excuse me, not a pleading. Send the Special
3 PD's a letter.

4 THE DEFENDANT: I did, sir.

5 THE COURT: Hang on. And set forth specifically what you are
6 missing from what Mr. Pike has advised me of that you have
7 received.

8 THE DEFENDANT: I did, sir.

9 THE COURT: Okay. And, Mr. Pike, have you received such a
10 letter?

11 MR. PIKE: Your Honor, yes. And as I had to file with the
12 Court saying I sent him a letter saying this is everything I have.
13 This is a catalog. This is a number of pages. This is what I
14 have. Tell me what you don't have. We send it back. I send him
15 everything that he requested.

16 He comes back and has filed the same motion over and over
17 and over again. Specifically in one of the motion, I'll give you
18 an example. He says I don't have the 24-page impound of the police
19 reports. Well, in his ex parte communication with the Court he
20 actually included that full 24-page report. So he either lost it
21 some where or misfiled it or has deliberately making his
22 representations regarding that trying to make this issue.

23 I -- and I went through and opened my files to his
24 investigator and say make a copy, whatever you want. Whatever he
25 says you don't have, he doesn't have. Come and get. There wasn't

1 anything that -- that Mr. Wysocki didn't have access to that was in
2 our file.

3 It's -- we're not withholding anything from him. We've
4 tried every step of the way to fight this. With the State we filed
5 numerous motions. We've filed Writs. We have done two mitigation
6 trips out with the family. We have a good relationship with the
7 family. We assisted him through the loss of his mother. We
8 assisted him in transferring funds to his wife, providing
9 transportation to his wife when we're just stand-by counsel trying
10 to help him with personal issues.

11 I don't know how much further we can go as far as trying
12 to show that we are certainly contrary to the State's desire to
13 execute Mr. Malone. And we're hopeful for a good result in the
14 guilt phase of the trial and we're not just working towards the
15 penalty phase.

16 I -- I take my oath -- my oath as a defense attorney very
17 responsibly. And -- and so, when -- when representations are made
18 that we're not providing and -- information to him, frankly, Your
19 Honor, that's not true. Anything that's been requested that we
20 have, we've -- we've done. We've made available and we have
21 fulfilled in all respects.

22 Our --

23 THE DEFENDANT: Sir --

24 MR. SCHIECK: Your Honor, could I --

25 THE COURT: Hang on.

1 THE DEFENDANT: -- I don't mean to interrupt.

2 MR. SCHIECK: -- could I add one thing?

3 THE COURT: Hang on.

4 MR. SCHIECK: Could I add one thing, Your Honor?

5 THE COURT: Absolutely.

6 MR. SCHIECK: While Mr. Malone was representing himself, he
7 had a Court appointed investigator assigned to him and that
8 investigator came to our office and had access to every piece of
9 paper in our office. And so, I mean, I don't understand how he can
10 claim we haven't, you know, made everything available to him. It's
11 his investigator that came to our office and -- and could get
12 anything he wanted.

13 THE DEFENDANT: Sir, this is the problem.

14 THE COURT: Just very briefly. Yes, Mr. Malone.

15 THE DEFENDANT: Very briefly, sir. The 24 pages report that
16 he said he sent to me what I had sent to them and specifically
17 outlined it as in my discovery I'm glad he used that for example.
18 What I was saying is that I'm missing 20 -- 22 pages of that report
19 because I told him that they are copies of that report. The pages
20 that I have are never even duplicates of this same exact page.
21 Exactly to be pages 1, 2 and 3 equal into a total of 24 pages.
22 It's not a complete 24 pages report. It's now -- this is what he's
23 saying is in the report that that's what he gave him --

24 THE COURT: What else?

25 THE DEFENDANT: -- that I received that.

1 THE COURT: What else?

2 THE DEFENDANT: Sir, my private investigator, I don't even
3 know where my private investigator is.

4 THE COURT: Okay. They have their own investigator. What
5 else?

6 THE DEFENDANT: Well, they said that I was provided the
7 discovery. I was not, sir. Sir, I just --

8 THE COURT: Well, that's not accurate, sir. I've seen this.
9 We've been here numerous times. Your lack of specificity as far as
10 your -- the attorneys here not working on your behalf or they're
11 working with Mr. Lalli to conspire against you in -- is your phrase
12 to I think have you murdered is belied by the record. These are
13 two most seasoned attorneys in the Special PD's Office. Your
14 motion is denied.

15 And, sir, I think you've been playing games because I
16 gave you the Faretta Canvassing. You were absolutely clear what
17 you wanted to do.

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Then a couple of months ago I get a letter from
20 you saying you never wanted to do it and you were forced which
21 again is utterly ridiculous because I personally gave credit and I
22 painstakingly went over every question and then a couple of months
23 -- and some months ago, you play this game saying oh, I didn't
24 really want to do this. Someone forced me to do this. And that's
25 just ridiculous.

1 THE DEFENDANT: No, sir.

2 THE COURT: And I envisioned Mr. Schieck and Mr. Pike and Mr.
3 Cano that there's going to be -- they're going to make allegations
4 against you, whatever. I don't know if that's going to be a
5 conflict because I think Mr. Malone is playing a game here.

6 THE DEFENDANT: Sir --

7 THE COURT: Your motion is denied. Your motion is denied.

8 Mr. Pike, maybe send your investigator over. If he's
9 missing these three pages, send another three pages.

10 THE DEFENDANT: No, sir.

11 THE COURT: Get a receipt of copy.

12 THE DEFENDANT: I'm missing 22 pages.

13 THE COURT: Whatever it is, they'll get it to you. Okay,
14 we're not playing games any more.

15 THE DEFENDANT: Sir, this was never a game.

16 THE COURT: Motion denied.

17 [Proceeding concluded at 8:29 a.m.]

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* * * * *

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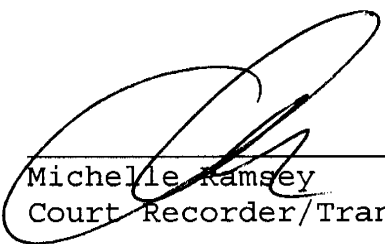
20 ATTEST: I hereby certify that I have truly and correctly
21 transcribed the audio/video proceedings in the above-entitled case
22 to the best of my ability.

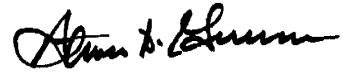
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Michelle Ramsey
Court Recorder/Transcriber



CLERK OF THE COURT

1 **NOTC**
2 **DAVID ROGER**
3 **Clark County District Attorney**
4 **Nevada Bar #002781**
5 **MARC DIGIACOMO**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #006955**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**

10 **Plaintiff,**

11 **-vs-**

12 **DOMONIC RONALDO MALONE,**
13 **#1670891**

14 **Defendant.**

CASE NO: 06C224572-2

DEPT NO: XVII

15 **NOTICE OF EXPERT WITNESS**
16 **[NRS 174.234(2)]**

17 **TO: DOMONIC RONALDO MALONE, Defendant; and**

18 **TO: SPECIAL PUBLIC DEFENDER, Counsel of Record:**

19 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF**
20 **NEVADA intends to call the following witnesses in its case in chief:**


21 **GERRY MARTINEZ, CUSTODIAN OF RECORDS, AT&T, or Designee:** He is
22 an expert in the area of cellular phones, and cellular system technology including cell tower
23 generation of calls and ability to determine the location where generated based upon
24 historical records of cellular phone records as well as the creation, functioning, data
25 collection and information received and collected by cellular provider cell cites, its analysis
26 and conclusions which can be drawn and is expected to testify thereto.

27 **///**

28 **///**

1 The substance of each expert witness' testimony and a copy of all reports made by or
2 at the direction of the expert witness has been provided in discovery.

3 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

4
5
6 BY 
7 DAVID ROGER
8 DISTRICT ATTORNEY
9 Nevada Bar #002781

10 CERTIFICATE OF ELECTRONIC FILING

11 I hereby certify that service of the above and foregoing, was made this 15TH day of
12 November, 2011, by Electronic Filing to:

13
14 SPECIAL PUBLIC DEFENDER

15 E-mail Address: kfitzger@ClarkCountyNV.gov
16
17
18
19

20 By: /s/ D. Jason

21 Secretary for the District Attorney's Office
22
23
24
25
26
27
28


CLERK OF THE COURT

1 **NOTC**
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 CHRISTOPHER J. LALLI
6 Chief Deputy District Attorney
7 Nevada Bar #005398
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,)

10 Plaintiff,)

11 -vs-)

12 DOMONIC RONALDO MALONE,
13 #1670891,)

14 Defendant.)

CASE NO: 06C224572-2

DEPT NO: XVII

SUPPLEMENTAL NOTICE OF WITNESS
[NRS 174.234(1)(a)]

17 TO: DOMONIC RONALDO MALONE, Defendant; and

18 TO: SPECIAL PUBLIC DEFENDER, Counsel of Record:

19 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
20 NEVADA intends to call the following witnesses in its case in chief:

21 NAME

ADDRESS

22 HUSEIN, Samer

Nevada Department of Corrections

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28 ///

1 These witnesses are in addition to those witnesses endorsed on the Information and
2 any other witness for which a separate Notice has been filed.

3
4
5 BY



6 DAVID ROGER
7 DISTRICT ATTORNEY
8 Nevada Bar #002781

9 CERTIFICATE OF ELECTRONIC FILING

10 I hereby certify that service of the above and foregoing, was made this 30th day of
11 November, 2011, by Electronic Filing to:

12 SPECIAL PUBLIC DEFENDER
13 E-mail Address: kfitzger@ClarkCountyNV.gov

14 By: /s/ D. Jason
15 Secretary for the District Attorney's Office

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CLERK OF COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

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1 LAS VEGAS, NEVADA; THURSDAY, DECEMBER 15, 2011

2 [Proceeding commenced at 8:40 a.m.]

3
4 THE COURT: Dominic Malone. We have Mr. Pike, Mr. Cano, Mr.
5 Malone, Mr. Lalli.

6 MR. LALLI: Good morning, Your Honor.

7 MR. CANO: Good morning, Your Honor.

8 THE COURT: Okay, this is -- actually the Court put this on
9 calendar for status check trial status and also confirmation of
10 jury questionnaire.

11 MR. LALLI: Correct. Your Honor, from the State's
12 perspective, we certainly -- everybody is served. There are a few
13 minor hiccups as one might imagine in a case with a number of
14 witnesses that we have, but there's no indication that we will not
15 be ready to go.

16 I would anticipate a trial lasting approximately the same
17 time that the last one did which went about five and a half to six
18 weeks, so we're ready to go.

19 And with respect to the jury questionnaire, we submitted
20 something to the Court via email yesterday late afternoon. Mr.
21 Pike sent me an email this morning wanting to explore maybe one or
22 two other questions which we are certainly amenable to do.
23 Something that I realized was absent from the questionnaire was
24 just informing the jury that this trial could last potentially six
25 weeks and something to deal -- something to record any legitimate

1 hardships as -- as I anticipate we'll have.

2 And so there's probably just a little more tweaking. I
3 think as I indicated in the email to your Court we want to include
4 the list of witnesses on the questionnaire to kind of limit the
5 time of reading that in the voir dire process. So I would
6 certainly expect to have a final version and I'm sure we'll be able
7 to agree on everything, but perhaps by tomorrow.

8 THE COURT: My law clerk had received an email from Mr. Pike
9 regarding his request to put in some inquiry regarding ethnicity.
10 Is there any objection by the State?

11 MR. LALLI: Not to that subject matter. We have a problem
12 with the manner in which it was proposed, but I think that
13 something we can -- we can, you know, just general questions
14 regarding a person's perception of -- of racial issues or race in
15 general. We don't oppose that sort of a question. We have a
16 problem with like -- asking a juror to identify their ethnicity.

17 I mean, even when the -- any survey that the Court has
18 taken, all of those questions are -- are optional. You know, the
19 following questions are optional, what's your ethnicity. And I
20 don't -- I don't think -- I don't think you can ask a juror to do
21 that. Although I am told that the Federal Court does that. I just
22 have a problem with that and I certainly don't want to be in a
23 position of offending people before we even get them up to the
24 courtroom.

25 MR. PIKE: We appreciate that, but based upon the recent cases

1 dealing with Batson challenges and the -- the burden that the
2 Supreme Court is placing on the lower courts and counsel, a trial
3 counsel, it's a way to -- to help identify that which is not being
4 recorded by the jury commissioner as has been suggested by the
5 Supreme Court that they should be doing.

6 So, I think the identifier is something that we -- the
7 Supreme Court is requiring us to do. If the Court doesn't feel
8 that way at this point in time, then we will inquire of it and
9 attempt to make contemporaneous records as to our guesses as to the
10 ethnicity of the perspective jurors, but the --

11 MR. CANO: I think it's probably the least offensive way to do
12 that, Your Honor. I mean, I understand the State's position. We
13 don't want to offend them, you know, from the very day. I think
14 that's the least intrusive way to try and get that information or
15 have it recorded for the Court and for posterity.

16 MR. LALLI: If the Court wants to undertake to determine what
17 the ethnicity is of jurors, the way to do that is through the jury
18 commissioner. And if the Court, for whatever reason hasn't done
19 that at this point, it's certainly not incumbent upon us or this
20 particular department to start.

21 THE COURT: Well, you know, I think this inquiry here is set
22 forth in an unintrusive manner and so I'm going to direct the
23 parties to put this language into one of the questions. You can
24 tweak some of the language if you want, but I think it's
25 appropriate to ask that. I would just put the different races in

1 alphabetical order. For no other reason they're not in
2 alphabetical order, so you don't have one before the other. And if
3 anyone looks at it, they can say it's in alphabetical order, so
4 we're not highlighting because the first one's African American.
5 There could be a claim there that's highlighting your client's
6 ethnicity and we'll just do it alphabetical order.

7 MR. CANO: That's fine, Your Honor.

8 MR. PIKE: Thank you very much.

9 THE COURT: Now, because of the holidays and a lot of other
10 things going on, how soon can we get the final draft that both
11 sides agree upon 'cause then we have to give it to the jury
12 commissioner, then they have to call probably 500 people?

13 MR. PIKE: We'll have it to the Court before tomorrow morning.

14 MR. LALLI: I think tomorrow the Court can expect to -- yeah,
15 either later today or tomorrow, the Court can expect to have it
16 particularly with that ruling I mean something we would probably
17 talk about is no longer a point of discussion, so.

18 THE COURT: And also we'll coordinate with the jury
19 commissioner as far as when the jurors come in to fill out the
20 questionnaires and also scheduling their return. And I also want
21 to make sure we have a -- give you guys enough time to review the
22 questionnaires because what I would like to get from both sides is
23 Thursday before -- at least Thursday before the trial, hopefully
24 earlier than that, if the parties can at least agree on people
25 they're going to exclude. They're so clear that both sides would

1 agree. This way we don't have to have come in and we can
2 streamline the process, okay.

3 MR. PIKE: And then there was one other issue, Your Honor.
4 Because of some late settings on some other cases, Mr. DiGiacomo
5 and I have conflicts on the 9th and would request a Tuesday start on
6 the 10th if that would be acceptable to the Court.

7 MR. LALLI: That's correct, Your Honor. We --

8 THE COURT: Any objection by the State?

9 MR. LALLI: -- we certainly do not -- in fact, I think we are
10 actually requesting that jointly with the defense.

11 MR. PIKE: Yes.

12 THE COURT: All right. That should give you more time to --
13 to agree upon other jurors that can be excluded. All right, so
14 we'll start on the 10th, 10 o'clock. I know this isn't calendar
15 call, but we'll come back. Please give the jury the questionnaire
16 as soon as possible. And then we'll give you some information as
17 our best estimate when they will be completed for your review and
18 again, I do want you guys to meet. It's got to be at least by
19 Thursday of the week before.

20 MR. PIKE: Okay.

21 THE COURT: So we can call off those jurors.

22 MR. LALLI: Okay.

23 MR. PIKE: And we've been in communication with the State
24 regarding their supplemental notice of aggravating evidence and
25 we're trying to -- in fact, we've been successful in resolving some

1 of those issues as far as the presentation and what we may or may
2 not occur or be admissible or create difficulties insofar as the
3 inadmissible evidence, so we have been actively working to maintain
4 this Court date.

5 We've also indicate or Mr. Cano and I have been out with
6 our investigator serving and interviewing witnesses and we
7 anticipate that will be able to hold to this Court trial date.

8 THE COURT: And I recall from the first trial that there was
9 some issue of cell towers and records, does everybody have all
10 those records?

11 MR. LALLI: We have the records. The issue was created with
12 respect to our notice of experts, whether we had noticed a certain
13 person as an expert and we have since done that, so that issue we
14 don't believe it was a problem in the first trial based upon the
15 Court's rulings and the evidence that -- that was actually
16 admitted. But to just eliminate the issue all together, we noticed
17 those people as experts and so I don't perceive there being a
18 problem.

19 THE COURT: I just want to make that Mr. Cano and Mr. Pike
20 have the actual cell tower records.

21 MR. PIKE: We do, Your Honor.

22 MR. CANO: Yes, Your Honor.

23 MR. PIKE: We were provided that. We've actually gone
24 through, photographed them and pin point gone through that and
25 we're kind of in a different aspect from the previous trial with

1 that because the -- the cell phone towers track the two previous
2 Co-defendants and our client's phone -- or those cell phone towers
3 that identify the timeframes that are involved really are not
4 involved with the phones identified to our client.

5 THE COURT: All right. We'll see you back on the 3rd.

6 MR. PIKE: Thank you very much, Your Honor.

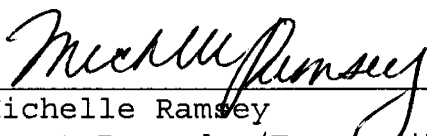
7 MR. LALLI: Thank you, Your Honor.

8 THE COURT: All right.

9 [Proceeding concluded at 8:49 a.m.]

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20 ATTEST: I hereby certify that I have truly and correctly
21 transcribed the audio/video proceedings in the above-entitled case
22 to the best of my ability.

23 
24 Michelle Ramsey
25 Court Recorder/Transcriber

FILED

JAN 09 2012

Adam J. Blum
CLERK OF COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DOMONIC RONALDO MALONE,

Defendant.

CASE NO. C224572-2

DEPT. XVII

BEFORE THE HONORABLE MICHAEL P. VILLANI, DISTRICT COURT JUDGE

TUESDAY, JANUARY 3, 2012

RECORDER'S TRANSCRIPT OF HEARING RE:

CALENDAR CALL

APPEARANCES:

For the State:

CHRISTOPHER LALLI, ESQ.,
MARC DiGIACOMO, ESQ.,
Deputy District Attorneys

For the Defendant:

RANDALL H. PIKE, ESQ.,
CHARLES A. CANO, ESQ.,
Special Public Defenders

RECORDED BY: MICHELLE L. RAMSEY, COURT RECORDER

1 LAS VEGAS, NEVADA; TUESDAY, JANUARY 3, 2012

2 [Proceeding commenced at 8:51 a.m.]

3
4 THE COURT: Mr. Malone is present with his two counsel and the
5 Deputy District Attorneys. Assuming this matter is still going
6 forward, correct?

7 MR. DIGIACOMO: Yes.

8 MR. PIKE: Yes, Your Honor.

9 THE COURT: All right. Does everyone have the jury
10 questionnaires?

11 MR. PIKE: Yes, we do.

12 THE COURT: Now, counsel had an opportunity to review those
13 and perhaps come to some agreement on releasing certain of those
14 jurors?

15 MR. PIKE: Your Honor, over the weekend I've had an
16 opportunity to review my portion and we should have our number
17 circulated to the Court and to the State by either 5 o'clock this
18 afternoon or early tomorrow.

19 MR. LALLI: That's great. We'll work from that list, Your
20 Honor. I think the Court needs that information before --

21 THE COURT: Right.

22 MR. LALLI: -- or by Thursday morning.

23 THE COURT: No later than Thursday morning.

24 MR. LALLI: Okay. I think we'll submit them.

25 THE COURT: See if you can do the first hundred. I mean if

1 you can get all of them done great. I don't know if you guys split
2 up, you know, the numbers between the two of you that would help
3 out, but if we can at least have the first hundred by Thursday
4 morning.

5 MR. LALLI: Very good.

6 THE COURT: And if someone can just send a joint letter saying
7 the following juror numbers are excused per stipulation I
8 appreciate it.

9 MR. LALLI: We'll do that.

10 THE COURT: Is there any outstanding discovery issues,
11 anything -- anything that needs to be worked out?

12 MR. PIKE: There -- there is a one or two statements that or
13 we believe are inculpatory statements of Co-defendant we may
14 attempt to bring out during the testimony of the detective. I've
15 prepared a motion in limine to admit, but they were admitted by the
16 State at the time of the Co-defendant's trial. So I'll send that
17 over to them and see if there's any problem with that.

18 MR. DIGIACOMO: Well, we'll look at it.

19 THE COURT: All right. Appreciate it.

20 MR. LALLI: Your Honor, I don't believe we have any mitigation
21 evidence from the defense.

22 THE COURT: Do you have any, Mr. Cano or Mr. Pike?

23 MR. PIKE: Of course, we do.

24 THE COURT: Okay.

25 MR. PIKE: We do. We have family members from Alabama. We

1 have family members here. We have Dr. Paglini who has been
2 retained as a mitigation expert in reference to this. I don't know
3 when the Court wanted us to turn that over. If there's -- if you
4 want it turned over, usually we do that up to the time of trial or
5 during the trial if the jury comes back with a guilty verdict, so
6 it's pretty much --

7 MR. LALLI: Your Honor -- Your Honor, the case law in Nevada
8 establishes that the notice of witnesses and the notice of experts
9 apply equally with respect to the penalty phase as well as the
10 trial phase, so to the extent that they're calling an expert, I
11 don't -- is Mr. -- I'm not sure --

12 MR. CANO: Yeah, he's on notice.

13 MR. PIKE: Yeah.

14 MR. LALLI: Okay. Very well.

15 MR. PIKE: He's been noticed. He's been noticed before.

16 THE COURT: I'm assuming all witnesses, expert or otherwise
17 have been noticed, Mr. Pike or Mr. Cano?

18 MR. CANO: Yes, Your Honor.

19 MR. LALLI: We just don't have a report or any materials from
20 Dr. Paglini.

21 MR. CANO: We don't either, Your Honor.

22 MR. DIGIACOMO: We'd at least ask for, Judge, the statute
23 allows you to allow us to see the underlying data for the
24 underlying information he's going to rely upon to formulate his
25 opinion. Doing it in the 24 hours between guilt, penalty is

1 somewhat unfair. I'd ask the Court to enter an order saying we're
2 entitled to the underlying data that Dr. Paglini's going to rely
3 upon.

4 THE COURT: Mr. Pike or Mr. Cano?

5 MR. CANO: I don't know if the statute calls for that
6 necessarily, Your Honor, but when we do get a finalized report
7 we're expecting one this week, we'll forward that to the State.

8 THE COURT: Well, I think it's appropriate that any
9 documentation that he -- that Dr. Paglini was provided to -- to
10 render his opinion whether it be a oral opinion or written opinion,
11 it needs to be turned over. So I'm ordering that to be turned over
12 within one week from today.

13 MR. PIKE: All right. Will do.

14 MR. DIGIACOMO: Thank you, Judge.

15 THE COURT: All right.

16 MR. PIKE: Thank you very much, Your Honor.

17 THE COURT: All right. We'll see you -- we're starting
18 Tuesday.

19 MR. LALLI: Starting on Tuesday --

20 MR. PIKE: Tuesday.

21 MR. LALLI: -- the 10th.

22 THE COURT: The 10th. Tuesday at 10. All right. Thank you
23 everybody.

24 MR. LALLI: Thank you, Your Honor.

25 MR. PIKE: Thank you.

1 MR. DIGIACOMO: What time do we start on Tuesday?

2 THE COURT: I'm sorry.

3 MR. DIGIACOMO: I'm sorry. What time on are we starting on
4 Tuesday, 10?

5 THE COURT: Ten.

6 MR. DIGIACOMO: Great. Thank you, Judge.

7 [Proceeding concluded at 8:55 a.m.]

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ATTEST: I hereby certify that I have truly and correctly
transcribed the audio/video proceedings in the above-entitled case
to the best of my ability.

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Michelle Ramsey
Court Recorder/Transcriber

ORIGINAL

JURL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JAN 13 2012

DISTRICT COURT
CLARK COUNTY, NEVADA

BY *Carol Donahoo*
CAROL DONAHOO, DEPUTY

THE STATE OF NEVADA,

Plaintiff,

-vs-

DOMONIC RONALDO MALONE,

Defendant.

CASE NO. C224572-2

DEPT. NO. XVII

JURY LIST

- | | |
|---------------------|--------------------|
| 2. Oliver Tracy | 10. Brian Guevara |
| 3. Rebecca Butler | 12. L.R. Jones |
| 4. Emmye Frye | 14. Layne Fender |
| 5. Alan Marchand | 15. Thomas Mallory |
| 6. Elyse Abbott | 16. Doug Zuk |
| 7. Kathleen Lee | |
| 9. Reginald Barnett | |

ALTERNATES

- | | |
|--------------------|---------------------|
| 13. Nathan Newberg | 11. Donna Pennick |
| 8. Alex Conn | 1. Stephanie Brewer |

06C224572-2
JURL
Jury List
1751866



IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

DOMONIC MALONE,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO. 61006

Electronically Filed
Jan 14 2013 04:07 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

APPELLANT'S APPENDIX

VOLUME 7

Direct Appeal From A Judgment of Conviction
Eighth Judicial District Court
The Honorable Michael Villani, District Court Judge
District Court No. C224572

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18	ORDER GRANTING DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF OTHER BAD ACTS EVIDENCE ENTITLED MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL ARGUMENT (2/3/12)	3696-3697
1	PETITION FOR WRIT OF HABEAS CORPUS (11/6/06)	118-152
16	POINTS AND AUTHORITIES IN OPPOSITION TO THE INTRODUCTION OF THE NON-TESTIFYING CO-DEFENDANT'S RECORDED TELEPHONE CALL (1/27/12)	3173-3200
16	POINTS AND AUTHORITIES IN REPLY TO DEFENDANT'S OPPOSITION TO THE INTRODUCTION OF THE NON-TESTIFYING CO-DEFENDANT'S RECORDED TELEPHONE CALL (1/27/12)	3201-3206
5	RENEWED MOTION TO SEVER (McCARTY) (3/18/10)	929-956
4	REPLY TO OPPOSITION TO MOTION (8/27/09)	683-689

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3	REPLY TO STATE'S OPPOSITION (1/30/09)	626-630
1	REPORTER'S TRANSCRIPT OF HEARING AUGUST 16, 2006 (5/7/08)	009-016
2	REPORTER'S TRANSCRIPT OF HEARING NOVEMBER 21, 2006 (6/6/08)	218-237
2	REPORTER'S TRANSCRIPT OF HEARING NOVEMBER 30, 2006 (6/6/08)	238-241
2	REPORTER'S TRANSCRIPT OF HEARING DECEMBER 12, 2006 (6/6/08)	242-256
2	REPORTER'S TRANSCRIPT OF HEARING JUNE 22, 2007 (6/6/08)	352-409
3	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 11, 2007 (6/6/08)	415-419
3	REPORTER'S TRANSCRIPT OF HEARING NOVEMBER 29, 2007 (6/6/08)	420-571
3	REPORTER'S TRANSCRIPT OF HEARING MARCH 13, 2008 (6/6/08)	593-598
3	REPORTER'S TRANSCRIPT OF HEARING JUNE 24, 2008 (7/2/08)	601-606
3	REPORTER'S TRANSCRIPT OF HEARING JANUARY 20, 2009 (2/17/09)	617-621
3	REPORTER'S TRANSCRIPT OF HEARING FEBRUARY 5, 2009 (2/17/09)	631-640
4	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 1, 2009 (9/9/09)	690-695

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4	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 29, 2009 (3/5/10)	744-754
4	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 6, 2009 (3/5/10)	784-797
4	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 8, 2009 (3/5/10)	847-862
4	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 12, 2009 (3/5/10)	865-873
5	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 27, 2009 (3/5/10)	879-886
5	REPORTER'S TRANSCRIPT OF HEARING DECEMBER 15, 2009 (3/5/10)	887-892
5	REPORTER'S TRANSCRIPT OF HEARING JANUARY 8, 2010 (3/5/10)	893-928
5	REPORTER'S TRANSCRIPT OF HEARING FEBRUARY 16, 2010 (3/5/10)	979-987
5	REPORTER'S TRANSCRIPT OF HEARING MARCH 18, 2010 (4/12/10)	998-1005
5	REPORTER'S TRANSCRIPT OF HEARING MARCH 25, 2010 (4/12/10)	1006-1020
5	REPORTER'S TRANSCRIPT OF HEARING APRIL 13, 2010 (4/14/10)	1094-1104
5	REPORTER'S TRANSCRIPT OF HEARING APRIL 29, 2010 (5/18/10)	1105-1109
5	REPORTER'S TRANSCRIPT OF HEARING JULY 20, 2010 (9/22/10)	1124-1128

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5	REPORTER'S TRANSCRIPT OF HEARING JULY 27, 2010 (9/22/10)	1129-1139
5	REPORTER'S TRANSCRIPT OF HEARING AUGUST 12, 2010 (9/22/10)	1153-1164
5	REPORTER'S TRANSCRIPT OF HEARING AUGUST 26, 2010 (9/22/10)	1170-1172
5	REPORTER'S TRANSCRIPT OF HEARING AUGUST 31, 2010 (9/22/10)	1173-1183
5	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 14, 2010 (9/22/10)	1186-1194
5	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 21, 2010 (9/22/10)	1195-1200
5	REPORTER'S TRANSCRIPT OF HEARING SEPTEMBER 30, 2010 (10/8/10)	1203-1213
5	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 5, 2010 (10/8/10)	1214-1237
5	REPORTER'S TRANSCRIPT OF HEARING OCTOBER 26, 2010 (1/12/11)	1258-1268
5	REPORTER'S TRANSCRIPT OF HEARING NOVEMBER 9, 2010 (1/12/11)	1269-1275
6	REPORTER'S TRANSCRIPT OF HEARING JANUARY 25, 2011 (2/28/11)	1279-1286
6	REPORTER'S TRANSCRIPT OF HEARING JUNE 9, 2011 (7/25/11)	1292-1297
6	REPORTER'S TRANSCRIPT OF HEARING JUNE 21, 2011 (7/25/11)	1298-1311

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7	REPORTER'S TRANSCRIPT OF HEARING JULY 19, 2011 (7/25/11)	1453-1459
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7	REPORTER'S TRANSCRIPT OF HEARING DECEMBER 15, 2011 (12/30/11)	1473-1480
7	REPORTER'S TRANSCRIPT OF HEARING JANUARY 3, 2012 (1/9/12)	1481-1486
8	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 17, 2012 (1/18/12)	1488-1732
9	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 18, 2012 (1/19/12)	1734-2013
10	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 19, 2012 (1/20/12)	2014-2273
11	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 20, 2012 (1/23/12)	2274-2485
12	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 23, 2012 (1/24/12)	2486-2684
13	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 24, 2012 (1/25/12)	2685-2896
14	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 25, 2012 (1/26/12)	2897-2970
15	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 26, 2012 (1/27/12)	2985-3172
16	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 27, 2012 (1/30/12)	3207-3397

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17	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 30, 2012 (1/31/12)	3406-3430
17	REPORTER'S TRANSCRIPT OF JURY TRIAL JANUARY 31, 2012 (2/1/12)	3493-3630
18	REPORTER'S TRANSCRIPT OF JURY TRIAL FEBRUARY 1, 2012 (2/2/12)	3631-3645
18	REPORTER'S TRANSCRIPT OF PENALTY PHASE FEBRUARY 10, 2012 (2/15/12)	3703-3717
18	REPORTER'S TRANSCRIPT OF HEARING APRIL 10, 2012 (5/24/12)	3743-3747
18	REPORTER'S TRANSCRIPT OF HEARING APRIL 12, 2012 (5/24/12)	3748-3750
18	REPORTER'S TRANSCRIPT OF HEARING APRIL 24, 2012 (5/24/12)	3751-3771
5	RESPONSE TO STATE'S OPPOSITION TO DEFENDANT'S MOTION TO SUPPRESS STATEMENTS (8/19/10)	1165-1169
1	RETURN TO WRIT OF HABEAS CORPUS (11/22/06)	178-217
4	RECEIPT OF COPY (RAMAAN HALL'S "LYRICS AND ADDITIONAL DISCOVERY) (10/8/09)	800-846
18	SPECIAL VERDICT (2/10/12)	3718-3742
4	STATE OPPOSITION TO DEFENDANT MALONE'S MOTION IN LIMINE TO PROHIBIT INTRODUCTION OF HEARSAY STATEMENTS MADE BE CO-DEFENDANT MALONE AT THE TIME OF TRIAL (8/26/09)	661-682
1	STATE'S OPPOSITION TO DEFENDANT MALONE'S MOTION TO SEVER (11/13/06)	153-177

<u>Volume</u>	<u>Document Name/File Date</u>	<u>Page No.</u>
1	STATE'S OPPOSITION TO DEFENDANT MCCARTY'S MOTION TO SEVER (10/23/06)	072-091
2	STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR DISCOVERY OF INSTITUTIONAL RECORDS AND FILES NECESSARY TO A FAIR TRIAL (6/6/07)	330-333
2	STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR DISCOVERY OF PROSECUTION RECORDS, FILES AND INFORMATION NECESSARY TO A FAIR TRIAL (6/6/07)	324-326
2	STATE'S OPPOSITION TO DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL ARGUMENT (6/6/07)	327-329
2	STATE'S OPPOSITION TO DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE" (6/6/07)	318-319
2	STATE'S OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION (6/6/07)	334-336
4	STATE'S RESPONSE TO DEFENDANT'S MOTION TO WAIVE TRIAL BY JURY ON ALL COUNTS ALLEGING THE NAMED VICTIM MELISSA ESTORES (10/5/09)	772-774
5	STATE'S OPPOSITION TO MCCARTY'S RENEWED MOTION TO SEVER (4/9/10)	1042-1044
4	SUPPLEMENTAL NOTICE OF WITNESSES (10/7/09)	798-799
4	SUPPLEMENTAL NOTICE OF WITNESSES (10/9/09)	863-864
5	SUPPLEMENTAL NOTICE OF WITNESSES (9/10/10)	1184-1185

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5	SUPPLEMENTAL NOTICE OF WITNESSES (10/7/10)	1238-1239
7	SUPPLEMENTAL NOTICE OF WITNESSES (11/30/11)	1471-1472
17	THIRD AMENDED INFORMATION (1/30/12)	3398-3405
18	VERDICT (2/1/12)	3646-3651

1 0001

2 DAVID M. SCHIECK
3 SPECIAL PUBLIC DEFENDER

4 Nevada Bar #0824

5 CHARLES A. CANO

6 Nevada Bar #5901

7 RANDALL H. PIKE

8 Nevada Bar #1940

9 330 So. Third Street, Suite #800

10 Las Vegas, Nevada 89155

11 (702) 455-6265

12 FAX: (702) 455-6273

13 E-MAIL: canoca@co.clark.nv.us

14 E-MAIL: rpike@co.clark.nv.us

15 Stand by counsel for Domonic Ronaldo Malone

FILED

JUN 22 3 20 PM '11

Ag. to Schieck
CLERK OF DISTRICT COURT

16 DISTRICT COURT

17 CLARK COUNTY, NEVADA

18 THE STATE OF NEVADA,

19 Plaintiff

20 vs.

21 DOMONIC RONALDO MALONE, ID
22 1670891,

23 Defendant.

CASE NO. 06C224572-2

DEPT. NO. 17

24 DOCUMENTS PER COURT ORDER

25 COMES NOW, CHARLES A. CANO, Deputy Special Public Defender, and
26 RANDALL H. PIKE, Assistant Special Public Defender, and pursuant to the Court's Order at
27 the time of the hearing of the Defendant's pro per Motion for Discovery, files with the Court
28 the redacted documents verifying the items of delivery provided to the Defendant.

Counsel verifies that the Defendant's investigator has had full access to the SPD files.

DATED this 22 of June, 2011.

DAVID M. SCHIECK
SPECIAL PUBLIC DEFENDER

By

Charles A. Cano
CHARLES A. CANO

Nevada Bar #5901

330 So. Third Street, Suite #800

Las Vegas, Nevada 89155

(702) 455-6265

AFFIDAVIT OF COUNSEL

STATE OF NEVADA)
COUNTY OF CLARK) ss:

RANDALL H. PIKE, being first duly sworn, deposes and says:

Affiant is the Assistant Special Public Defender and an attorney assigned to represent Domonic Ronaldo Malone. This case is currently scheduled for trial on January 3, 2012.

The Court directed that Stand by counsel file with the Court verification of discovery provided to the Defendant.

Attached are said documents redacted of any confidential communications.

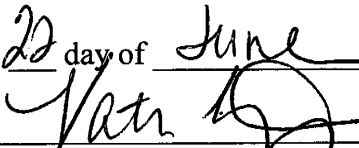
In addition to the attached, Affiant personally forwarded the daily transcripts of the co-defendant's trial to defendant's investigator Mr. Wysocki via email. Mr. Wysocki has had unlimited access to review the files of Mr. Malone.

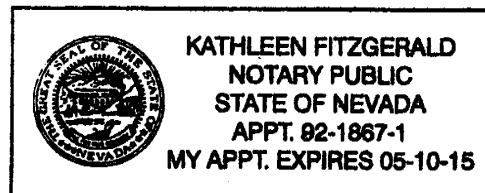
Further Affiant sayeth naught.


RANDALL H. PIKE

SUBSCRIBED AND SWORN to before me

this 22 day of June 2011.


NOTARY PUBLIC



Receipt of Copy

RECEIPT of a copy of the foregoing Documents Per Court Order is hereby
acknowledged this 22 day of June, 2011.

DISTRICT ATTORNEY'S OFFICE

NM
200 Lewis Ave., 3rd Floor
Las Vegas NV 89155

CLARK COUNTY SPECIAL PUBLIC DEFENDER

**330 S. Third St.
Suite 800
Las Vegas, NV 89155
(702) 455-6265**

**David Schieck, Esq.
Special Public Defender**

**Randall H. Pike, Esq.
Assistant Special Public Defender**

**Domonic Malone
CCDC #01670891
300 S. Casino Center
Las Vegas, NV 89155
LEGAL MAIL**

December 19, 2008

Dear Mr. Malone,

You have again requested that all discovery be provided to you. We have previously provided you with a list of the documents we had available, and you gave me a list of the documents that you didn't have and I provided those to you. To make certain that you have received all of the documents, I am reviewing that list, and have attached the enclosed list so that we can follow the same protocol. You can mark those items that you do not have, return this list to me, so that we can verify your request and provide the same.

Some of these documents, i.e. mitigation materials, are not discovery, and relate only to the presentation at the time of a sentencing hearing, if there is one. Those documents, along with copies of your correspondence to us, to the bar, to the Court, and our response, constitute a separate "bankers box" of material, which is not discovery. As these documents and pleadings constitute a large amount of our paper work, it may contribute to your belief that we have more discovery than we actually have in our possession. In organizing a file, we often place the same document in more than one file, for ease in securing it during the trial, for example, in breaking out all of the statements of your co-defendant as well as the former co-defendant (Herb) we have a second bankers box all together. We continue to make every discovery document available to you.

To confirm our previous discussions, there are some documents that we may not, by law, provide to you, specifically an individual's SCOPE.

Awaiting your response,

**Randall H. Pike
RP:va**

DEFENSE FILES – DOMONIC MALONE

Transcripts of the Preliminary Hearing. / Transcripts of Hearings.

Pleadings / Motions (see attached list)

Civilian Witness Statements:

Broaderway, Nicolin: 5/30/06
Estorres, Melissa: 5/24/06
Hall, Ramaan Trevon: 8/1/06 supplement and report.
Haynes, Tina: (gave consent to search rm 222)
Herb, Harold & Kelly: 5/31/06
Jenkins, Latanya and Sirenthea 5/31/06
John, Nicole: contained also case file 06F12060X and scope
Jones, Dawanna: 5/31/06
Jones, Gwendolyn: 5/31/06
Kimbrough, Mars: contained also case file 06F11318X, conviction C170465,
Lucero, Amy: 5/24/06
Lucero, Samuel: 5/24/06
Matthews, Sarah: 6/5/06 – including employment records
McCree, Simeon: 9/28/06
Nagel, Lynn: see Correna Phillips
Noe, Ryan: 5/21/06
Parker, David: 5/24/06
Phillips, Correna: 5/30/06 – 6/1 with Lynn Nagel
Robinson, Erion: 9/22/06
Robinson, Leonard: 5/26/06
Tate, Rosalyn: 5/21/06

SCOPE

all civilian witnesses
victims
co-defendants

DEFENDANT STATEMENTS

MCCARTY:

Booking/custody
Declaration of arrest
Statements to police,
recordings during trip to location where knife recovered.
Recordings of all telephone conversations from Jail.
Det. Pena summary. 30 calls.
Call #6 alibi
Call #12 discussion re: money being hidden
Call #13 provides timeline
Call #16 Nicole tell complete story (excludes self)
Ambulance records (Medic West incident report)
SCOPE

MALONE, DOMONIC:

Booking/custody
Declaration of arrest
Interviews: 5/23/06 – I; 5/23/06 – II; 6/01/06
Bigelow Managment check in 1165
Prior Incident: LLVOO1031 – Event H 1670891
Unfiled incident: “Silver Dollar” 6/3/00 Stabbing
Battery by a prisoner
Impound of Nissan
Medical (Southern Nevada Health District– Chlamidia)
SCOPE

HERB, DONALD:

Booking/custody
Declaration of arrest
Narrative,
photos,
declaration of arrest, agreement to testify,
5/31/06 Statement
Herb’s work schedual.
Consent to search.
Court records regarding revocation proceedings.
Other cases: Judgement of convictions, entry of pleas, Court minutes
SCOPE

RAMAAN HALL

Statement
Forfeiture
“Lyrics” found in apartment

FORENSICS

Autopsy Report of Victoria Magee and Charlotte Fountain

Crime scene report:

Farrell, Patrick -- Old Vegas Trail/paradise hills, garage. 6 pages

Evidence impound 5/26/06 24 pages

Additional Evidence impound: Autopsy, Jennie Ayers

Joy Smith:

Scene 1: 501 Nevada State

Scene 2: 1525 Fremont #217

Scene 3: HPD Garage

Tammy Barber:

Scene 1. Access Dawson

Scene 2: Access Dawson, trailer

Scene 3: 1525 Fremont St.

G. Francis: Shell station tapes Diagram

DNA REPORTS:

SUBMISSION REQUESTS AND BEXAR REPORTS OF EXAMINATION

Submission and reports from Bexar Labs. Preliminary and Supplemental reports.

Narrative reports: 1/19/07; 3/02/07; 6/15/07; 7/15/08

Results of DNA

Crime Scene Report: 1165 Blankenship

Narrative report: Results of DNA on Estorres 7/03/07

Narrative report: 5/24/07

Narrative report: DNA from McCarty and Malone 10/10/06

Report regarding used condom located at scene.

LATENT FINGER PRINT EXAMINATION REPORTS

Lab report: 8/31/06: 25 latent lifts from the car

Lab report: 8/26/06: 1525 Fremont Street Suite 222

Lab report: 9/4/06: 9 photos of latents, Golf club

Lab report: 8/28/06: Paperwork with footwear impressions

Lab report: 8/28/06: 25 latents Alero

Lab report: 8/28/06: 22 latents, Honda

Lab report: 8/30/06: Golf ball. No prints, but DNA present.

AFIS HITS

Llewellyn Jones – fingerprint on Nissan

A. Contreras – fingerprint on Honda

PRIOR INCIDENTS FILE:

Judgment of convictions:

LLV001031000886. Event # 1670891

C168678 baicc 11/30/00 Arrest report;

PHOTOGRAPHS:

C224572 — Event # 000311-1568
Event # 001031-0886 – fight at jail
Event # 000603-1893
89-73068
89-73105 – no photos
06-11513 – our case
Google Earth view of scene
Autopsy and event photographs
Mitigation/Family photographs
Metro photos of persons who appear in reports
Photo of knife impounded from Roadrunners
Sunglasses impounded from Allero (Herb id's as his)

MAPS

Apartment schematics
Map quest of areas

POLICE REPORT FILE

Declaration of arrest: request for prosecution
Incident Reports 06–11513 82 pages

Note: almost every civilian interview has a short narrative synopsis by the Detective.

Nicolin Broderway Interview	5/30/06	3 pages
Erion Robinson Interview	9/22/06	2 pages
Melissa Estores Interview	5/24/06	4 pages
Ramaan Trevon Hall Interview	8/1/06	2 pages
Eileen Beck (Sprint phone)	5/25/06	
Collins F-217	5/22/06	119 pages
Amy/Sammy Lucero		4 pages
David Parker		2 pages
Sarah Mathews	6/5/06	Follow ups/ employment records
Corena Phillips	5/30/06	
Jason McCarty	5/26/06	

Consent to search South Cove 222

Search Warrants: Returns

Transcripts

1525 E. Fremont F217
1165 Blankenship # 10
Honda
Nissan
Olds

Officer names in Incident Reports:

Fuentes, Franklin:
Seehafer, Thomas
Rock, Dennis
Ridings, Craig – also vehicle impound
Webster, Michael
Benamins, Felicia
Brooks, Jamie – also vehicle impound
Gibson, Lance
Hosaka, Mark
Raney, Athena
Pena, Todrigo
Perdue, William
Collins, Gerard
Rodriquez

CPS SECURITY REPORTS: 95 and Wagon Wheel

HENDERSON POLICE REPORTS, MISC.

Henderson Declaration of Arrest
Interview May 25, 2006
T/C unknown male, date unk
T/C 4/6/06
6/6/06
Domestic Violence Report 2/7/05
12/14/03 Incident Report Sanchez/McCarty
7/7/2002 Domestic Violence Victim was Defendant
Domestic Violence Report 9/1/2000 Defendant
3/12/1991 Defendant victim or robbery – voluntary statement
4/11/87 Burglary, Def. Victim voluntary statement
12/22/87 Burglary Def victim

MISCELLANEOUS DOCUMENTS:

Notice of Denial of request Clark county District Attorney; 6/6/06 approving Herb for accessory
Request for Prosecution/Declaration of Arrest
Request for surveillance footage from Sportsman Manor (attn: Sid Woo)
Tow sheet on Nissan

MEDIA FILE

CELLULAR TELEPHONE RECORDS (All obtained via subpoena)

Tracfone (702) 408 - 2845
Nextel (702) 237 - 3308 INCLUDING "QUICK CONNECT" jason mccary
Nextel (702) 237 - 7001 travaan hall subscriber
(702) 352 - 5898
Cingular (702) 465 - 1214
Nextel (702) 237 - 3596 jake lapoma sub
Sprint (702) 845 - 7762
Sprint (702) 845 - 7762 Scott Coffield subscriber
Verizon (702) 277 - 5233 Ben Jansen?
T Mobile (702) 355 - 6110 Ann Rivero Acct # 443632864
Verizon (702) 423 - 6201
(702) 281 - 0049
(702) 379 - 2180
Sprint (702) 237-3307 Eileen Beck

Vision West Agustin Donimquez, Tremine Purdue, Domonic Malone
Trac phone wireless
Cingular

HENDERSON JAIL TELEPHONE CALLS: subpoena requests

Recorded telephonic conversations from McCarty, (3 way)
No recorded conversations from Domonic
No recorded conversations from McCarty.

INVESTIGATIVE FILES:

CALLS BY MCCARTY ON NIGHT OF DEATHS

Cavaco, Christine: Scope, no photo
Fryman, Quante: Scope, photo, sentencing, felony probation
Henderson, Shay: Photo
Jennings, Arwin: Photo, Scope, GM probation
McCree, Simeon: Photo, Scope, Sentencing,
Rivera, Mark: Photo, Scope, sentencing
Rivero, Anna:
Perdue, Tramaine: Photo, Scope, sentencing
Robinson, Erion: Photo, Scope.

CALLS BY HERB ON NIGHT OF DEATHS

Scott Coffield:
Anne Marie Ingedretson

MITIGATION FILE

Birth Records

Charter Hospital Records

CPS records

School records

Family photographs/ memos from family interviews and meetings.

Research re: Mobile Housing projects/slums

CUSTODY RECORDS

Prior Case

CCDC

Office of the Special Public Defender



COMMISSIONERS

Rory Reid, Chairman
Chip Maxfield, Vice-Chair
Susan Brager
Tom Collins
Chris Giunchigliani
Lawrence Weekly
Bruce L. Woodbury
Virginia Valentine, P.E., County Manager

330 S. Third Street, Suite #800
P.O. Box 552316
Las Vegas, NV 89155-2316
(702) 455-6265
Fax: (702) 455-6273

SPECIAL PUBLIC DEFENDER

David M. Schieck
Randall H. Pike, Assistant

RECEIPT OF DOCUMENTS

Enclosed for your records is our response to your letter and copies of all requested documents.

Signature is required in order to release such documents dated February 3, 2009.

Domonic Malone #1670891
c/o Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89155

October 7, 2008

Glenn Machado, Esq.
Assistant Bar Counsel
State Bar of Nevada
600 E. Charleston Blvd.
Las Vegas, Nevada 89104

Dear Mr. Machado:

Thank you for forwarding the bar complaint filed by our client Domonic Malone. Mr. Malone's case is of the utmost importance to the Office of the Special Public Defender, and we have devoted appropriate resources and time to the defense of this matter.

We do not feel that this is a case concerning a lack of communications with Mr. Malone, rather, it is a case in which Mr. Malone does not agree with the strategic decisions his counsels have made. His concern about our refusal to file motions that we believe are unsupportable under the law, as contained in the documents you provided, cannot be cured. We advise him as to our understanding his issue, and have repeatedly explained why we do not file frivolous motions. Apparently, our explanations are forgotten and/or ignored.

Members of his defense team communicate with Mr. Malone regularly in person (see enclosed visitor log from Clark County Detention Center; note the names of his defense team are Charles A. Cano; Randall H. Pike, Juan Galiano and Maribel Rosales) and telephonically. Our defense team, which includes an investigator as well as a mitigation specialist, have devoted a great deal of time toward the defense of this case.

We categorically deny that any of his discovery has been withheld from him. We have provided him a list of the discovery that we have, he gave us a list of items that he did not have, and we provided them to him.

Regarding the surveillance videos; we continue to work with experts to get these into a viewable form, and, as they are reviewed, any relevant portions are made available to him.

Upon receipt of your letter, we have spoken with Mr. Malone and this matter has been addressed and hopefully resolved of any concerns he may have.

If we can be of any further assistance please feel free to contact our office.

Sincerely,

Randall H. Pike
Assistant Special Public Defender

Charles A. Cano
Deputy Special Public Defender

RHP/CAC/ra

Enclosures

February 3, 2009

DOMONIC MALONE
ID #1670891
CLARK COUNTY DETENTION CENTER
300 S. Casino Center
Las Vegas, NV 89155

RE: Requests and [REDACTED] contained within your last letter.

Dear Mr. Malone,

We are in receipt of your letter. To respond to the entire letter, I have taken the liberty of breaking down our responses by subject matter.

CLIENT QUESTIONS REGARDING MOTIONS

MOTION FOR MEDICAL TREATMENT

When you have requested a motion for medical care, one was brought immediately. Judge Glass denied that, and she, as you will recall, indicated that she would have the tooth treated within the jail. Because she has not, and, as you continue to not have any treatment, I will renew that before Judge Villani. That has been done prior to this letter being sent out. This is the first instance that you have advised me that you are having "an allergic reaction to something in the clothes" in the CCDC. I do not have any kites that indicate that you have any allergic reactions or that medications have been prescribed but not given.

MOTION REGARDING FAILURE TO COLLECT EVIDENCE:

Contrary to your assertion that nothing has been done regarding the State's failure to collect your clothing or Herb's shoes, Mr. Cano and myself filed a motion to dismiss based upon the failure of the police to gather both the Clothing and the shoes. [REDACTED]

[REDACTED] for the Motion was already filed, argued and denied. That is contained within the file stamped copies of the motions that have been

prepared and argued in your case. Which have been collected and sent to you on 1/29/09. Obviously, without the collection of the boots, the comparison you seek is not available, we are prepared to re-argue that issue at the time of trial.

REGARDING YOUR QUESTION ABOUT "WHY HAVN'T(sic) there been a challenge to the Robbery charge, Burglary & Conspiracy to commit charges, the illegal warrantless arrest outside of jurisdiction and perjury testimony used as direct evidence"

We filed what we believed to be an appropriate Writ regarding the charges that were filed against you and challenged the charges that we believe to be inappropriately filed or not supported by Probable Cause.

I have explained before why the motions for the arrest and the "perjury" are not supported by the law. I cannot bring motions before the Court that are specious. See Nevada Rule of Professional Conduct 1.4(a)(5). [REDACTED]

YOUR "SELECTIVE PROSECUTION", "WARRANTLESS ARREST" AND "PERJURY" CLAIMS.

As indicated above, because there is no extrinsic evidence that the Deputy District Attorneys in this case have made a distinction in your case solely upon your ethnic background, I cannot bring that motion under NRPC 1.4(a)(5). [REDACTED]

The decision of which witness to believe is within the sole province of the jury. Similarly, the State can believe and choose to present the witnesses they want unless they are intentionally and knowingly suborning perjury or if there is an impermissible "vouching" for the purchased testimony of a witness. The Motion to recuse the district attorney's office is based upon a theory of impermissible "vouching". I do not have sufficient extrinsic evidence to accuse the deputy district attorneys of committing the criminal act of suborning perjury. [REDACTED]

As I have informed you before, a felony arrest within the State may be based upon probable cause alone. There is not any "jurisdiction" issue regarding your being physically arrested in North Las Vegas by Henderson Police. Also, as I indicated, the proper remedy for an illegal or impermissible arrest is to suppress any statements or evidence that is obtained as a result of this improper conduct.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. All requests for information from you shall be in writing, via legal mail, to which we will respond. [REDACTED]

[REDACTED]

[REDACTED]

We have expended a great deal of time and effort on your behalf. To date, almost 20 appropriate and legally permissible motions have been filed. They include motions for discovery, motions to compel processing of evidence that is beneficial to your case as well as Motions to dismiss, motions to strike evidence, and most recently a Motion to recuse the District Attorney's office or/in the alternative Motions to disallow the testimony of Mr. Herb. Your case is not being ignored or mishandled.

YOUR REQUESTED DOCUMENTS

MITIGATION

While I disagree with your assessment that "Mitigation materials, are discovery," the majority of them are not. They are in house memoranda to assist in preparation for trial. However, as you desire this information, It is included herewith per your request.

These Mitigation documents include:

- Birth Records
- DCFS Records
- CCDC Records
- NDOC Records (I-File)

Charter Behavioral Health Services medical records
Division of Parole and Probation records
SPD memo's conducted on numerous friends/family members
including:
-Helen Allen, Melvin Allen, Brenda Allen, Douglas W. Allen Sr.
Douglas W. Allen Jr., Bernard Allen, Carey Allen, Robert Hunter Jr.,
Dawanna and Gwendolyn Jones, Latonya Jenkins and Jewel
Malone.

DISCOVERY

In response to your letter, I am recapping the list that I provided you previously and I am listing those being provided to you at this time per your request.

Transcripts of the Preliminary Hearing/Transcripts of Hearings.
Having not requested these, you have them in your possession.

Civilian Witness Statements:

Broaderway, Nicolin: 5/30/06 you have
Estorres, Melissa: 5/24/06 you have
Hall, Ramaan Trevon: 8/1/06 supplement and report you have
"FORFEITURE AND "LYRICS" INCLUDED HEREWITH PER
REQUEST
Haynes, Tina: (gave consent to search rm 222)
INCLUDED HEREWITH PER REQUEST
Herb, Harold & Kelly: 5/31/06 not requested
Jenkins, Latanya and Sirenthea 5/31/06
INCLUDED HEREWITH PER REQUEST
John, Nicole: contained also case file 06F12060X and scope not
requested
Jones, Dawanna: 5/31/06
INCLUDED HEREWITH PER REQUEST
Jones, Gwendolyn: 5/31/06 not requested
Kimbrough, Mars: contained also case file 06F11318X, conviction
C170465,
Lucero, Amy: 5/24/06 not requested
Lucero, Samuel: 5/24/06 not requested
Matthews, Sarah: 6/5/06 – including employment records not
requested
McCree, Simeon: 9/28/06 not requested
Nagel, Lynn: see Correna Phillips not requested
Noe, Ryan: 5/21/06 not requested
Parker, David: 5/24/06 not requested
Phillips, Correna: 5/30/06 – 6/1 with Lynn Nagel not requested
Robinson, Erion: 9/22/06 not requested
Robinson, Leonard: 5/26/06 not requested

Tate, Rosalyn: 5/21/06 not requested

DEFENDANT STATEMENTS

MCCARTY:

Booking/custody not requested
Declaration of arrest not requested
Statements to police, not requested
recordings during trip to location where knife
recovered. Transcript provided
Recordings of all telephone conversations from Jail.

Det. Pena summary. 30 calls.

Call #6 alibi

Call #12 discussion re: money being hidden

Call #13 provides timeline

Call #16 Nicole tell complete story (excludes
self)

SUMMARY PROVIDED We will provide opportunity for you to
listen to the recordings, but cannot provide listening device for use in
Cell.

Ambulance records (Medic West incident report) not
requested

MALONE, DOMONIC:

Booking/custody

Declaration of arrest

Interviews: 5/23/06 – I; 5/23/06 – II; 6/01/06

Bigelow Managment check in 1165

Prior Incident: LLVOO1031 – Event H 1670891

Unfiled incident: "Silver Dollar" 6/3/00 Stabbing

PROVIDED HERewith PER REQUEST

Battery by a prisoner

Impound of Nissan

Medical (Southern Nevada Health District– Chlamidia)

PROVIDED HERewith PER REQUEST

HERB, DONALD:

Booking/custody not requested

Declaration of arrest not requested

Narrative, not requested

photos,

PROVIDED HERewith PER REQUEST

declaration of arrest, agreement to testify,

PROVIDED HERewith PER REQUEST

5/31/06 Statement not requested

Herb's work schedule not requested .

Consent to search. Not requested
Court records regarding revocation proceedings. Not requested
Other cases: Judgement of convictions, entry of pleas, Court minutes not requested

RAMAAN HALL

Statement not requested
Forfeiture

PROVIDED HERewith PER REQUEST
"Lyrics" found in apartment
PROVIDED HERewith PER REQUEST

FORENSICS (not requested)

Autopsy Report of Victoria Magee and Charlotte Fountain
Crime scene report:

Farrell, Patrick -- Old Vegas Trail/paradise hills,
garage. 6 pages

Evidence impound 5/26/06 24 pages

Additional Evidence impound: Autopsy, Jennie Ayers

Joy Smith:

Scene 1: 501 Nevada State

Scene 2: 1525 Fremont #217

Scene 3: HPD Garage

Tammy Barber:

Scene 1. Access Dawson

Scene 2: Access Dawson, trailer

Scene 3: 1525 Fremont St.

G. Francis: Shell station tapes Diagram

DNA REPORTS:

**SUBMISSION REQUESTS AND BEXAR REPORTS
OF EXAMINATION**

Submission and reports from Bexar Labs. Preliminary
and Supplemental reports.

Narrative reports: 1/19/07; 3/02/07; 6/15/07; 7/15/08

PROVIDED HERewith AS REQUESTED

Results of DNA

PROVIDED HERewith AS REQUESTED

Crime Scene Report: 1165 Blankenship

Narrative report: Results of DNA on Estorres 7/03/07

Narrative report: 5/24/07

Narrative report: DNA from McCarty and Malone

10/10/06

Report regarding used condom located at scene.

PROVIDED HERewith AS REQUESTED

LATENT FINGER PRINT EXAMINATION REPORTS

Lab report: 8/31/06: 25 latent lifts from the car
Lab report: 8/26/06: 1525 Fremont Street Suite 222
Lab report: 9/4/06: 9 photos of latents, Golf club
Lab report: 8/28/06: Paperwork with footwear

impressions

PROVIDED HERewith AS REQUESTED

Lab report: 8/28/06: 25 latents Alero

PROVIDED HERewith AS REQUESTED

Lab report: 8/28/06: 22 latents, Honda

PROVIDED HERewith AS REQUESTED

Lab report: 8/30/06: Golf ball. No prints, but DNA
present.

AFIS HITS

Llewellen Jones – fingerprint on Nissan

A. Contreras – fingerprint on Honda (Juan Contreras)

INFORMATION ON A. CONTRERAS PROVIDED
HERewith AS REQUESTED

PRIOR INCIDENTS FILE: not requested

Judgment of convictions:

LLV001031000886. Event # 1670891

C168678 baicc 11/30/00 Arrest report;

PROVIDED HERewith PER REQUEST

PHOTOGRAPHS: CLIENT REQUESTS COLOR COPIES OF ALL

C224572 — Event # 000311-1568

Event # 001031-0886 – fight at jail

Event # 000603-1893

89-73068

89-73105 – no photos

06-11513 – our case

Google Earth view of scene

Autopsy and event photographs

Mitigation/Family photographs

Metro photos of persons who appear in reports

Photo of knife impounded from Roadrunners

Sunglasses impounded from Allero (Herb id's as his)

MAPS

Apartment schematics

PROVIDED HERewith PER YOUR REQUEST

Map quest of areas

POLICE REPORT FILE not requested

Declaration of arrest: request for prosecution
Incident Reports 06-11513 82 pages

Note: almost every civilian interview has a short
narrative synopsis by the Detective.

Nicolin Broderway Interview	5/30/06	3 pages
Erion Robinson Interview	9/22/06	2 pages
Melissa Estores Interview	5/24/06	4 pages
Ramaan Trevon Hall Interview	8/1/06	2 pages
Eileen Beck (Sprint phone)	5/25/06	
Collins F-217	5/22/06	119 pages
Amy/Sammy Lucero		4 pages
David Parker		2 pages
Sarah Mathews	6/5/06	Follow ups/ employment records
Corena Phillips	5/30/06	
Jason McCarty	5/26/06	
Consent to search South Cove 222		

Search Warrants: Returns not requested

Transcripts not requested

1525 E. Fremont F217

1165 Blankenship # 10

Honda

Nissan

Olds

Officer names in Incident Reports:

Fuentes, Franklin:

Seehafer, Thomas

Rock, Dennis

Ridings, Craig – also vehicle impound

Webster, Michael

Benjamins, Felicia

Brooks, Jamie – also vehicle impound

Gibson, Lance

Hosaka, Mark

Raney, Athena

Pena, Todriggo

Perdue, William

Collins, Gerard

Rodriguez

CPS SECURITY REPORTS: 95 and Wagon Wheel not requested

HENDERSON POLICE REPORTS, MISC.

Henderson Declaration of Arrest

Interview May 25, 2006

REQUESTED BY CLIENT CONTAINED HERewith

T/C unknown male, date unk

T/C 4/6/06

6/6/06

Domestic Violence Report 2/7/05

12/14/03 Incident Report Sanchez/McCarty

7/7/2002 Domestic Violence Victim was Defendant

Domestic Violence Report 9/1/2000 Defendant

3/12/1991 Defendant victim or robbery – voluntary statement

4/11/87 Burglary, Def. Victim voluntary statement

12/22/87 Burglary Def victim

MISCELLANEOUS DOCUMENTS:

Notice of Denial of request Clark county District Attorney;
6/6/06 approving Herb for accessory

PROVIDED HERewith PER REQUEST

Request for Prosecution/Declaration of Arrest

Request for surveillance footage from Sportsman Manor (attn:
Sid Woo)

Tow sheet on Nissan

MEDIA FILE not requested

CELLULAR TELEPHONE RECORDS not requested (All obtained
via subpoena)

Tracfone	(702) 408 - 2845
Nextel	(702) 237 - 3308 INCLUDING "QUICK CONNECT" jason mccary
Nextel	(702) 237 - 7001 travaan hall subscriber (702) 352 - 5898
Cingular	(702) 465 - 1214
Nextel	(702) 237 - 3596 jake lapoma sub
Sprint	(702) 845 - 7762
Sprint	(702) 845 - 7762 Scott Coffield subscriber
Verizon	(702) 277 - 5233 Ben Jansen?
T Mobile	(702) 355 - 6110 Ann Rivero Acct # 443632864
Verizon	(702) 423 - 6201 (702) 281 - 0049 (702) 379 - 2180

Sprint (702) 237-3307 Eileen Beck

Vision West Agustin Donimquez, Tremine Purdue, Domonic Malone

Trac phone wireless
Cingular

HENDERSON JAIL TELEPHONE CALLS: subpoena requests

Recorded telephonic conversations from McCarty, (3 way)
SUMMARY PROVIDED WILL MAKE PROVISIONS TO
HEAR RECORDINGS

No recorded conversations from Domonic
No recorded conversations from McCarty.

INVESTIGATIVE FILES: not requested

CALLS BY MCCARTY ON NIGHT OF DEATHS

Cavaco, Christine: Scope, no photo
Fryman, Quante: Scope, photo, sentencing, felony
probation
Henderson, Shay: Photo
Jennings, Arwin: Photo, Scope, GM probation
McCree, Simeon: Photo, Scope, Sentencing,
Rivera, Mark: Photo, Scope, sentencing
Rivero, Anna:
Perdue, Tramaine: Photo, Scope, sentencing
Robinson, Erion: Photo, Scope.

CALLS BY HERB ON NIGHT OF DEATHS

Scott Coffield:
Anne Marie Ingedretson

**MITIGATION FILE PROVIDED HEREWITH PER
REQUEST**

Birth Records
Charter Hospital Records
CPS records
School records
Family photographs/ memos from family interviews and
meetings.
Research re: Mobile Housing projects/slums

CUSTODY RECORDS not requested

Prior Case
CCDC

MOTIONS FILED AND ARGUED

Per your request, a "filed" stamped copy of all filed motions on your behalf has been provided under separate cover.

REVIEW OF CLIENT QUESTIONS CONTAINED WITHIN LETTER

Forensics: Evidence impound. We have requested access to the Vault to determine the status of all impounded items, including telephones. We believe phones are impounded within the evidence vault.

Police report File. Short narrative reports allow the detectives and DA's to determine who has value as a witness and who does not.

Officer names in Incident reports. Not all officers associated with a scene provide a report. Some merely secure the scene, some help look for evidence and notify CSA's to retrieve it at the location.

Who is A. Contreras: Latent fingerprint number 18 of the rear view mirror of the Honda (item no. 1370-23) is identified via an AFIS quality print. To Juan Contreras It appears that "A" is a typographical error.

PROCESSING OF THE KNIFE. The knife was impounded in package number 1369-10 It tested presumptively positive for blood. Hairs were removed from the blade. 1369-10 10Knife w/hair and blood. The DNA is identified of Magee. See BEXAR report 5A. We have requested that the Knife be tested for fingerprints.

CHRISTINE CAVACO is known to the parties, SCOPE was to determine if basis for impeachment or investigation regarding her involvement. No need for photograph.

HENDERSON POLICE REPORTS, MISC. T/C stands for telephone call.

VIDEOS AND RECORDINGS... based upon the physical restrictions [REDACTED] placed upon our contact, you will be allowed to listen to and review any and all video and audio recordings.

HERB'S SHOE AND SHOE PRINTS: The shoe size of the print has not been identified. Investigation pending.

[REDACTED]
[REDACTED]

[REDACTED]

If you have any further questions or requests, please provide those to me in writing so that I may respond. I will see you at the next Court hearing on my motion to recuse the DA's office as well as the renewal of the motion for medical treatment.

Dated this 3rd day of February, 2009

Randall H. Pike

Enclosures

RHP/ra

CLARK COUNTY SPECIAL PUBLIC DEFENDER

330 S. Third St.
Suite 800
Las Vegas, NV 89155
(702) 455-6265

David Schieck, Esq.
Special Public Defender

Randall H. Pike, Esq
Assistant Special Public Defender

Domonic Malone
CCDC #01670891
300 S. Casino Center
Las Vegas, NV 89155
LEGAL MAIL

January 4, 2010

Dear Mr. Malone,

I was forwarded your message to Mr. Cano. You have again requested that all discovery be provided to you. We have previously provided you with a complete list of the discovery documents that we have received as well as the motions that have been filed in your case. Mr. Galliano and I showed you the surveillance video that we received from the State after your last scheduled Trial date. All discovery that we have, you have. This issue was only brought up by you in Court when you abandoned your claim that there was some "racist" remark made by someone in your defense team.

Due to your continued complaints, I provided you an inventory of the defense file and provided you any documents that you claimed you did not have, including all of the mitigation materials. Some materials may not, by law, be provided to you, specifically an individual's SCOPE. There is no other discovery that we have received. As a result of your allegations, a copy of this letter may be ordered to be provided to the State so that they may verify the documents as being their full discoverable file. In an effort to confirm that your co-defendant's counsel did not have any items that had not been provided to us, Mr. Cano and I met with McCarty's attorneys. Without either defense team disclosing any privileged information, both counsel confirmed that we had the same information from the State.

We cannot provide you DVD's or CD's. pursuant to security regulations of the CCDC. Mr Galliano played all recorded statements and recordings that we have in our possession to you over the phone after your actions required a modification of our visitation protocol with you.

As you will be going through a Faretta canvas on the 8th, I have attached herewith a copy of the case of US. v. Mack, which explains some of the limitations of self representation.

Cordially,

Randall H. Pike
RP:va Cc: Charles Cano.

Enclosures: Defense Files

DEFENSE FILES – DOMONIC MALONE

Transcripts of the Preliminary Hearing. / Transcripts of Hearings.

Pleadings / Motions (see attached list)

Civilian Witness Statements:

Broaderway, Nicolin: 5/30/06
Estorres, Melissa: 5/24/06
Hall, Ramaan Trevon: 8/1/06 supplement and report.
Haynes, Tina: (gave consent to search rm 222)
Herb, Harold & Kelly: 5/31/06
Jenkins, Latanya and Sirenthea 5/31/06
John, Nicole: contained also case file 06F12060X and scope
Jones, Dawanna: 5/31/06
Jones, Gwendolyn: 5/31/06
Kimbrough, Mars: contained also case file 06F11318X, conviction C170465,
Lucero, Amy: 5/24/06
Lucero, Samuel: 5/24/06
Matthews, Sarah: 6/5/06 – including employment records
McCree, Simeon: 9/28/06
Nagel, Lynn: see Correna Phillips
Noe, Ryan: 5/21/06
Parker, David: 5/24/06
Phillips, Correna: 5/30/06 – 6/1 with Lynn Nagel
Robinson, Erion: 9/22/06
Robinson, Leonard: 5/26/06
Tate, Rosalyn: 5/21/06

SCOPE

all civilian witnesses
victims
co-defendants

DEFENDANT STATEMENTS

MCCARTY:

- Booking/custody
- Declaration of arrest
- Statements to police,
- recordings during trip to location where knife recovered.
- Recordings of all telephone conversations from Jail.
 - Det. Pena summary. 30 calls.
 - Call #6 alibi
 - Call #12 discussion re: money being hidden
 - Call #13 provides timeline
 - Call #16 Nicole tell complete story (excludes self)
- Ambulance records (Medic West incident report)

SCOPE

MALONE, DOMONIC:

- Booking/custody
- Declaration of arrest
- Interviews: 5/23/06 – I; 5/23/06 – II; 6/01/06
- Bigelow Management check in 1165
- Incident: LLVOO1031 – Event H 1670891
 - Unfiled incident: “Silver Dollar” 6/3/00 Stabbing
 - Battery by a prisoner
- Impound of Nissan
- Medical (Southern Nevada Health District– Chlamidia)

SCOPE

HERB, DONALD:

- Booking/custody
- Declaration of arrest
- Narrative,
- photos,
- declaration of arrest, agreement to testify,
- 5/31/06 Statement
- Herb’s work schedule.
- Consent to search.
- Court records regarding revocation proceedings.
- Other cases: Judgment of convictions, entry of pleas, Court minutes

SCOPE

RAMAAN HALL

- Statement
- Forfeiture
- “Lyrics” found in apartment

FORENSICS

Autopsy Report of Victoria Magee and Charlotte Fountain

Crime scene report:

Farrell, Patrick -- Old Vegas Trail/paradise hills, garage. 6 pages

Evidence impound 5/26/06 24 pages

Additional Evidence impound: Autopsy, Jennie Ayers

Joy Smith:

Scene 1: 501 Nevada State

Scene 2: 1525 Fremont #217

Scene 3: HPD Garage

Tammy Barber:

Scene 1. Access Dawson

Scene 2: Access Dawson, trailer

Scene 3: 1525 Fremont St.

G. Francis: Shell station tapes Diagram

DNA REPORTS:

SUBMISSION REQUESTS AND BEXAR REPORTS OF EXAMINATION

Submission and reports from Bexar Labs. Preliminary and Supplemental reports.

Narrative reports: 1/19/07; 3/02/07; 6/15/07; 7/15/08

Results of DNA

Crime Scene Report: 1165 Blankenship

Narrative report: Results of DNA on Estorres 7/03/07

Narrative report: 5/24/07

Narrative report: DNA from McCarty and Malone 10/10/06

Report regarding used condom located at scene.

LATENT FINGER PRINT EXAMINATION REPORTS

Lab report: 8/31/06: 25 latent lifts from the car

Lab report: 8/26/06: 1525 Fremont Street Suite 222

Lab report: 9/4/06: 9 photos of latents, Golf club

Lab report: 8/28/06: Paperwork with footwear impressions

Lab report: 8/28/06: 25 latents Alero

Lab report: 8/28/06: 22 latents, Honda

Lab report: 8/30/06: Golf ball. No prints, but DNA present.

AFIS HITS

Llewellen Jones – fingerprint on Nissan

A. Contreras – fingerprint on Honda

PRIOR INCIDENTS FILE:

Judgment of convictions:

LLV001031000886. Event # 1670891

C168678 baicc 11/30/00 Arrest report;

PHOTOGRAPHS:

C224572 — Event # 000311-1568
Event # 001031-0886 – fight at jail
Event # 000603-1893
89-73068
89-73105 – no photos
06-11513 – our case
Google Earth view of scene
Autopsy and event photographs
Mitigation/Family photographs
Metro photos of persons who appear in reports
Photo of knife impounded from Roadrunners
Sunglasses impounded from Allero (Herb id's as his)

MAPS

Apartment schematics
Map quest of areas

POLICE REPORT FILE

Declaration of arrest: request for prosecution
Incident Reports 06-11513 82 pages

Note: almost every civilian interview has a short narrative synopsis by the Detective.

Nicolin Broderway Interview	5/30/06	3 pages
Erion Robinson Interview	9/22/06	2 pages
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Ramaan Trevon Hall Interview	8/1/06	2 pages
Eileen Beck (Sprint phone)	5/25/06	
Collins F-217	5/22/06	119 pages
Amy/Sammy Lucero		4 pages
David Parker		2 pages
Sarah Mathews	6/5/06	Follow ups/ employment records
Corena Phillips		5/30/06
Jason McCarty		5/26/06

Consent to search South Cove 222

Search Warrants: Returns

Transcripts

1525 E. Fremont F217
1165 Blankenship # 10
Honda
Nissan

Olds

Officer names in Incident Reports:

Fuentes, Franklin:
Seehafer, Thomas
Rock, Dennis
Ridings, Craig -- also vehicle impound
Webster, Michael
Benjamins, Felicia
Brooks, Jamie -- also vehicle impound
Gibson, Lance
Hosaka, Mark
Raney, Athena
Pena, Todriggo
Perdue, William
Collins, Gerard
Rodriquez

CPS SECURITY REPORTS: 95 and Wagon Wheel

HENDERSON POLICE REPORTS, MISC.

Henderson Declaration of Arrest
Interview May 25, 2006
T/C unknown male, date unk
T/C 4/6/06
6/6/06
Domestic Violence Report 2/7/05
12/14/03 Incident Report Sanchez/McCarty
7/7/2002 Domestic Violence Victim was Defendant
Domestic Violence Report 9/1/2000 Defendant
3/12/1991 Defendant victim or robbery -- voluntary statement
4/11/87 Burglary, Def. Victim voluntary statement
12/22/87 Burglary Def victim

MISCELLANEOUS DOCUMENTS:

Notice of Denial of request Clark county District Attorney; 6/6/06 approving Herb for accessory
Request for Prosecution/Declaration of Arrest
Request for surveillance footage from Sportsman Manor (attn: Sid Woo)
Tow sheet on Nissan

MEDIA FILE

CELLULAR TELEPHONE RECORDS (All obtained via subpoena)

Tracfone (702) 408 - 2845
Nextel (702) 237 - 3308 INCLUDING "QUICK CONNECT" jason mccary
Nextel (702) 237 - 7001 travaan hall subscriber
(702) 352 - 5898
Cingular (702) 465 - 1214
Nextel (702) 237 - 3596 jake lapoma sub
Sprint (702) 845 - 7762
Sprint (702) 845 - 7762 Scott Coffield subscriber
Verizon (702) 277 - 5233 Ben Jansen?
T Mobile (702) 355 - 6110 Ann Rivero Acct # 443632864
Verizon (702) 423 - 6201
(702) 281 - 0049
(702) 379 - 2180
Sprint (702) 237-3307 Eileen Beck
Vision West Agustin Donimquez, Tremine Purdue, Domonic Malone
Trac phone wireless
Cingular

[REDACTED]

HENDERSON JAIL TELEPHONE CALLS: subpoena requests

Recorded telephonic conversations from McCarty, (3 way)
No recorded conversations from Domonic
No recorded conversations from McCarty.

INVESTIGATIVE FILES:

CALLS BY MCCARTY ON NIGHT OF DEATHS

Cavaco, Christine: Scope, no photo
Fryman, Quante: Scope, photo, sentencing, felony probation
Henderson, Shay: Photo
Jennings, Arwin: Photo, Scope, GM probation
McCree, Simeon: Photo, Scope, Sentencing,
Rivera, Mark: Photo, Scope, sentencing
Rivero, Anna:
Perdue, Tramaine: Photo, Scope, sentencing
Robinson, Erion: Photo, Scope.

CALLS BY HERB ON NIGHT OF DEATHS

Scott Coffield:
Anne Marie Ingedretson

MITIGATION FILE

Birth Records

Charter Hospital Records

CPS records

School records

Family photographs/ memos from family interviews and meetings.

Research re: Mobile Housing projects/slums

CUSTODY RECORDS

Prior Case

CCDC

July 14, 2010

Domonic Malone #1670891
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89155

Re: Request for Discovery

Greetings Mr. Malone:

As per our conversation, here is the additional discovery you requested.
Documents enclosed are as follows:

- Latonya Jenkins Statement and Internal Memo
- Harold and Kelly Herb Statement dated 5/31/06
- Dawanna Jones Statement
- Sammy and Amy Lucero Interviews dated 5/24/06
- Melissa Estores Interview dated 5/24/06, Collins' Police Report (4pages), and Preliminary Hearing Transcript dated 7/19/06
- Preliminary Hearing Transcripts dated 7/26/06, 7/27/06, and 7/31/06
- Correna Phillips and Lynn Nagel Statements dated 5/30/06 and Preliminary Hearing Transcript dated 7/20/06
- Det. Collins Preliminary Hearing Transcript

Sincerely,

CHARLES A. CANO
Deputy Special Public Defender

Enclosed

CAC/ra

2/5/09

Domonic Malone:

In reference to your previous letter, It appears that there was a typo, and that the March '07 report from Bexar actually was a 12/07/06 report. That is included herewith. Additionally, the mug shots (photos) of Mr. Herb were not included. Finally, the Miscellaneous document re: Notice of Denial . . . will be included under separate cover. The remainder of the items were included in the items delivered to you in Court.

[REDACTED]

[REDACTED]

[REDACTED]

Sincerely,

RHP

Ex Parte Comm.

DOMONIC MALONE, No B70991

CEOC 330 S. Casino Center Blvd.

Las Vegas, NV. 89101

In Proper Person

FILED

JUN 29 2011

CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA

Plaintiff

vs.

DOMONIC MALONE

Defendant

CASE NO. C224572-2

DEPT NO. 17

06C224572-2

EXPT

Ex Parte

1497424



Ex Parte Communication (Defendant Memorandum to COURT)

On 6-21-2011 in this honorable Court Dept NO. 17 where Judge Michael P. Villani presides.

For the record stated he doesn't believe that stand-by counsel Mr. Pike and Mr. Cano of the Special Public Defender Office would not file a motion for discovery if something were missing from the prosecution file.

The court room is no place to express belief especially when not based on fact which are contained in Exhibit A-C; "Provided by the defendant".

This Court now can see that there is a good faith showing by the Defendant that his stand-by counsel are in fact ineffective see Exhibit A-C.

However this Court must now take into consideration that it was the prosecutors in this present case who gave the Special Public Defender Office defective documents in order to hide and or destroy evidence that would be exculpatory to the defense.

Had not the defendant been forced to represent himself in this case this matter would have been swept under the rug until it was too late for the defendant to do anything about it.

Being that this is a death penalty case so once the defendant is dead (murdered) there is no correcting that your honor.

Also this Court has been placing an heavier burden on the defendant due to his self representation all the while holding the prosecutor to an even lesser degree than normal standard.

The Defendant did not want to represent himself he has motion this Court for help only to be denied by this Court on numerous occasion. Which created the forced situation.

The Defendant has motion this Court also for an Para legal due to the legal library located in the jail which he resides in the Clark County Detention Center being ineffective.

The Court has blamed it all on the defendant choice to represent himself by foregoing its own duty towards open fairness.

How is the defendant supposed to actually defend himself when this Court is shutting off all avenues for him to do so.

The Defendant has always been more than willing to accept proper assistance in order to regain his freedom however this Court has not allowed him to pursue this goal. Which is a right given to all american citizens.

The Defendant is at the mercy of this Court and can not do more than which this Court allows him to do which thus far has been nothing.

Maybe in hopes that by overwhelming the Defendant he would somehow see the light and allow Mr. Cano & Mr. Pike to lead him like cattle to his slaughter. By handing over the case back to the Special Public Defender Office.

The Defendant will do no such thing he is more than ready and willing

to fight to the point of death for the rights giving on to him by his beloved country when the 14th Amendment was added to the United States constitution. The rights of which this COURT an representative of the United States is willfully and unlawfully denying him.

The Defendant has always ask this COURT for fairness not for it to be easy for him, only that it be fair...

This COURT can no longer turn a blind eye to whats going on with the defendant for no matter how you slice it murder is murder directly or indirectly...

Respectfully Submitted;

Dominic A. White

Dominic A. White

Pro Per Defendant

No. 1670891

DATED THIS 21st day of June 2011

1 CERT

CERTIFICATE OF MAILING

Case No. C224572-2

2 The foregoing Ex Parte Communication (Defendant Memorandum to Court);
3 MOTION FOR COMPLETE ROUGH DRAFT TRANSCRIPT OF (Case No. C224572-1);
4 MOTION FOR DISCOVERY OF Prosecution Records Files And Information Necessary
5 to a Fair Trial; Request for Discovery (Special Public Defender Office);
6 Request for Discovery (District Attorney Office), was served upon
7 Judge Michael P. Villani; David Roger; David Schieck by making a
8 copy thereof, first class mail, postage prepaid to:

9 Honorable Michael P. Villani

10 DEPT NO. 17

11 REGIONAL JUSTICE CENTER

12 200 Lewis Avenue

13 Las Vegas, NV. 89155

DAVID M. SCHIECK

330 S. 3rd St., 8th Floor

Las Vegas, NV. 89155-2316

DAVID ROGER

200 Lewis Avenue

Las Vegas, NV. 89155-2212

14/ DOMESTIC MAILING

Pro Per Defendant

CLARK COUNTY DETENTION CENTER

RECEIVED
JUN 28 2011
CLERK OF THE COURT

MAUDNE, DOMONIC NO. 1670891
CCDC 330 S. Casino Center Blvd
Las Vegas, NV. 89101



4.27

FILED

JUN 29 2011

56

1 MOTION/002

2 DOMINIC MALONE, No. 1670791

CLERK OF COURT

3 CLARK COUNTY DETENTION CENTER

4 330 S. Casino Center Blvd.

5 Las Vegas, NV. 89101

6 In Proper Person

7

DISTRICT COURT

8

CLARK COUNTY, NEVADA

9 STATE OF NEVADA

CASE NO. C 224572-2

10 Plaintiff

DEPT NO. 17

11 vs.

12 DOMINIC MALONE

13 Defendant

7/12/11
a:15am

14 MOTION FOR COMPLETE RUSH DRAFT TRANSCRIPT OF (CASE NO. C224572-1)

15 Come now the defendant DOMINIC MALONE, and moves this Honorable
16 Court to grant an order requiring complete transcript of the
17 Co-defendant JASON MCCARTY "Trial and Sentencing" transcript(s)
18 in case no. C224572-1.

19 This Motion for complete copy of the trial & sentencing transcript
20 is based upon all paper, pleading and documents on file, factual statement
21 set forth in the Points and Authorities, contained therein.

22

Respectfully Submitted

23

Dominic A. Malone

24

DOMINIC A. MALONE

25

Defendant

26 DATED THIS 21st day of June 2011

27

Sp

1 MOTION/ORD

FILED

JUN 29 2011

2 DOMONIC MALONE, NO1670811

CLERK OF COURT

3 CLARK COUNTY DETENTION CENTER

4 330 S. CASINO CENTER BLVD

5 Las Vegas, NV. 89101

6 IN PROPER PERSON

06C224572-2
MOT
Motion
1497417



7 DISTRICT COURT

8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA)
10 Plaintiff,)

CASE NO. C224572-2

DEPT NO. 17

11 vs.)

12 DOMONIC MALONE)

13 Defendant,)

7/12/11
8:15am

14 MOTION FOR DISCOVERY OF PROSECUTION RECORDS

15 FILES AND INFORMATION NECESSARY TO A FAIR TRIAL

16 COMES NOW, the Defendant, DOMONIC MALONE, in proper person
17 and pursuant to the (5)th, (6)th, (8)th & (14)th Amendments to the
18 United States Constitution & Nevada Constitution, EDCR(s), Defendant
19 Malone respectfully requests this Court to order the production of
20 the materials below. Defendant Malone request that this Court order
21 the individuals named below to produce for inspection and copying
22 the documents specified herein, wherever such documents may be
23 located, with such production to be arranged with "the Defendant"
24 within ten days from the day that discovery is ordered.

25 Said Motion is made and based upon the attached Points and
26 Authorities, all papers and pleadings on file herein, and on any oral
27 argument at the time of the hearing of said Motion.

NOTICE OF MOTION

2 TO: STATE OF NEVADA, Plaintiff; and

3 TO: DAVID ROGER, DISTRICT ATTORNEY, Attorney for Plaintiff

4 YOU WILL PLEASE TAKE NOTICE that the undersigned will bring on
5 the above and foregoing MOTION on for hearing on the day of July,
6 2011, at the hour of A.M., in Department NO. 17 of the above-
7 entitled Court, or as soon thereafter as counsel may be heard

STATEMENT OF THE CASE

9 DOMONIC MALONE is an AMERICAN citizen by birth. The State filed
10 its Notice of Intent to seek Death Penalty on August 30, 2006. Trial
11 is set for January 3, 2012

FACTS

12 MALONE has set forth a comprehensive statement of facts in pre-
13 vious MOTIONS filed with this Court and incorporates same as if
14 set forth in full herein.

POINTS AND AUTHORITIES

17 I. DEFINITIONS

18 Unless the context indicates otherwise, the terms listed below are
19 defined and used herein as follows:

20 1. The "State" means any and all of the following organizations: the
21 County of Clark, the Clark County District Attorney's Office, the Attorney
22 General's Office, the Henderson Police Department, the Las Vegas Metropolitan
23 Police Department, the North Las Vegas Police Department, the Clark County
24 Sheriff's Office, and the Nevada Highway Patrol. The "State" also
25 means: (a) all present and former agents, officers, investigators, con-
26 sultants, employers, and staff members of organizations or officials
27 named above in this paragraph; (b) any other person or entity acting

1 on the behalf of any of these organizations or officials on whose behalf
2 of any of these organizations or officials or on whose behalf such person or
3 entity has acted in the past; or (C) any other person or entity otherwise
4 subject to the control of any of these organizations or officials.

5 2. "Document" or "documents" means any writing, record or data in any
6 form or medium, whether or not privileged, that is in the state's actual or
7 constructive possession, custody or control. As used herein, a document is deemed
8 to be within the state's control if the state has a right to obtain a copy of it.
9 "Document" also includes the original of any document in whatever form
10 or medium it may exist, and all copies of each such document bearing, on
11 any sheet or side thereof, any marks (including by way of non-limiting
12 example: initials, stamped indicia, or any comment or notation of any
13 character) not a part of the original text or any reproduction thereof.
14 Examples of documents that must be produced include, but are not
15 limited to, working papers, preliminary, intermediate or final drafts, cor-
16 respondence, transcripts, analyses, x-rays, CAT scans, EEG's, laboratory
17 results, studies, reports, surveys, memoranda, charts, notes, records (of any sort)
18 of meetings, diaries, telegrams, telexes, faxes, reports of telephone or oral conver-
19 sations, desk calendars, appointment books, audio or video tape recordings, photo-
20 graphs, film, microfilm, microfiche, computer tapes, disks or printouts, press releases,
21 and all other writings or recordings of every kind.

22 3. "Relating to" means discussing, describing, referring to, reflecting, containing,
23 analyzing, studying, reporting on, commenting on, evidencing, constituting,
24 setting forth, considering, recommending, concerning, relevant to, bearing on, or
25 pertaining to, in whole or in part.

26 4. "All" means "any and all."

27 5. "Any" means "any and all."

- 1 6. "Each" means "any and all."
2 7. "And" means "and/or."
3 8. "Or" means "and/or."
4 9. "Record" means "document" as outlined in paragraph 2 above, and includes
5 raw data, notes, test results, narrative reports and recordings, together with
6 all time and billing records pertaining thereto.
7 10. "Medical provider" includes, but is not limited to physicians, psychia-
8 trists, psychologists, nurses, and technicians.

9 11. INSTRUCTIONS

- 10 1. References to the singular shall be construed to include the plural, and
11 references to the plural shall be construed to include the singular.
12 2. All verbs shall be construed to include all tenses.
13 3. If any document or portion of any document covered by these requests
14 is withheld from production, please furnish a list identifying each such
15 document or portion of document, providing the following information with
16 respect to each such document or portion:
17 (a) the reason(s) for withholding;
18 (b) the date of the document;
19 (c) identification by name, job, title, and the last known business and
20 home address of each person who wrote, drafted or assisted in the
21 preparation of the document;
22 (d) identification by name, job, title, and the last known business and
23 home address of each person who received or has had custody of the
24 document or copies thereof;
25 (e) a brief description of the nature and subject matter of the
26 document;
27 (f) the length of the document;

1 (g) a statement of the facts that constitute the basis of any claim of
2 privilege, work product or other grounds for non-disclosure; and
3 (h) the paragraph(s) of these requests to which the document is
4 responsive.

5 4. Each request is continuing in nature and additional responsive documents
6 that are obtained or discovered prior to the Evidentiary Hearing should
7 be produced as soon as they are obtained or discovered.

8 5. If any document responsive to a request was, but is no longer, in your
9 possession, custody or control, state whether such document: (a) is missing
10 or lost, (b) has been destroyed, (c) has been transferred to others, or (d) has
11 otherwise been disposed of. For each instance, explain the circumstances
12 surrounding such disposition, identify each person who authorized such
13 disposition, indicate the dates of such authorization and disposition, and
14 identify the document and each person or entity that may have custody
15 or control of such document or any copy thereof.

16 6. If information responsive to a request appears on one or more pages
17 of a multi-page document, produce the entire document.

18 7. Individual responses of more than one page should be stapled or
19 otherwise separately bound, with each page consecutively numbered.

20 III. DOCUMENTS TO BE PRODUCED

21 Defendant Malone respectfully requests that this Court order the
22 State to disclose to undersigned counsel, and permit him to inspect, copy
23 and photograph, the following items:

- 24 1. The name and addresses of all persons who have given written,
25 recorded, video or oral statements or communications in the course of this case;
- 26 2. All names and addresses of any persons with knowledge of any facts or
27 circumstances surrounding the death of the victim in this case.

3. All documents to, from or between law enforcement officers regarding the death of the victim in this case;

4. All documents to, from or between the State's investigative staff, excluding those portions, if any, which contain the opinions, theories, or conclusions of the prosecuting attorneys or members of their staff;

5. Any documents in the State's possession or available to the State that are exculpatory or favorable to Defendant Malone on the issue of guilt or punishment regarding any element of the offense of capital murder related to the death of the victim in this case, including but not limited to: (a) favorable or exculpatory evidence provided by or relating to any prosecution witnesses; (b) any and all information including letters, records of telephone calls, memoranda, and any other records or documents disclosing bias or prejudice or prejudgment by citizens of Clark County, Nevada, against Defendant Malone, and the identity of the persons making statements indicating such views; (c) any and all other information respecting any State witness that is favorable to Defendant Malone on the issue of guilt or punishment regarding any element of the offense of capital murder; (d) any and all information in any form whatsoever, that derives from any person, that is exculpatory with respect to Defendant Malone having committed the murder of the victim; (e) any and all information that would support a showing that this offense was committed while Defendant Malone was under the influence of mental or emotional disturbance; (f) any and all information relevant to the capacity of Defendant Malone to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law, especially any such information that would support a findings that Defendant Malone's capacity was substantially impaired; (g) any information supporting the existence of a non-

1 Statutory mitigating circumstances; and (h) any information supporting
2 the existence of a statutory mitigating circumstance;

3 6. All physical or documentary evidence, including diagrams, sketches,
4 books, papers, documents, photographs, illustrations or tangible objects in
5 the possession of the prosecution, law enforcement personnel, or a prose-
6 cution witness that relate to this case or Defendant Malone in any way;

7 7. All documents relating to the conducting or results of any medical,
8 pathological, toxicological, chemical, biochemical, criminallistic, laboratory,
9 forensic, or scientific examinations, investigations or analyzes regarding
10 the death of the victim in this case; including but not limited to: (a) each
11 document relating to the search of the scene of the crime; (b) each
12 document relating to the search of any vehicles; (c) each document
13 relating to any postmortem scientific or physical test(s) or experiments
14 conducted in connection with the death of the victim in this case;
15 including but not limited to all tests conducted by the State, including,
16 but not limited to, the County Coroner's Office, the Clark County District
17 Attorney's Office, and the Las Vegas Metropolitan Police Department;
18 North Las Vegas Police Department; and Henderson Police Department;

19 8. All psychiatric documents relating to the conducting or results of any
20 testing, examinations or interviews of including but not limited to reports
21 by the Nevada Department of Prison or any other agency;

22 9. All documents relating to Defendant Malone including: (a) all
23 records that the prosecution or any law enforcement official has sub-
24 mitted to any professional personnel for examination or analysis in
25 connection with this case; (b) all psychiatric documents relating to the con-
26 ducting or results of any testing, examinations or interviews of Defendant
27 Malone; (c) all documents relating to any tests of any kind done on

1 Defendant Malone including but not limited to any tests done on
2 samples of Defendant Malone blood, saliva or hair;

3 10. All documents relating to any state witness, including: (a) all
4 juvenile and adult detention, jail, prison, parole, probation and pre-
5 sentence investigation records; (b) all sentencing reports; (c) all arrest,
6 conviction, and adult and juvenile criminal offense records; (d) all
7 records of any law enforcement authority, including all documents
8 relating to any plea negotiations between any state witness and
9 the state; (e) all records of any detention or court authority; (f) all
10 records of any prosecuting authority; (g) all psychiatric, psychological
11 or mental health records; (h) all education records; (i) all documents
12 relating to any lie detector test taken by any state's witness; and
13 (j) all other records and reports;

14 11. All documents and any information regarding the use of confidential
15 informants in the investigation of the murder of the victim in this case;

16 12. All documents and any information regarding the background,
17 arrest record or criminal record of the victim in this case; and

18 13. The entire case files of the District Attorneys for Clark County
19 relating to the death of the victim in this case and the related
20 prosecution of Defendant Malone for capital murder.

21 ARGUMENT

22 This Motion is made under the authority of Brady v. Maryland, 373 U.S. 83
23 (1963) and its progeny, as well as the constitutional and statutory provisions
24 cited in the opening paragraph. See also, Kyles v. Whitley, 514 U.S. 419 (1995);
25 Davis v. Alaska, 415 U.S. 308 (1974); Giglio v. United States, 405 U.S. 150 (1972);
26 Giles v. Maryland, 386 U.S. 66 (1967); Smith v. Phillips, 455 U.S. 209 (1982);
27 United States v. Agurs, 427 U.S. 97 (1976); United States v. Valenzuela-Bernal,

1 458 U.S. 858 (1982); United States v. Brunel-Alvarez, 976 F.2d 1235 (9th Cir.
2 1992); United States v. Pitt, 717 F.2d 1334 (11th Cir. 1983); Jimenez v. State,
3 112 Nev. 610, 918 P.2d 687 (1996). The State can "not use the confidentiality
4 requirement... as a means of avoiding its duties under the constitution -
5 specifically, those defined by Brady and Giglio. Moore v. Kemp, 809 F.2d
6 702, 726 (11th Cir. 1987). See, Moller v. Dugger, 820 F.2d 1135 (11th Cir. 1987).

7 Specifically, NRS 174.245 provides, in pertinent part, that:

8 upon motion of a defendant the court may order the district attorney
9 to permit the defendant to inspect and copy or photograph books,
10 papers, documents, tangible objects, buildings or places, or copies or
11 portions thereof, which are within the possession, custody or control
12 of the State, upon a showing of materiality to the preparation of
13 his defense and that the request is reasonable.

14 The instant prosecution seeks the execution of Defendant Malone.

15 Therefore, all information pertaining to mitigation of the charges is
16 "material" to the preparation of the defense. The United States Supreme
17 Court has repeatedly held that all relevant mitigating evidence should
18 be presented to the jury. "A jury must be allowed to consider on the basis
19 of all relevant evidence not only why a death sentence should be imposed,
20 but also why it should not be imposed." Jurek v. Texas, 428 U.S. 262, 271, 49
21 L.Ed.2d 929, 96 S.Ct. 2950 (1976). See also, Bell v. Ohio, 438 U.S. 632, 98 S.Ct.
22 2977, 57 L.Ed.2d 1010 (1978); Byrd v. Pennsylvania, 494 U.S. 294, 109 L.Ed.
23 2d 255, 110 S.Ct. 1078 (1990); Eddings v. Oklahoma, 455 U.S. 104, 71 L.Ed. 2d 1
24 (1982); Hitchcock v. Dugger, 481 U.S. 793, 107 S.Ct. 1821, 95 L.Ed.2d 347
25 (1987); Lockett v. Ohio, 438 U.S. 586, 57 L.Ed.2d 973, 98 S.Ct. 2954 (1978);
26 Parker v. Dugger, 498 U.S. 748, 112 L.Ed.2d 812, 117 S.Ct. 731 (1991) Shipper v.
27 South Carolina, 476 U.S. 7, 106 S.Ct. 1664, 90 L.Ed.2d 1 (1986).

1 Clearly, the information requested herein is "material" to the presentation
2 of a mitigation defense during the penalty phase, should one be required. Excul-
3 patory and material evidence is evidence which is favorable to the defense
4 and which may create any reasonable likelihood that the outcome of the
5 trial or capital sentencing trial would have been different. Smith (Dennis Wayne)
6 v. Whitwright, 799 F.2d 1442, 1444-1445 (11th Cir. 1986); Cheney v. Brown, 730
7 F.2d 1334, 1357 (10th Cir. 1984). See, Brady, 373 U.S. at 87 (reversing
8 death sentence because suppressed evidence relevant to punishment, but not
9 guilt/innocence); Moore v. Illinois, 408 U.S. 786, 794 (1972) ("The heart of
10 the holding in Brady is the prosecution's suppression of evidence, in the
11 face of a defense production request, where the evidence is favorable to the
12 accused and is material either to guilt or to punishment"); Bowen v. M. Spauld,
13 799 F.2d 593, 602 (10th Cir. 1986) ("The prosecution violates the Brady rule if
14 after a request by the defense it suppresses evidence which is both favorable
15 to the defense and material to guilt or punishment"); Cheney v. Brown, 730
16 F.2d 1334, 1359 (10th Cir. 1984) ("we must hold that the cumulative impact
17 of the withheld evidence might have affected the jury's determination on
18 the death penalty so that this death sentence cannot constitutionally stand").
19 Materiality is established if the evidence "might 'or' could" affect the
20 outcome on the issue of guilt... [or] punishment. United States v. Agurs,
21 427 U.S. at 105, 106, and that there exists "a reasonable probability
22 that had the [withheld] evidence been disclosed to the defense, the
23 result of [the trial or sentencing] proceedings would have been
24 different." United States v. Bagley, 105 S. Ct. 3375, 3383 (1983). See,
25 Carter v. Rufferty, 826 F.2d 1299, 1309 (3rd Cir. 1987); McDowell v. Dixon,
26 858 F.2d 945, 948 (4th Cir. 1988); United States v. Brunel-Alvarez, 976
27 F.2d 1235, 1243 (4th Cir. 1992).

1 CONCLUSION

2 Therefore, Domonic Malone respectfully request that this Court
3 order the production of the above materials and grant leave to
4 depose any individuals associated with the foregoing materials.

5 DATED this 21st day of June 2011

6 SUBMITTED BY:

7 *Domonic R. Malone*

8 DOMONIC R. MALONE

9 Pro'Per Defendant

10 NO: 1670891

11 CEC 330 S. Casino Center Blvd

12 Las Vegas, NV. 89101

56
FILED

JUN 29 2011

John T. Williams
CLERK OF COURT

1 MOTION/002

2 DOMONIC MALONE, NO. 1670791

3 CLARK COUNTY DETENTION CENTER

4 330 S. Casino Center Blvd.

5 Las Vegas, NV. 89101

6 In Proper Person

7

DISTRICT COURT

8

CLARK COUNTY, NEVADA

9 STATE OF NEVADA)

CASE NO. C 224572-2

10 Plaintiff)

DEPT NO. 17

11 vs.)

12 DOMONIC MALONE)

13 Defendant)

14

MOTION FOR COMPLETE ROUGH DRAFT TRANSCRIPT OF (CASE NO. C224572-1)

15 Come now the defendant DOMONIC MALONE, and moves this Honorable
16 Court to grant an order requiring complete transcript of the
17 Co-defendant JASON MCCARTY "Trial and Sentencing" transcript(s)
18 in case no. C224572-1.

19 This Motion for complete copy of the trial & sentencing transcript
20 is based upon all paper, pleading and documents on file, factual statement
21 set forth in the Pleadings and Authorities, contained therein.

22

Respectfully Submitted

23

Domonic A. Malone

24

DOMONIC A. MALONE

25

Defendant

26 DATED THIS 21st day of June 2011

27

JUNE 21, 2011

David Schreck

Special Public Defender Office

330 S. 3rd St., 8th Floor

Las Vegas, NV. 89155-2316

Re: St v. Malone, Case No. 06C224572

Request for Discovery

Dear Mr. Schreck:

The undersigned hereby request that this office hand over to the defense:

Any and all documents, video, audio, physical evidence that is in the possession of and or constructively in possession of the Special Public Defender Office relating to the above case no.

Specifically "all" receipt(s) and or reimbursements of Det. Collins or any other law enforcement officers and or Officers of the court that provided 'money and or any' type of assistance to: Melissa Estores; Ryan Noe; Corrian Phillips; Lynn Nagel; and Donald Herb. While in police custody.

"Any and all" benefits provided by Det. Collins and or any other law enforcement officers and or officers of the court.

Dated this 21 day of June 2011

Sincerely;
Domenic E. Malware
Domenic E. Malware
Pro Per Defendant

June 21, 2011

David Roger

District Attorney Office

200 Lewis Avenue

Las Vegas, NV. 89155-2212

Re: St v. Malone, Case No. 06C224572

Request for Discovery

Dear Mr. Roger:

The undersigned hereby request that this office hand over to the defense:

Any and all documents, video, audio, physical evidence that is in the possession of and or constructively in possession of the District Attorney Office relating to the above case no.

Specifically "all" the receipt(s) and reimbursement(s) of Melissa Estores; Ryan Doe; Corrina Phillips; Lynn Nagel; and Donald Herb while in police custody

"Any and all" benefits provided by Det. Collins and or any other law enforcement officers and or officers of the court.

DATED THIS 21 day of June 2011

Submitted by
Domonic R. Maloney
DOMONIC R. MALONEY
Proper person

Exhibit A-C

Henderson Police Department Criminalistics Bureau

CRIME SCENE REPORT

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office

Date: 5/20/2006

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☒ Latent prints processed
☒ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☐ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles:

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☒ Photos
☒ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT

Investigator(s): Gerard G Collins

324

DR Number: 06-11513

Incident(s): Homicide

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Lab Case #: LAB06-00194

Date: 5/20/2006

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

☒ Latent prints processed
☐ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

FIREARMS EVIDENCE

☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

☐ Hairs ☒ Tapelifts
☐ Fibers ☐ Paint

Other:

ehicles: SCENE 1:

White, 1987 Chevrolet AstroVan, NV 322REH, VIN 1GN15Z7HB164159
"Pat's Landscaping" logo on the sides and rear,

FOOTWEAR/TIRE EVIDENCE

☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

☒ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

☒ See Evidence Impound Report

CRIME SCENE REPORT

DR Number: 06-11513

SCENE 2:

No vehicle involved

SCENE 3:

White, 1991 Honda 4-door sedan, no plate, VIN 1HGCB756XMA112027
Damage to the front bumper and left front turn signal, crack in the sunroof.

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

SCENE 1: 501 Nevada State

A white Chevrolet van with "Pat's Landscaping" logo was parked across the street from the above location with the doors left open and the keys in the ignition. The left front tire was flat. There were numerous cigarette butts and match sticks on the ground near the side and rear doors; a beer can was near the front bumper.

SCENE 2: 1525 Fremont #217

A one bedroom studio apartment located on the second story with a sliding glass entry door, kitchenette, living area, sleeping area and bathroom.

SCENE 3: Henderson Police Department Processing Garage

A white Honda with no license plate, VIN 1HGCB756XMA112027. There is damage to the vehicle's front bumper on the left and right side, to the left front turn signal and the sunroof glass is cracked. The vehicle was sealed on all four doors, the hood and the trunk with intact red evidence tape.

Details Narrative:

SCENE 1:

On 05/20/06, at approximately 1240 hours, I processed a white Chevrolet van parked on the dirt shoulder across the street from 501 Nevada State.

I photographed the condition of the van upon my arrival.

I documented and photographed the location of numerous cigarette butts and burnt matchsticks on the ground outside the sliding passenger door and the rear cargo doors. I did the same thing with an empty beer can located near the front bumper of the van.

I collected all of the cigarette butts, the matchsticks, and the beer can as evidence.

SCENE 2:

On 05/22/06, at approximately 1647 hours, Investigator Collins served a search warrant at 1525 Fremont #217.

I entered the apartment and photo documented its condition prior to any searching being done. CSA Barber, CSA Ayers, INV Hosaka, INV Benjamins, and INV Collins and I then searched the apartment.

I collected as evidence a metal rod located underneath the couch, the bedspread from the bed, a leatherman-type knife located in the nightstand, a pair of scissors, and miscellaneous paperwork.

Several cellular telephones were located and taken by Investigator Collins.

I photographed but did not collect a bottle of prescription medication, Levaquin 500mg tablets.

SCENE 3:

On 06/02/06, at approximately 0830 hours I processed a white Honda in the Henderson Police Department processing garage pursuant to a search warrant obtained by Investigator Collins.

There were no keys with the vehicle so it was opened by Jim Lowery of Gene's Locksmith at 0905 hours.

CRIME SCENE REPORT

DR Number: 06-11513

I photographed to condition of the vehicle prior to any searching or processing.

I collected as evidence tape lifts from all seats, DNA swabs from the steering wheel and a swab of an unknown reddish stain from the interior side panel adjacent to the rear driver's side passenger seat.

I searched the interior of the vehicle and the trunk. I removed and impounded as evidence a temporary operating permit in the name of Donald Herb, two pre-paid phone cards, an insurance certificate and a baseball bat.

I used a forensic light source to inspect the interior of the vehicle and the trunk and noted nothing significant.

Latent Print Examiner Allred assisted me with processing the vehicle for latent prints using black powder. I collected 22 latent lift cards.

Joy Smith 1370
Joy Smith 1370
Crime Scene Analyst II

REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
EVIDENCE IMPOUND REPORT**

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case ID: LAB06-00194

Victim(s): Victoria Magee
Charlotte Fountain

Date: May 20 , 2006

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Other:

Package #	Item #	Description	Location of Evidence
1370-1	1	Palmprint exemplars from Dawson1, #1 and #2 fingers on Dawson #1	Clark County Coroner's Office
1370-2	2	Steel Reserve 24oz beer can	across from 501 Nevada State Dr.
1370-3	3	12 burnt matches	across from 501 Nevada State Dr.
1370-3	4	17 "Gotham" cigarette butts, 1 "Marlboro" cigarette butt	across from 501 Nevada State Dr.
1370-4	4	Brown paper bags removed from V-Magee's left and right hands	Clark Count Coroner's Office
1370-5	5	Larvae collected at autopsy from the body of V-Magee	Clark County Coroner's Office
1370-6	6	Black elastic hair tie removed from the right wrist of V-Magee	Clark County Coroner's Office
1370-7	7	US Currency - 1x.01 (one cent)	across from 501 Nevada State Dr.

EVIDENCE IMPOUND REPORT

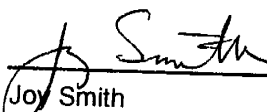
DR Number: 06-11513


Package #	Item #	Description	Location of Evidence
1-8	8	Vaginal, anal, buccal swabs, and fingernail clippings from V-Magee	Clark County Coroner's Office
1370-9	9	Small notebook with ph. number, McDonald's receipt dated 05/20/06, and scrap paper with ph. number	1525 Fremont #217
1370-10	10	Small folding leatherman-type utility knife with wood grain handle, "Sheffield" brand	1525 Fremont #217, top drawer of nightstand
1370-11	11	Heritage scissors, approx. 5" with rust on blades	1525 Fremont #217
1370-12	12	Silver colored metal rod, approx. 10" long	1525 Fremont #217 underneath couch
1370-13	13	Comforter with blue triangular pattern on the front, solid blue back with stains	1525 Fremont #217, removed from bed
1370-14	14	Tape lifts from all four seats and the driver side door rail	Seats of white Honda, VIN 1HGCB756XMA112027
1370-15	15	Nevada DMV Special Drive-Away Permit with the name Donald Herb	Front windshield of Honda
1370-16	16	Proof of Insurance card with the name Juan J Contreras	Glove box of Honda
1370-17	17	Unopened junk mail envelope addressed to Jason McCarty	Rear driver side passenger seat of Honda
1370-18	18	Scrap piece of paper with "Hector 431-0517" written on it	Underneath the front driver's seat of Honda
1370-19	19	Tracfone prepaid phone card, 120 units, airtime PIN 766 541 136 592 732	From the center console area next to the front passenger seat
1370-20	20	Tracfone prepaid phone card, 100 minutes, acct# 012504655, and Walgreen's receipt for same dated 05/22/06	Front driver side door pocket
1370-21	21	DNA swab from the steering wheel	Steering wheel of Honda
1370-22	22	Control and swabs of unknown reddish colored stain	Interior panel adjacent to the rear driver side passenger seat of the Honda
1370-23	23	Cards containing 22 latent lifts	Interior and exterior surfaces of the Honda
1370-24	24	Worth aluminum Teeball bat, 25 in.	Trunk of Honda
1370-25	25	White sheet wrapped around V-Magee for transport to morgue	CCCCO

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
0-17	17	Unopened junk mail envelope addressed to Jason McCarty	Rear driver side passenger seat of Honda
1370-18	18	Scrap piece of paper with "Hector 431-0517" written on it	Underneath the front driver's seat of Honda
1370-19	19	Tracfone prepaid phone card, 120 units, airtime PIN 766 541 136 592 732	From the center console area next to the front passenger seat
1370-20	20	Tracfone prepaid phone card, 100 minutes, acct# 012504655, and Walgreen's receipt for same dated 05/22/06	Front driver side door pocket
1370-21	21	DNA swab from the steering wheel	Steering wheel of Honda
1370-22	22	Control and swabs of unknown reddish colored stain	Interior panel adjacent to the rear driver side passenger seat of the Honda
1370-22	1		
1370-23	23	Cards containing 22 latent lifts	Interior and exterior surfaces of the Honda
1370-24	24	Worth aluminum Teeball bat, 25 in.	Trunk of Honda
1370-25	25	White sheet wrapped around V-Magee for transport to morgue	CCCO

 1370
Joy Smith 1370
Crime Scene Analyst II


REVIEWED

End of Report

**Henderson Police Department
Criminalistics Bureau
CRIME SCENE REPORT**

Investigator(s): Gerard G Collins

324

DR Number: 06-11513

Incident(s): Homicide

Location(s): Old Vegas Trail/Paradise Hills/HPD
Criminalistics Garage

Lab Case #: LAB06-00194

Date: 05/26/2006

Victim(s): Victoria Magee
Charlotte Fountain

PHOTOGRAPHY

☒ Digital ☐ 35 mm

Other:

LATENT PRINT EVIDENCE

- ☒ Latent prints processed
☒ Latent prints lifted
☐ Latent prints photographed
☐ Negative results

WEAPONS EVIDENCE

- ☐ Cartridge(s) ☐ Projectile(s)/bullet(s)
☐ Weapon(s) ☐ Cartridge case(s)
☐ Flight path analysis

Other:

TRACE EVIDENCE

- ☐ Hairs ☒ Tapelifts
☐ Fibers ☐ Paint

Other:

Vehicles: V1: A Green 2002 Oldsmobile Alero, NV/181SWV, VIN: 1G3NF12E52C109929.

V2: A Gray 1987 Nissan Stanza, CA/5BDP782, VIN: JN1HT2110HT060578.

FOOTWEAR/TIRE EVIDENCE

- ☐ Footwear ☐ Casting
☐ Footwear lifts ☐ Photos
☐ Tire impressions ☐ Original surface recovered

Other:

BIOLOGICAL EVIDENCE

- ☐ Possible/apparent blood ☐ Biological Standards Kit
☐ Possible/apparent semen ☐ Buccal Swab Kit
☐ Bloodstain interpretation ☐ Sexual Assault Kit

Other:

TOOLMARK EVIDENCE

- ☐ Original surface recovered ☐ Toolmark casting
☐ Toolmark photographed ☐ Tools recovered

OTHER EVIDENCE

- ☒ See Evidence Impound Report

Farrell, Patrick

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Scene 1:

5/20/06 Desert Area near Access Rd and Dawson Ave

There is a dirt road that enters the desert area at the corner of Access Rd and Dawson Ave. There are multiple dirt roads which go up near power poles and lines in that area.

Scene 2:

5/21/06 and 5/22/06 Trailer on the corner of Access Rd and Dawson Ave

On the corner of Access Rd and Dawson Ave is a single trailer adjacent to a parking lot with a sidewalk.

Scene 3:

5/22/06 1525 Fremont St. Apt. 222

A one bedroom studio apartment containing a living room, kitchen, bathroom and bedroom area.

Details Narrative:

Scene 1:

On 5/20/06 at approximately 1107hrs myself and CSA AYERS arrived at the desert area near Access Rd and Dawson Ave. INV COLLINS was present upon my arrival.

I observed the following regarding the desert area and the two victims:

- There was a dirt road that can be exited and entered off of Access Rd and Dawson Ave and the freeway. To the right of a power pole at (N 35 98 283 W 114 92 499) reading were apparent tiretrack marks that go north turn around and go back south. The turnaround point is just below where Dawson 1 and Dawson 2 were laying. In the rocky terrain was a golf ball.

- Dawson 1 (later identified as Victoria Magee) was closest to the tiretrack marks. She was naked and laying on her left side with her left arm bent and her hand underneath her head. Her legs were extended out straight from her body. A butterfly tattoo was present on the front of her abdomen and on the back of her right shoulder. A flame tattoo with a cross was present on the back of the left side. A tattoo spelling a name starting with "N" was present on the back of her neck. There was apparent trauma to the head and neck area. Decomposition was beginning to set in and there was insect activity on the body with a large concentration on the head. Lividity was fixed and positional. Rigor mortis was fixed. **EXPIRED SECOND**

- Dawson 2 (later identified as Charlotte Fountain) was just west of Dawson 1. She was naked and laying on her back. She had a tattoo on the inside of her right ankle with a heart and a rose and the name "Charlotte" in it. She had a large amount of insect activity to her head and neck area. Decomposition was beginning to set in. There was an apparent pool of blood to the left of her head and rocks and debris on her left elbow and arm area. Lividity was fixed and positional. Rigor mortis was fixed. **WAS EXPIRED FIRST (!) MURDERED**

CORONER INV RICK JONES arrived and took custody of the bodies. Dawson 1 (Victoria McGee) was sealed under seal # 550756. Dawson 2 (Charlotte Fountain) was sealed under seal # 855371. The hands of both victims were bagged.

CSA AYERS and CSA SMITH assisted with processing the scene. CSA SMITH took aerial photographs of the scene and the surrounding area. I photographed the overall scene, the victims and tiretracks. The Traffic unit did scaled measurements for a diagram. A general search of the area was done. Northeast of the location of the victims I collected a couple burlap sacks, several pairs of shoes, socks and an apparent used condom.

Scene 2:

On 5/21/06 at approximately 1641hrs myself, CSA AYERS and CSA SMITH arrived at the trailer near Access Rd and Dawson Ave. OFC BERRY was present upon our arrival. We returned again on 5/22/06 at approximately 1406hrs for further processing.

I observed the following:

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Scene 1:

5/20/06 Desert Area near Access Rd and Dawson Ave

There is a dirt road that enters the desert area at the corner of Access Rd and Dawson Ave. There are multiple dirt roads which go up near power poles and lines in that area.

Scene 2:

5/21/06 and 5/22/06 Trailer on the corner of Access Rd and Dawson Ave

On the corner of Access Rd and Dawson Ave is a single trailer adjacent to a parking lot with a sidewalk.

Scene 3:

5/22/06 1525 Fremont St. Apt. 222

A one bedroom studio apartment containing a living room, kitchen, bathroom and bedroom area.

Details Narrative:

Scene 1:

On 5/20/06 at approximately 1107hrs myself and CSA AYERS arrived at the desert area near Access Rd and Dawson Ave. INV COLLINS was present upon my arrival.

I observed the following regarding the desert area and the two victims:

- There was a dirt road that can be exited and entered off of Access Rd and Dawson Ave and the freeway. To the right of a power pole at (N 35 98 283 W 114 92 499) reading were apparent tiretrack marks that go north turn around and go back south. The turnaround point is just below where Dawson 1 and Dawson 2 were laying. In the rocky terrain was a golf ball.
- Dawson 1 (later identified as Victoria Magee) was closest to the tiretrack marks. She was naked and laying on her left side with her left arm bent and her hand underneath her head. Her legs were extended out straight from her body. A butterfly tattoo was present on the front of her abdomen and on the back of her right shoulder. A flame tattoo with a cross was present on the back of the left side. A tattoo spelling a name starting with "N" was present on the back of her neck. There was apparent trauma to the head and neck area. Decomposition was beginning to set in and there was insect activity on the body with a large concentration on the head. Lividity was fixed and positional. Rigor mortis was fixed.
- Dawson 2 (later identified as Charlotte Fountain) was just west of Dawson 1. She was naked and laying on her back. She had a tattoo on the inside of her right ankle with a heart and a rose and the name "Charlotte" in it. She had a large amount of insect activity to her head and neck area. Decomposition was beginning to set in. There was an apparent pool of blood to the left of her head and rocks and debris on her left elbow and arm area. Lividity was fixed and positional. Rigor mortis was fixed.

CORONER INV RICK JONES arrived and took custody of the bodies. Dawson 1 (Victoria McGee) was sealed under seal # 550756. Dawson 2 (Charlotte Fountain) was sealed under seal # 855371. The hands of both victims were bagged.

CSA AYERS and CSA SMITH assisted with processing the scene. CSA SMITH took aerial photographs of the scene and the surrounding area. I photographed the overall scene, the victims and tiretracks. The Traffic unit did scaled measurements for a diagram. A general search of the area was done. Northeast of the location of the victims I collected a couple burlap sacks, several pairs of shoes, socks and an apparent used condom.

Scene 2:

On 5/21/06 at approximately 1641hrs myself, CSA AYERS and CSA SMITH arrived at the trailer near Access Rd and Dawson Ave. OFC BERRY was present upon our arrival. We returned again on 5/22/06 at approximately 1406hrs for further processing.

I observed the following:

CRIME SCENE REPORT

DR Number: 06-11513

- The single trailer is on the corner of Access Rd and Dawson Ave. The front door of the trailer faces west. There is a parking lot and sidewalk west of the trailer.

(Apparent footwear impressions (Cones A-F) and other marks were present on the sidewalk leading to the front door of the trailer. A rock was present on the ground to the left of the front door which contained an unknown reddish stain (negative phenolphthalein presumptive test for the presence of blood by CSA AYERS).

CSA AYERS and CSA SMITH assisted with processing the front door for latent prints and documenting the footwear impressions on the sidewalk. I photographed the general location and overall condition of the area. I recovered one latent print lift.

Scene 3:

On 5/22/06 at approximately 1054hrs myself, CSA AYERS and CSA SMITH arrived at 1525 Fremont St. Apt. 222. INV BARNES, NISWONGER and HARPER were present upon our arrival.

I observed the following regarding the apt:

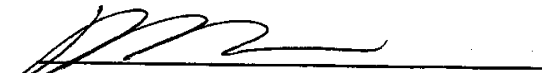
- There was no forced entry to the apartment. The front door of the apartment is a sliding glass patio door. This apartment is on the end of a row of apartments. The door enters into a living room area containing a coffee table and couch. The bottom of an aluminum can was present on the coffee table containing cigarette butts.
- The kitchen had various used cups on the counter along with taco food in a bag and a golf ball.
- A metallic flower earring with a clear stone in the center was present on the counter of a cut out wall. A receipt for the apt was present on this ledge as well.
- The bed contained a bedspread containing unknown stains. An empty black purse was on the bed as well along with an inhaler.
- Cigarette butts were present on the floor near the right nightstand, inside the nightstand drawer along with a Kool cigarette pack wrapper.
- Two toothbrushes were recovered from the medicine cabinet.

I photographed the overall location, condition and contents of the apartment. Myself, CSA AYERS and CSA SMITH processed for latent prints. Two latent prints were recovered along with cigarette butts, an earring, a golf ball, an inhaler, bedspread and drink containers.

Nothing further.

 1173.

Tammy Barber
Crime Scene Analyst


REVIEWED

End of Report

Henderson Police Department Criminalistics Bureau EVIDENCE IMPOUND REPORT

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case ID: LAB06-00194

Victim(s): Victoria Magee
Charlotte Fountain

Date: May 26, 2006

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Other: V1: A Green 2002 Oldsmobile Alero, NV/181SWV, VIN: 1G3NF12E52C109929.
V2: A Gray 1987 Nissan Stanza, CA/5BDP782, VIN: JN1HT2110HT060578.

Package #	Item #	Description	Location of Evidence
1267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
1267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
1267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
1267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
1267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
1267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
1267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
1267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
1267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
1267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
1267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3
1267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
7-9	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
1267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
1267-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
1267-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
1267-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
1267-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
1267-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-16	27	One receipt for \$45 dollars	The center console of V1 at scene 3
1267-17	28	One open pack of Camel cigarettes	The front passenger's side door pocket in V1 at scene 3
1267-18	29	One yellow pair of glasses, missing one lens	The center console of V1 at scene 3
1267-19	30	Two halves of a broken pair of black sunglasses	The center console of V1 at scene 3
1267-20	31	One Nike Portable Sport Audio player and one Audio Solutions Digital MP3 player	The center console of V1 at scene 3
1267-21	32	One Motorola Boost Mobile cell phone and car charger	Next to the gear shift, charger plugged into the outlet in V1 at scene 3
1267-22	33	A large piece of red tape	Removed from the rear driver's side taillight of V1 at scene 3
1267-23	34	Twenty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V2 at scene 4
1267-24	35	Tape lift of unknown debris	The front driver's side seat of V2 at scene 4
1267-24	36	Tape lift of unknown debris	The front passenger's side seat of V2 at scene 4
1267-24	37	Tape lift of unknown debris	The rear driver's side seat of V2 at scene 4
7-24	38	Tape lift of unknown debris	The rear passenger's side seat of V2 at scene 4
1267-25	39	Swabs of possible DNA	The steering wheel of V2 at scene 4
1267-25	40	Swabs of an unknown substance (possibly oil)	Under the trunk cover in V2 at scene 4
1267-25	41	Swabs of an unknown substance (possibly oil)	Under the back seat of V2 at scene 4
1267-26	42	One Boost Mobile pre-paid phone card	The center console of V2 at scene 4

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Scene 1: The scene was the desert area at the South end of Old Vegas Trail.

Scene 2: The scene was the desert area at the Southwest end of Paradise Hills Dr.

Scene 3: The scene was V1 parked in the Henderson Police Department Criminalistics Garage.

Scene 4: The scene was V2 parked in the Henderson Police Department Criminalistics Garage.

Details Narrative:

I arrived at Scene 1 at 11:33 on 5-26-06. Acting Supervisor K. Timothy #1223 arrived at the same time. INV Gibson and INV Ridings were present upon my arrival.

I observed the following:

- Along the driving path, there was a white t-shirt with a small rock sitting on top of it.
- Farther West along the driving path, there was a faded green shirt.

I photographed the scene and clothing for location and overall condition. The approximate GPS reading for the white t-shirt was N 35 deg 59.486 min, W 114 deg 55.289 min. The approximate GPS reading for the green shirt was N 35 deg 59.097 min, W 114 deg 55.237 min. Both shirts and the rock were collected. The rock was discarded after testing negative with phenolphthalein for the presence of blood.

I arrived at Scene 2 at 12:44 on 5-26-06. Acting Supervisor K. Timothy #1223 arrived at the same time. INV Gibson and INV Ridings were present upon my arrival.

I observed the following:

- Along the driving path, there was a white t-shirt next to a large boulder.
- Farther South along the driving path, there was a gray sweatshirt and faded red skirt.
- A short distance from the sweatshirt and skirt, there was a faded blue jacket.

I photographed the scene and clothing for location and overall condition. The approximate GPS reading for the white t-shirt was N 35 deg 59.397 min, W 114 deg 55.236 min. The approximate GPS reading for the sweatshirt and skirt was N 35 deg 58.742 min, W 114 deg 55.891 min. The approximate GPS reading for the jacket was 35 deg 58.752 min, W 114 deg 55.884 min. All of the clothing was collected.

I arrived at Scene 3 at 9:30 on 6-1-06.

I observed the following:

- There were seals on all the doors of the vehicle.
- All the doors of the vehicle were unlocked.
- There was slight damage to the exterior of the vehicle.
- There was red tape on the broken rear driver's side taillight.
- There was no apparent forced entry to the vehicle.
- There were miscellaneous items in the trunk.
- There was a cell phone next to the gear shift in the center console connected to a charger which was plugged into the outlet.
- There were miscellaneous items on the rear floorboard, including pieces of paper with apparent footwear impressions

CRIME SCENE REPORT

DR Number: 06-11513

on them.

- There was a wallet as well as other items in the center console.
- There was a reddish substance (negative phenolphthalein test for the presence of blood) on the step at the driver's side door.
- There was a reddish substance (negative phenolphthalein test for the presence of blood) at the very top of the rear passenger's side arm rest, mostly underneath the plastic covering.
- There was miscellaneous paperwork in the glovebox.
- There were two Boost Mobile pre-paid calling cards in the driver's side door pocket.

I photographed the vehicle for location, identification, and overall condition. I processed the vehicle for fingerprints with positive results. Thirty-Five latent lift cards were recovered from the exterior and interior of the vehicle. Tape lifts of all the seats and rear floorboards were collected. Swabs were collected from the steering wheel, each of the rear armrests, and each of the reddish substance areas. Other miscellaneous items and paperwork were also collected. See the evidence impound report for details. An ALS search was performed in the vehicle for possible blood with negative results. The tire and track width of the vehicle was also measured. The width of each tire was approximately 8". The outer track width of the rear tires was approximately 67" and the outer track width of the front tires was approximately 62".

I arrived at Scene 4 at 15:00 on 6-2-06.

I observed the following:

- There were seals on all the doors of the vehicle.
- All the doors of the vehicle were unlocked.
- There was slight damage to the passenger's side rear taillight.
- The radio antenna was cut off short.
- There was no radio inside the car. Wires were hanging out of where the radio would be.
- The cover for the window controls on the driver's side door was missing.
- There was a Boost Mobile pre-paid calling card in the center console.
- There was a wire on the front driver's side floorboard.
- There were miscellaneous items on the rear floorboard, in the glovebox, center console, and in the trunk.
- There was an unknown liquid (possibly oil) (negative phenolphthalein test for the presence of blood) where the spare tire would be under the trunk lining and also under the back seat.

I photographed the vehicle for location, identification, and overall condition. I processed the vehicle for fingerprints with positive results. Twenty-Five latent lift cards were recovered from inside and outside the vehicle (numbered 1-23 with a 10A and 13A in addition to 10 and 13). Tape lifts of all of the seats were collected. Swabs of the unknown liquid were collected, as were swabs from the steering wheel. The pre-paid phone card was also collected. An ALS search for possible blood was also performed with negative results. The tire and track width of the vehicle were also measured. The width of each tire was approximately 7". The outer track width of both the rear and front tires was approximately 65".

Nothing further.

*under the drivers seat
a boost mobile cell phone
and car keys were present
but was not put in the report
H (702) 237-7001*

CRIME SCENE REPORT

DR Number: 06-11513

Scene Description:

Scene 1: The scene was the desert area at the South end of Old Vegas Trail.

Scene 2: The scene was the desert area at the Southwest end of Paradise Hills Dr.

Scene 3: The scene was V1 parked in the Henderson Police Department Criminalistics Garage.

Scene 4: The scene was V2 parked in the Henderson Police Department Criminalistics Garage.

Details Narrative:

I arrived at Scene 1 at 11:33 on 5-26-06. Acting Supervisor K. Timothy #1223 arrived at the same time. INV Gibson and INV Ridings were present upon my arrival.

I observed the following:

- Along the driving path, there was a white t-shirt with a small rock sitting on top of it.
- Farther West along the driving path, there was a faded green shirt.

I photographed the scene and clothing for location and overall condition. The approximate GPS reading for the white t-shirt was N 35 deg 59.486 min, W 114 deg 55.289 min. The approximate GPS reading for the green shirt was N 35 deg 59.097 min, W 114 deg 55.237 min. Both shirts and the rock were collected. The rock was discarded after testing negative with phenolphthalein for the presence of blood.

I arrived at Scene 2 at 12:44 on 5-26-06. Acting Supervisor K. Timothy #1223 arrived at the same time. INV Gibson and INV Ridings were present upon my arrival.

I observed the following:

- Along the driving path, there was a white t-shirt next to a large boulder.
- Farther South along the driving path, there was a gray sweatshirt and faded red skirt.
- A short distance from the sweatshirt and skirt, there was a faded blue jacket.

I photographed the scene and clothing for location and overall condition. The approximate GPS reading for the white t-shirt was N 35 deg 59.397 min, W 114 deg 55.236 min. The approximate GPS reading for the sweatshirt and skirt was N 35 deg 58.742 min, W 114 deg 55.891 min. The approximate GPS reading for the jacket was 35 deg 58.752 min, W 114 deg 55.884 min. All of the clothing was collected.

I arrived at Scene 3 at 9:30 on 6-1-06.

I observed the following:

- There were seals on all the doors of the vehicle.
- All the doors of the vehicle were unlocked.
- There was slight damage to the exterior of the vehicle.
- There was red tape on the broken rear driver's side taillight.
- There was no apparent forced entry to the vehicle.
- There were miscellaneous items in the trunk.
- There was a cell phone next to the gear shift in the center console connected to a charger which was plugged into the outlet.
- There were miscellaneous items on the rear floorboard, including pieces of paper with apparent footwear impressions

CRIME SCENE REPORT

DR Number: 06-11513

on them.

- There was a wallet as well as other items in the center console.
- There was a reddish substance (negative phenolphthalein test for the presence of blood) on the step at the driver's side door.
- There was a reddish substance (negative phenolphthalein test for the presence of blood) at the very top of the rear passenger's side arm rest, mostly underneath the plastic covering.
- There was miscellaneous paperwork in the glovebox.
- There were two Boost Mobile pre-paid calling cards in the driver's side door pocket.

I photographed the vehicle for location, identification, and overall condition. I processed the vehicle for fingerprints with positive results. Thirty-Five latent lift cards were recovered from the exterior and interior of the vehicle. Tape lifts of all the seats and rear floorboards were collected. Swabs were collected from the steering wheel, each of the rear armrests, and each of the reddish substance areas. Other miscellaneous items and paperwork were also collected. See the evidence impound report for details. An ALS search was performed in the vehicle for possible blood with negative results. The tire and track width of the vehicle was also measured. The width of each tire was approximately 8". The outer track width of the rear tires was approximately 67" and the outer track width of the front tires was approximately 62".

I arrived at Scene 4 at 15:00 on 6-2-06.

I observed the following:

- There were seals on all the doors of the vehicle.
- All the doors of the vehicle were unlocked.
- There was slight damage to the passenger's side rear taillight.
- The radio antenna was cut off short.
- There was no radio inside the car. Wires were hanging out of where the radio would be.
- The cover for the window controls on the driver's side door was missing.
- There was a Boost Mobile pre-paid calling card in the center console.
- There was a wire on the front driver's side floorboard.
- There were miscellaneous items on the rear floorboard, in the glovebox, center console, and in the trunk.
- There was an unknown liquid (possibly oil) (negative phenolphthalein test for the presence of blood) where the spare tire would be under the trunk lining and also under the back seat.

I photographed the vehicle for location, identification, and overall condition. I processed the vehicle for fingerprints with positive results. Twenty-Five latent lift cards were recovered from inside and outside the vehicle (numbered 1-23 with a 10A and 13A in addition to 10 and 13). Tape lifts of all of the seats were collected. Swabs of the unknown liquid were collected, as were swabs from the steering wheel. The pre-paid phone card was also collected. An ALS search for possible blood was also performed with negative results. The tire and track width of the vehicle were also measured. The width of each tire was approximately 7". The outer track width of both the rear and front tires was approximately 65".

Nothing further.

CRIME SCENE REPORT

DR Number: 06-11513

Patrick Farrell

1267

Crime Scene Technician

REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
AUTOPSY REPORT

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Incident(s): Homicide

Lab Case #: LAB06-00194

Location: Clark County Coroners Office

Coroner's Case#: 06-4156 **Forensic Pathologist** Dr. Kubiczek

Assistant: Marvis Walton

Date: 05/21/2006

Deceased: Victoria Magee

DOB: 09/26/83

Race:

Hair:

Eyes:

LATENTS

Facial Hair:

Scars/Marks/Tattoos

Evidence

☒ Photography ☐ Clothing ☒ Fingernail (
☐ Fingerprints ☒ Palm prints ☐ Bullets/proj

☒ Sheet
☒ Other

Notes:

Biology Standards Kit

☐ Blood vials ☐ Buccal swabs

Perineal Swab Kit ☐

Sexual Assault Kit

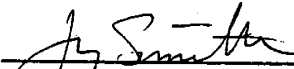
☒ Buccal swabs ☐ Oral swabs ☒ Vaginal swabs ☐ Penile swabs ☒ Rectal swabs
☐ Blood vials ☐ Underpants ☐ Secretions on skin ☐ Debris/other hairs ☐ Bitemark swabs
☐ Combed head hair ☐ Pulled head hair ☐ Combed pubic hair ☐ Pulled pubic hair


DNA Evidence

☐ DNA blotter ☐ Rib bone ☐ Kidney ☐ Other

See Evidence Impound Report ☒

Comments:

 1370
Joy Smith 1370
Crime Scene Analyst II

 1173.
REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
LABORATORY REPORT

X Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

Date: August 26 , 2006

Incident(s): Homicide


Lab Case #: LAB06-00194

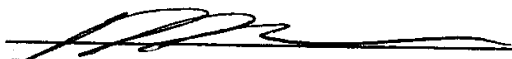
Item #	Description	Results
1173-3-4	Two latent prints lifts recovered by CSA Barber from respective locations at 1525 Fremont St. Apt. 222	Identification.

Analysis of the two submitted latent lift cards revealed one latent palmprint on lift #1 and one latent fingerprint on lift #2 that are suitable for identification.

The fingerprint was identified by means of an AFIS search to record fingerprints of Robinson, Leonard Shawn, CS#1679420.

The palmprint was submitted to AFIS, and compared to record prints of Robinson, Leonard; Fountain, Charlotte; N , Victoria; Malone, Dominic; McCarty, Jason; and Herb, Donald without an identification being made.


Clay Allred 1221
Latent Print Examiner


REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
LABORATORY REPORT

☐ Latent Prints ☐ Trace ☐ Firearms ☐ Serology ☒ Footwear/Tire ☐ Arson ☐ Drugs ☐ Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

Date: August 28 , 2006

Incident(s): Homicide

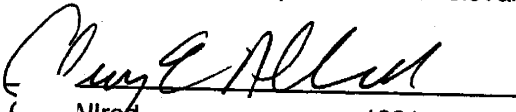
Lab Case #: LAB06-00194


Item #	Description	Results
1267-12-2	Miscellaneous school paperwork with apparent footwear impressions on it	

Analysis of item 1267-23-2 revealed several footwear impressions suitable for comparison.

No further examinations were conducted.

If desired, submit a request to have relevant items of footwear compared.


Cheryl E. Allred 1221
Latent Print Examiner


REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
LABORATORY REPORT

X Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

Date: August 28, 2006

Incident(s): Homicide

Lab Case #: LAB06-00194

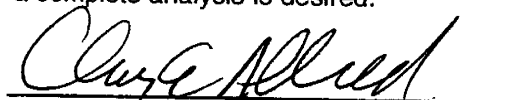
Item #	Description	Results
1173-2-3	One latent lift recovered by CSA Barber off the front door of the leasing office (Access Rd and Dawson Ave, in front of fire hydrant 267-038)	

Analysis of the submitted latent lift card revealed one latent print of minimal quantitative value.

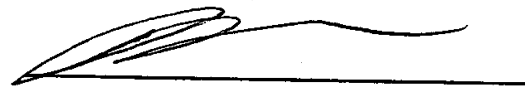
The latent print was compared insofar as possible to the record finger and palm prints of the following individuals without effecting an identification:

Fountain, Charlotte DOB 01/17/1972; Magee, Victoria DOB 09/26/1983; Estores, Melyssa DOB 01/20/1977; Malone, Dominic DOB 05/14/1980; McCarty, Jason DOB 10/10/1971 and Herb, Donald; 12/08/1976.

Submit complete and clear friction ridge exemplars (including tips and sides of the fingers) of relevant persons if a complete analysis is desired.


Clay Allred 1221

Latent Print Examiner


REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
LABORATORY REPORT



X Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324
Requesting Agency: Henderson Police Department

DR Number: 06-11513
Date: August 28, 2006
Incident(s): Homicide
Lab Case #: LAB06-00194

Item #	Description	Results
1267-7-7	Thirty-Five latent lift cards from the Green Oldsmobile Alero NV 181 SWV recovered by CST Farrell	Identifications

Analysis of the thirty-five latent lift cards revealed numerous latent finger and palm prints that are suitable for comparison.

The suitable latent prints were compared to the following individuals:

Fountain, Charlotte DOB 01/17/1972; Magee, Victoria DOB 09/26/1983; Estores, Melyssa DOB 01/20/1977; Malone, Dominic DOB 05/14/1980; McCarty, Jason DOB 10/10/1971 and Herb, Donald; 12/08/1976.

The following identifications resulted from the comparisons:

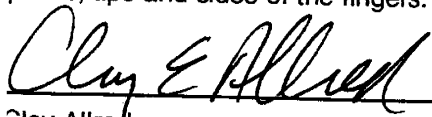
One latent palm print on Lift # 19 (Exterior of the P/S door window) was identified to record palm prints of Malone.


A total of five latent finger and palm prints on lifts numbered 6,7, 13, 16, and 24 (Exterior D/S, Exterior Gas Tank, and interior D/S door window) were identified to record finger and palm prints of McCarty.

A total of five latent finger and palm prints on lifts numbered 2,8,11,12, & 15 (Exterior D/S and P/S trunk) were identified to record finger and palm prints of Herb.

No additional identifications were made.

Additional unidentified latent finger and palm prints remain. Should a comprehensive analysis (identification or elimination) to any individual(s) be desired, submit a request and complete and clear record prints including the palms, tips and sides of the fingers.


Clay Alfred 1221
Latent Print Examiner


REVIEWED

End of Report

Henderson Police Department

Criminalistics Bureau

LABORATORY REPORT

X Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

Date: August 28, 2006

Incident(s): Homicide

Lab Case #: LAB06-00194

Item #	Description	Results
1370-23-2	Twenty-two latent lift cards from a white Honda, VIN 1HGCB756XMA112027.	Identifications.

Analysis of the submitted latent lift cards revealed numerous latent finger and palm prints that are suitable for identification.

The suitable prints were compared to record prints of the following individuals:

Fountain, Charlotte DOB 01/17/1972; Magee, Victoria DOB 09/26/1983; Estores, Melyssa DOB 01/20/1977; Malone, Dominic DOB 05/14/1980; McCarty, Jason DOB 10/10/1971 and Herb, Donald; 12/08/1976.

The following identifications were made from the comparisons:


One palm print on Lift #1 (Rear Window) and one fingerprint from Lift #18 (Rear View Mirror) were identified to record prints of Herb.

One palmprint on lift #10 (Center of Hood) was identified to record prints of McCarty.

One additional latent fingerprint on Lift # 18 (Rear View Mirror) was identified by means of an AFIS search to record fingerprints of Contreras, Juan; CS# 1821610.

Additional unidentified latent finger and palm prints remain. If a comprehensive analysis is desired, submit a request with a complete and clear recording of the friction ridge skin of the hands including the tips and sides of the fingers of the individual(s) needed.


Clay Allred 1221
Latent Print Examiner


REVIEWED

End of Report

Henderson Police Department
Criminalistics Bureau
LABORATORY REPORT

x Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

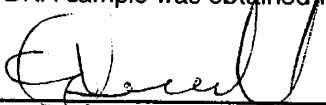
Date: August 30, 2006

Incident(s): Homicide

Lab Case #: LAB06-00194

Item #	Description	Results
1173-5-6	One Top Flite XL golf ball	The item was processed for latent prints with negative results.

A DNA sample was obtained from the golf ball and placed into evidence.



Dan Connell 1179
Forensic Investigative Assistant



REVIEWED

End of Report

Henderson Police Department

Criminalistics Bureau

LABORATORY REPORT

X Latent Prints {} Trace {} Firearms {} Serology {} Footwear/Tire {} Arson {} Drugs {} Other

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

Requesting Agency: Henderson Police Department

Date: August 31, 2006

Incident(s): Homicide

Lab Case #: LAB06-00194

Item #	Description	Results
1267-23-3	Twenty-Five latent lift cards recovered by CST Farrell	Identifications.

Analysis of the submitted latent lift cards revealed several latent finger and palm prints that are suitable for identification.

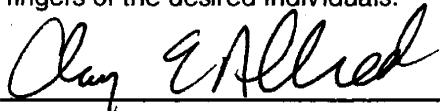
A comparison of the identifiable latent prints to record prints of the following was conducted:

Fountain, Charlotte DOB 01/17/1972; Magee, Victoria DOB 09/26/1983; Estores, Melyssa DOB 01/20/1977; Malone, Dominic DOB 05/14/1980; McCarty, Jason DOB 10/10/1971 and Herb, Donald; 12/08/1976.

Comparison resulted in the identification of four latent fingerprints on three lift cards (#2, 5, & 23) respectively from the "Exterior front windshield," "Exterior front D/S door window," and the "Rear view mirror" to record prints of Malone, Dominic.

One additional latent fingerprint from (Lift #8) "Exterior P/S door small window" was identified by means on an AFIS "Hit" to record prints of "Jones, Llewellyn; CS# 1584765."

Additional unidentified latent prints remain. Should a comprehensive analysis be desired, submit request with a complete and clear recording of the friction ridge skin of the fingers and palms, including the tips and sides of the fingers of the desired individuals.



Clay Allred

1221

Latent Print Examiner



REVIEWED

End of Report

Henderson Police Department Criminalistics Bureau EVIDENCE IMPOUND REPORT

*called 2000
Spoke of missing
phone and car keys
couldn't find search
warrant report
at time told that
he'll call and break*

Investigator(s): Gerard G Collins 324

DR Number: 06-11513

10/8/08

Incident(s): Homicide

Lab Case ID: LAB06-00194

9:35 a.m.

Victim(s): Victoria Magee
Charlotte Fountain

Date: May 26, 2006

Location(s): Foothill Dr. and Old Vegas Trail
Access Rd and Dawson Ave
Clark County Coroner's Office
501 Nevada State
1525 Fremont #217
1165 Blankenship #10

Other: V1: A Green 2002 Oldsmobile Alero, NV/181SWV, VIN: 1G3NF12E52C109929.
V2: A Gray 1987 Nissan Stanza, CA/5BDP782, VIN: JN1HT2110HT060578.

Package #	Item #	Description	Location of Evidence
267-1	1	One white Kirkland Signature t-shirt, size XL	The desert area at scene 1
267-2	2	One faded green No Boundaries tank top, size M, with holes in the upper back area of the tank top	The desert area at scene 1
267-3	3	One white Hanes t-shirt, size 2XL, with a small hole in the lower back area of the shirt	The desert area at scene 2
267-4	4	One faded red U2 Wear Me Out skirt, size 8p	The desert area at scene 2
267-5	5	One gray Active Wear sweatshirt, size XL	The desert area at scene 2
267-6	6	One faded blue ASAP apparel jacket, size L, with "Boulder Station Hotel-Casino" on the front	The desert area at scene 2
267-7	7	Thirty-Five latent lift cards recovered by CST Farrell	The interior and exterior of V1 at scene 3
267-8	8	Tape lift of unknown debris	The front driver's side seat of V1 at scene 3
267-8	9	Tape lift of unknown debris	The front passenger's side seat of V1 at scene 3
267-8	10	Tape lift of unknown debris	The rear driver's side seat of V1 at scene 3

EVIDENCE IMPOUND REPORT

DR Number: 06-11513

Package #	Item #	Description	Location of Evidence
1267-8	11	Tape lift of unknown debris	The rear passenger's side seat of V1 at scene 3
1267-8	12	Tape lift of unknown debris	The rear driver's side floorboard of V1 at scene 3
1267-8	13	Tape lift of unknown debris	The rear passenger's side floorboard of V1 at scene 3
1267-9	14	Swabs of possible DNA	The steering wheel of V1 at scene 3
1267-9	15	Swabs of the reddish substance at the step of the driver's side door (negative phenolphthalein test for the presence of blood)	The step at the driver's side door of V1 at scene 3
1267-9	16	Control swabs of the step area of the driver's side door	The step at the driver's side door of V1 at scene 3
1267-9	17	Swabs of the reddish substance at the top of the rear passenger's side armrest (negative phenolphthalein test for the presence of blood)	The top of the rear passenger's side armrest in V1 at scene 3
267-9	18	Control swabs of the rear part of the rear passenger's side armrest	The top of the rear passenger's side armrest area in V1 at scene 3
267-9	19	Swabs of possible DNA	The rear driver's side armrest of V1 at scene 3
26	20	Swabs of possible DNA	The rear passenger's side armrest of V1 at scene 3
267-10	21	One receipt from the Oasis Motel, a Release of Medical Assistance, a Nevada ID card, a Social Security card, and a credit card, a netspend cash card, piece of cardboard with a name and number on it, and a piece of paper with a possible LVMPD DR# on it	From the wallet in the center console of V1 at scene 3
67-11	22	A U-Haul self storage rental agreement and a U-Haul lockers receipt	The rear driver's side floorboard of V1 at scene 3
67-12	23	Miscellaneous school paperwork with apparent footwear impressions on it	The rear passenger's side floorboard of V1 at scene 3
67-13	24	One small black hair tie	From the pocket behind the front passenger's side seat in V1 at scene 3
67-14	25	A DMV registration for V1 in the name of Donald Herb	The glovebox of V1 at scene 3
7-15	26	Two Boost Mobile pre-paid phone cards	The front driver's side door pocket of V1 at scene 3