

1 NOAS  
2 PHILIP J. KOHN  
3 CLARK COUNTY SPECIAL PUBLIC DEFENDER  
4 Nevada Bar #0556  
5 DAYVID J. FIGLER  
6 Nevada Bar #4264  
7 309 South Third Street, 4th Floor  
8 Las Vegas, Nevada 89155-2316  
9 (702) 455-6265  
10 Attorney for Defendant

FILED  
Nov 8 10 48 AM '00  
Shirley E. Broom  
CLERK  
No. 36991  
FILED

11 DISTRICT COURT  
12 CLARK COUNTY, NEVADA

NOV 13 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY Alvarado  
DEPUTY CLERK

11 THE STATE OF NEVADA, )  
12 )  
13 Plaintiff, )  
14 vs. )  
15 )  
16 DONTE JOHNSON, )  
17 )  
18 Defendant. )

Case No. C153154

Dept. No. V

NOTICE OF APPEAL

17 TO: THE STATE OF NEVADA

18 STEWART BELL, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and  
19 DEPARTMENT V OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
20 STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK.

21 NOTICE is hereby given that DONTE JOHNSON, presently  
22 incarcerated in the Nevada State Prison, appeals to the Supreme Court  
23 of the State of Nevada from the judgment entered against said  
24 Defendant on the 3rd day of October, 2000, whereby he was convicted  
25 of count I - burglary while in possession of a firearm and sentenced  
26 to a minimum of forty (40) months to a maximum of one hundred eighty  
27 (180) months in the Nevada State Prison; count II - conspiracy to  
28 commit robbery and/or kidnapping and/or murder and sentenced to a  
minimum of sixteen (16) months to a maximum of seventy-two (72) months

RECEIVED  
NOV 13 2000  
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

SPECIAL PUBLIC  
DEFENDER

CLARK COUNTY  
NEVADA

00-19864


1 to run consecutive to count I; count III - robbery with use of a  
2 deadly weapon and sentenced to a minimum of forty (40) months to a  
3 maximum of one hundred eighty (180) months on the robbery charge plus  
4 a consecutive minimum of forty (40) months to a maximum of one hundred  
5 eighty (180) months for use of a deadly weapon to run consecutive to  
6 count II; count IV - robbery with use of a deadly weapon and sentenced  
7 to a minimum of forty (40) months to a maximum of one hundred eighty  
8 (180) months on the robbery charge plus a consecutive minimum of forty  
9 (40) months to a maximum of one hundred eighty (180) months for use  
10 of a deadly weapon to run consecutive to count III; count V - robbery  
11 with use of a deadly weapon and sentenced to a minimum of forty (40)  
12 months to a maximum of one hundred eighty (180) months on the robbery  
13 charge plus a consecutive minimum of forty (40) months to a maximum  
14 of one hundred eighty (180) months for use of a deadly weapon to run  
15 consecutive to count IV; count VI - robbery with use of a deadly  
16 weapon and sentenced to a minimum of forty (40) months to a maximum  
17 of one hundred eighty (180) months on the robbery charge plus a  
18 consecutive minimum of forty (40) months to a maximum of one hundred  
19 eighty (180) months for use of a deadly weapon to run consecutive to  
20 count V; count VII - first degree kidnapping with use of a deadly  
21 weapon and sentenced to life without the possibility of parole on the  
22 first degree kidnapping charge plus a consecutive life without the  
23 possibility of parole for use of a deadly weapon to run consecutive  
24 to count VI; count VIII - first degree kidnapping with use of a deadly  
25 weapon and sentenced to life without the possibility of parole on the  
26 first degree kidnapping charge plus a consecutive life without the  
27 possibility of parole for use of a deadly weapon to run consecutive  
28 to count VII; count IX - first degree kidnapping with use of a deadly

1 weapon and sentenced to life without the possibility of parole on the  
2 first degree kidnapping charge plus a consecutive life without the  
3 possibility of parole for use of a deadly weapon to run consecutive  
4 to count VIII; count X - first degree kidnapping with use of a deadly  
5 weapon and sentenced to life without the possibility of parole on the  
6 first degree kidnapping charge plus a consecutive life without the  
7 possibility of parole for use of a deadly weapon to run consecutive  
8 to count IX; count XI - first degree murder with use of a deadly  
9 weapon and sentenced to death plus \$33,605.95 restitution jointly and  
10 severally with co-offenders Sikia Lafayette Smith and Terrell Cochise  
11 Young; count XII - first degree murder with use of a deadly weapon and  
12 sentenced to death; count XIII - first degree murder with use of a  
13 deadly weapon and sentenced to death; count XIV - first degree murder  
14 with use of a deadly weapon and sentenced to death; credit for time  
15 served in the amount of 776 days.

16 DATED this 8th day of November, 2000.

17 PHILIP J. KOHN  
18 CLARK COUNTY SPECIAL PUBLIC DEFENDER

19  
20 By

  
DAYVIN J. FIGLER  
DEPUTY SPECIAL PUBLIC DEFENDER  
NEVADA BAR #4264  
309 SOUTH THIRD STREET, 4TH FLOOR  
LAS VEGAS, NEVADA 89155-2316  
(702) 455-6265

DECLARATION OF MAILING

DONNA POLLOCK, an employee with the Clark County Special Public Defender's Office, hereby declares that she is, and was when the herein described mailing took place, a citizen of the United States, over 21 years of age, and not a party to, nor interested in, the within action; that on the 8th day of November, 2000, declarant deposited in the United States mail at Las Vegas, Nevada, a copy of the Notice of Appeal in the case of State of Nevada vs. Donte Johnson, Case No. C153154, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to Donte Johnson, #66858, Ely State Prison, P.O. Box 1989, Ely, Nevada 89301, that there is a regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 8th day of November, 2000.

DONNA POLLOCK

RECEIPT OF A COPY of the foregoing Notice of Appeal is hereby acknowledged this 8th day of November, 2000.

STEWART L. BELL  
CLARK COUNTY DISTRICT ATTORNEY

By **NADINE MULKEY**

1 CAS  
2 PHILIP J. KOHN  
3 CLARK COUNTY SPECIAL PUBLIC DEFENDER  
4 Nevada Bar #0556  
5 DAYVID J. FIGLER  
6 Deputy Special Public Defender  
7 Nevada Bar #4264  
8 309 South Third Street, 4th Floor  
9 Las Vegas, Nevada 89155  
10 (702) 455-6265  
11 Attorney for Defendant

FILED  
Nov 8 10 48 AM '00  
*Shirley L. Ruzgine*  
CLERK

12 DISTRICT COURT  
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA, ) Case No. C153154  
15 )  
16 Plaintiff, ) Dept. No. V  
17 vs. )  
18 )  
19 DONTE JOHNSON, )  
20 )  
21 Defendant. )  
22 \_\_\_\_\_ )

23 CASE APPEAL STATEMENT

24 1. Appellant filing this case appeal statement: Donte  
25 Johnson.

26 2. Judge issuing the decision, judgment, or order  
27 appealed from: Jeffrey Sobel.

28 3. All parties to the proceedings in the district court  
(the use of et al. To denote parties is prohibited): The State of  
Nevada vs. Donte Johnson.

4. All parties involved in this appeal (the use of et  
al. To denote parties is prohibited): Donte Johnson, Appellant; The  
State of Nevada, Respondent.

// //

1                   5.    Name, law firm, address, and telephone number of all  
2 counsel on appeal and party or parties whom they represent:

3   PHILIP J. KOHN  
4   Clark County, Nevada  
5   Special Public Defender  
6   309 South Third Street, 4th Floor  
7   Las Vegas, Nevada 89155

STEWART L. BELL  
Clark County, Nevada  
District Attorney  
200 South Third Street  
Las Vegas, Nevada 89155

8   Attorney for Appellant

FRANKIE SUE DEL PAPA  
Attorney General  
Nevada Bar No. 000192  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(702) 687-3538

Counsel for Respondent

9  
10  
11                   6.    Whether appellant was represented by appointed or  
12 retained counsel in the district court: Appointed.

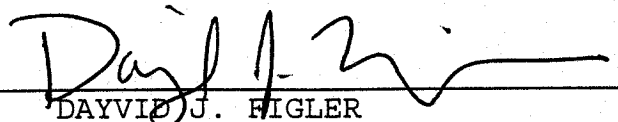
13                   7.    Whether appellant is represented by appointed or  
14 retained counsel on appeal: Appointed.

15                   8.    Whether appellant was granted leave to proceed in  
16 forma pauperis, and the date of entry of the district court order  
17 granting such leave: N/A

18                   9.    Date proceedings commenced in the district court  
19 (e.g., date complaint, indictment, information, or petition was  
20 filed): September 3, 1998.

21                   DATED this 8th day of November, 2000.

22                   PHILIP J. KOHN  
23                   CLARK COUNTY SPECIAL PUBLIC DEFENDER

24  
25                   By   
26                   DAYVID J. FIGLER  
27                   DEPUTY SPECIAL PUBLIC DEFENDER  
28                   NEVADA BAR #4264  
                  309 SOUTH THIRD STREET, 4TH FLOOR  
                  LAS VEGAS, NEVADA 89155-2316  
                  (702) 455-6265

1 RECEIPT OF A COPY of the foregoing **Case Appeal Statement**  
2 is hereby acknowledged this 8th day of November, 2000.

3 STEWART L. BELL  
4 CLARK COUNTY DISTRICT ATTORNEY

5 By **NADINE MULKEY**  
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DATE: 11/09/00  
CASE NO. 98-C-153154-C

I N D E X

TIME 9:12 AM  
JUDGE: Sobel, Jeffrey

STATE OF NEVADA

[ ] vs Johnson, Donte

[ ]

001 D1 Donte Johnson  
330 S Casino Center  
Las Vegas, NV 89101

Pro Se

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	09/02/98	IND	/(GRAND JURY) INDICTMENT Fee \$0.00.				
0002	09/02/98	ARRN	/INITIAL ARRAIGNMENT	001		09/08/98	
0003	09/03/98	HEAR	/GRAND JURY INDICTMENT	001		09/02/98	
0004	09/03/98	BNCH	/NO BAIL BENCH WARRANT ISSUED	001	QU	09/02/98	
0005	09/03/98	ORDR	/ORDER OF INTENT TO FORFEIT	001		09/02/98	
0006	09/02/98	NOTC	/NOTICE GRAND JURY EXHIBITS IN THE VAULT			09/02/98	
0007	09/08/98	ARRN	/ARRAIGNMENT CONTINUED	001		09/17/98	
0008	09/14/98	TRAN	/REPORTER'S TRANSCRIPT GRAND JURY, SEPTEMBER 1, 1998	001		09/01/98	
0009	09/14/98	TRAN	/REPORTER'S TRANSCRIPT ARRAIGNMENT	001		09/08/98	
0010	09/15/98	NISD	/NOTICE OF INTENT TO SEEK DEATH PENALTY	001			
0011	09/15/98	REQT	/MEDIA REQUEST				
0012	09/15/98	ORDR	/ORDER GRANTING PERMISSION OF MEDIA ENTRY				
0013	09/15/98	REQT	/MEDIA REQUEST				
0014	09/15/98	ORDR	/ORDER GRANTING PERMISSION OF MEDIA ENTRY				
0015	09/16/98	HEAR	/SUPERSEDING GRAND JURY INDICTMENT	001	BW	09/16/98	
0016	09/16/98	BNCH	/NO BAIL BENCH WARRANT ISSUED	001	QU	09/16/98	
0017	09/16/98	ORDR	/ORDER OF INTENT TO FORFEIT	001		09/16/98	
0018	09/16/98	IND	/SUPERSEDING INDICTMENT	001		09/16/98	
0019	09/17/98	CALC	/CALENDAR CALL	001		06/29/99	
0020	09/17/98	JURY	/TRIAL BY JURY (VJ 6/29/99)	001	VC	07/06/99	
0021	09/16/98	NOTC	/NOTICE SUPERSEDING GRAND JURY EXHIBITS IN THE VAULT			09/16/98	
0022	09/28/98	REQT	/MEDIA REQUEST				
0023	09/28/98	ORDR	/ORDER GRANTING PERMISSION OF MEDIA ENTRY				
0024	10/05/98	MOT	/DEFT'S MOTION TO SET BAIL	001	DN	10/08/98	
0025	10/06/98	TRAN	/REPORTER'S TRANSCRIPT RE: GRAND JURY INDICTMENTS RETURNED IN OPEN COURT	001		09/02/98	
0026	10/05/98	ROC	/RECEIPT OF COPY	001		10/05/98	
0027	10/07/98	OPPS	/STATES OPPOSITION TO DEFENDANTS MOTION TO SET BAIL	001			
0028	10/20/98	TRAN	/REPORTER'S TRANSCRIPT GRAND JURY, SEPTEMBER 15, 1998	001		09/15/98	
0029	10/20/98	ORDR	/ORDER DENYING DEFENDANTS MOTION TO SET BAIL	001		10/20/98	
0031	02/10/99	MOT	/DEFT'S PRO PER MOTION WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL	001	DN	02/25/99	
0032	02/19/99	OPPS	/STATES OPPOSITION TO DEFENDANTS PRO PER MOTION TO WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL	001			Y
0033	02/26/99	NISD	/SUPPLEMENTAL NOTICE OF INTENT TO SEEK DEATH PENALTY PURSUANT TO AMENDED SUPREME COURT RULE 250	001			Y
0034	03/16/99	OTTE	/ORDER TO TRANSPORT	001		03/16/99	
0035	03/23/99	MEMO	/MEMORANDUM TO THE COURT	001			

(Continued to page 2)



NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0036	03/25/99	OTTE/ORDER TO TRANSPORT	001		03/25/99	
0037	03/29/99	ROC /RECEIPT OF COPY	001		03/26/99	
0038	04/01/99	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL	001	DN	04/15/99	
0041	04/22/99	TRAN/REPORTER'S TRANSCRIPT DEFT'S PRO PER MOTION TO DISMISS COUNSELAND	001		04/15/99	Y
APPOINTMENT OF ALTERNATE COUNSEL (SEALED)						
0042	04/30/99	APPL/EX PARTE APPLICATION FOR ORDER REQUIRING MATERIAL WITNESS TO POST BAIL	001			
0043	04/30/99	ORDR/ORDER REQUIRING MATERIAL WITNESS TO POST BAIL OR BE COMMITTED TO CUSTODY	001			
0044	05/06/99	MOT /DEFT'S PRO PER MOTION TO PROCEED PRO PER WITH CO-COUNSEL AND INVESTIGATOR	001	WD	05/17/99	
0046	05/03/99	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	001		04/12/99	
0047	05/13/99	MOT /DEFT'S PRO PER MOTION FOR DISCOVERY	001	WD	05/17/99	
0048	05/12/99	MEMO/MEMORANDUM FOR PRODUCTION OF EXCULPATORY EVIDENCE	001			
0049	05/14/99	ORDR/EX-PARTE APPLICATION AND ORDER TO PRODUCE JUVENILE RECORDS	001			
0050	05/19/99	MOT /ALL PENDING MOTIONS 5/17/99	001		05/17/99	
0051	05/21/99	EXPT/EX PARTE APPLICATION AND ORDER TO PRODUCE JUVENILE RECORDS	001			
0052	05/21/99	EXPT/EX PARTE APPLICATION AND ORDER TO PRODUCE EVIDENCE	001			
0053	06/03/99	HEAR/AT THE REQUEST OF THE COURT	001	OC	06/08/99	
0055	06/08/99	ORDR/STIPULATION AND ORDER	AL		06/08/99	
0056	06/11/99	NOTC/NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES	001			
0057	06/14/99	MOT /STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF	001		07/08/99	
0058	06/16/99	MOT /DEFT'S MOTION TO CONTINUE TRIAL	001	GR	06/29/99	
0059	06/17/99	ORDR/STIPULATION AND ORDER	001		06/17/99	
0060	06/16/99	ROC /RECEIPT OF COPY	001		06/16/99	
0061	06/16/99	ORDR/ORDER FOR TRANSCRIPTS	001		06/16/99	
0062	06/18/99	APPL/EX PARTE APPLICATION TO APPOINT DR JAMES JOHNSON AS EXPERT AND FOR FEES IN	001			Y
EXCESS OF STATUTORY MAXIMUM						
0063	06/17/99	TRAN/REPORTER'S TRANSCRIPT JUNE 8 1999	001			
0064	06/29/99	MOT /DEFT'S MOTION TO REVEAL IDENTITY OF INFORMANTS	001		11/18/99	
0065	06/29/99	MOT /DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE	001		11/18/99	
0066	06/29/99	MOT /DEFT'S MOTION TO COMPEL PRODUCTION OF ANY/ALL STATEMENTS	001		10/21/99	
0067	06/28/99	MEMO/MEMORANDUM TO THE COURT	001			
0068	06/29/99	MOT /ALL PENDING MOTIONS 6/29/99	001		06/29/99	
0069	06/29/99	CALC/CALENDAR CALL VJ 12/20/99	001	VC	01/04/00	
0070	06/29/99	JURY/TRIAL BY JURY VJ 12/20/99	001	VC	01/10/00	
0071	06/29/99	OCAL/STATUS CHECK: TRIAL DATE	001		07/08/99	
0072	06/29/99	OCAL/STATUS CHECK: FILING OF ALL MOTIONS	001		10/21/99	
0073	06/29/99	ROC /RECEIPT OF COPY	001		06/29/99	
0074	06/29/99	ROC /RECEIPT OF COPY	001		06/29/99	

(Continued to page 3)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0075	06/29/99	ROC /RECEIPT OF COPY	001		06/29/99	
0076	07/02/99	OPPS/OPPOSITION TO MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME	001 001			Y
0077	07/02/99	ROC /RECEIPT OF COPY	001		06/02/99	
0078	07/15/99	TRAN/REPORTER'S TRANSCRIPT STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME DEFENDANTS MOTION TO CONTINUE TRIAL	001 001		06/29/99	Y
0079	07/15/99	TRAN/REPORTER'S TRANSCRIPT DEFENDANTS MOTION TO COMEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION DEFENDANTS MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT DEFENDANTS MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS DEALS PROMISES OR INDUCEMENTS	001 001		07/13/99	Y
0080	07/15/99	TRAN/REPORTER'S TRANSCRIPT STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME STATUS CHECK TRIAL DATE	001 001		07/08/99	Y
0081	07/27/99	OTTE/ORDER TO TRANSPORT	001		07/27/99	
0082	07/28/99	ROC /RECEIPT OF COPY	001		07/27/99	
0083	08/13/99	MOT /ALL PENDING MOTIONS 7/13/99	001		07/13/99	
0084	08/13/99	MOT /ALL PENDING MOTIONS 7/8/99	001		07/08/99	
0085	08/19/99	MOT /STATE'S MOTION TO PERMIT DNA TESTING	001	OC	09/02/99	
0086	08/19/99	REQT/NOTICE OF MOTION AND MOTION TO PERMIT DNA TESTING OF THE CIGARETTE BUTT FOUND AT THE CRIME SCENE BY THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT FORENSIC LABORATORY OR BY AN INDEPENDENT LABORATORY WITH THE RESULTS OF THE TEST TO BE SUPPLIED TO BOTH THE DEFENSE AND THE PROSECUTION	001 001		08/30/99	Y
0087	08/24/99	LIST/NOTICE OF WITNESSES	001			
0088	08/31/99	TRAN/REPORTER'S TRANSCRIPT STATE'S MOTION TO PERMIT DNA TESTING	001 001		08/30/99	
0089	08/31/99	OTTE/ORDER TO TRANSPORT	001		08/31/99	
0090	09/01/99	ROC /RECEIPT OF COPY	001		09/01/99	
0091	09/07/99	MEMO/MEMORANDUM IN PURSUANT FOR A CHANGE OF VENUE	001 001			
0092	09/09/99	ORDR/ORDER FOR TRANSCRIPT	001			
0093	09/20/99	MEMO/MEMORANDUM FOR PRODUCTION OF EXCULPATORY EVIDENCE	001 001			
0094	09/21/99	CRTF/CERTIFICATE FOR ATTENDANCE OF OUT-OF-STATE WITNESS CHARLA CHENIQUA SEVERS AKA KASHAWN HIVES	001 001			Y
0095	09/21/99	REQT/REQUEST FOR ATTENDANCE OF OUT-OF-STATE WITNESS CHARLA CHENIQUA SEVERS AKA KASHAWN HIVES	001 001			Y
0096	09/23/99	HEAR/STATE'S REQUEST FOR HEARING RE: MATERIAL WITNESS CHARLA SEVERS	001 001	OC	09/30/99	
0097	09/29/99	MOT /STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS	001 001	GR	10/21/99	
0098	10/01/99	TRAN/REPORTER'S TRANSCRIPT OF STATE'S REQUEST FOR MATERIAL WITNESS: CHARLA SEVERS	001 001		09/30/99	
0099	10/01/99	TRAN/REPORTER'S TRANSCRIPT OF STATE'S MOTION TO PERMIT DNA TESTING	001 001		09/02/99	

(Continued to page 4)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0100	10/06/99	OPPS/DEFENDANTS	OPPOSITION TO STATES MOTION TO VIDEOTAPE THE DEPOSITION OF	001 001			Y
CHARLA SEVERS							
0101	10/11/99	HEAR/CONFIRMATION OF COUNSEL (SIEGEL, JAY)			CM	10/14/99	
0102	10/11/99	NOTC/NOTICE OF MOTION AND MOTION TO VIDEOTAPE THE DEPOSITION OF MYSELF	001 001				Y
CHARLA SEVERS							
0103	10/08/99	REQT/AMENDED NOTICE OF MOTION AND MOTION TO VIDEOTAPE THE DEPOSITION OF	001 001			10/11/99	Y
CHARLA SEVERS							
0104	10/14/99	HEAR/DEPOSITION HEARING	001			10/26/99	
0105	10/14/99	MOT /ALL PENDING MOTIONS 10/14/99	001			10/14/99	
0106	10/12/99	OPPS/DEFENDANTS OPPOSITION TO WITNESS SEVERS MOTION TO VIDEOTAPE THE DEPOSITION OF	001 001				Y
CHARLA SEVERS							
0107	10/14/99	ORDR/STIPULATION AND ORDER	001			10/14/99	
0108	10/18/99	MOT /DEFT'S MOTION IN LIMINE PRECLUDE EVIDENCE OF OTHER CRIMES	001 001	GR		10/21/99	
0109	10/19/99	MOT /DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFT	001 001	GR		11/18/99	
0110	10/19/99	MOT /DEFT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS	001 001			11/18/99	
0111	10/19/99	MOT /DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS, OR	001 001	GP		11/18/99	
0112	10/19/99	MOT /DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITIO	001 001			05/23/00	
0113	10/18/99	SUPP/SUPPLEMENT MOTION TO VIDEOTAPE DEPOSITION OF CHARLA SEVERS	AL AL				
0114	10/18/99	OTTE/ORDER TO TRANSPORT	001			10/18/99	
0115	10/18/99	ROC /RECEIPT OF COPY	AL			10/18/99	
0116	10/18/99	ROC /RECEIPT OF COPY	001			10/18/99	
0117	10/19/99	ROC /RECEIPT OF COPY	001			10/19/99	
0118	10/19/99	ROC /RECEIPT OF COPY	001			10/19/99	
0119	10/19/99	ROC /RECEIPT OF COPY	001			10/19/99	
0120	10/19/99	ROC /RECEIPT OF COPY	001			10/19/99	
0121	10/18/99	TRAN/REPORTER'S TRANSCRIPT STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF	001 001			10/11/99	Y
CHARLA SEVERS							
0122	10/18/99	TRAN/REPORTER'S TRANSCRIPT STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF	001 001			10/14/99	Y
CHARL SEVERS							
0123	10/19/99	ROC /RECEIPT OF COPY	001			10/19/99	
0124	10/19/99	RSPN/STATE'S RESPONSE TO DEFENDANT'S OPPOSITION TO STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS	AL AL				Y
0125	10/21/99	MOT /ALL PENDING MOTIONS 10/21/99	001			10/21/99	
0126	10/26/99	HEAR/DECISION: WITNESS RELEASE	001			10/28/99	
0127	10/27/99	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT				10/26/99	
0128	10/27/99	MOT /DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION	001 001	GR		03/02/00	
0129	10/26/99	REQT/MOTION AND NOTICE OF MOTION IN LIMINE TO PRECLUDE ANY MEDIA COVERAGE OF	001 001				Y

(Continued to page 5)

NO. FILED/REC CODE

REASON/DESCRIPTION

FOR

OC

SCH/PER C

## VIDEO DEPOSITION OF CHARLA SEVERS

0130	10/28/99	OCAL/STATUS CHECK: WITNESS CHARLA SEVERS	001	02/17/00	
0131	10/27/99	ROC /RECEIPT OF COPY	001	10/27/99	
0132	10/29/99	ORDR/SEALED ORDER FOR RELEASE TO HOUSE ARREST	001		
		OF MATERIAL WITNESS CHARLA SEVERS	001		
0133	11/02/99	MEMO/MEMORANDUM IN PURSUANT FOR A MOTION	001		
		TO DISMISS INDICTMENT	001		
0134	11/04/99	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION	001		Y
		TO COMPEL THE PRODUCTION OF ANY AND	001		
ALL STATEMENTS OF THE DEFENDANT					
0135	11/04/99	OPPS/OPPOSITION TO MOTION IN LIMINE TO	001		Y
		PRECLUDE EVIDENCE OF OTHER GUNS	001		
WEAPONS AND AMMUNITION NOT USED IN THE CRIME					
0136	11/04/99	RSPN/STATES RESPONSE TO DEFENDANTS MOTION TO	001		Y
		COMPEL DISCLOSURE OF EXISTENCE AND	001		
SUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL					
TREATMENT FOR COOPERATION WITH PROSECUTION					
0137	11/04/99	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION	001		Y
		TO REVEAL THE IDENTITY OF INFORMANTS	001		
AND REVEAL ANY DEALS PROMISES OR INDUCEMENTS					
0138	11/09/99	TRAN/REPORTER'S TRANSCRIPT STATUS CHECK:	001	10/21/99	
		FILING OF ALL MOTIONS	001		
0139	11/09/99	TRAN/REPORTER'S TRANSCRIPT DESISION: WITNESS	001	10/28/99	
		RELEASE	001		
0140	11/09/99	TRAN/REPORTER'S TRANSCRIPT DEFENDANT'S MOTION	001	11/08/99	Y
		IN LIMINE TO PRECLUDEEVIDENCE OF	001		
WITNESS INTEMIDATION					
0141	11/09/99	LIST/NOTICE OF WITNESSES AND OF EXPERT	001		
		WITNESSES PURSUANT TO NRS 174.234	001		
0142	11/15/99	MOT /DEFT'S REPLY TO OPPOSITION TO MOTION IN	001	11/18/99	
		LIMINE TO PRECLUDE EVIDENCE OF OTHER	001		
0143	11/15/99	RPLY/REPLY TO OPPOSITION TO MOTION IN	001		Y
		LIMINE TO PRECLUDE EVIDENCE OF OTHER	001		
GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME					
0144	11/15/99	MEMO/MEMORANDUM TO THE COURT FOR REQUESTED	001		
		MOTION TO BE FILED BY COUNSELS	001		
0145	11/17/99	LIST/NOTICE OF EXPERT WITNESSES	001		
0146	11/18/99	MOT /ALL PENDING MOTIONS 11/18/99	001	11/18/99	
0147	11/18/99	MOT /ADDITIONAL TRIAL MOTIONS VJ 12/20/99	001	VC 12/27/99	
0148	11/29/99	MOT /DEFT'S MOTION IN LIMINE RE: CO-DEFT'S	001	OC 05/23/00	
		SENTENCES	001		
0149	11/29/99	MOT /DEFT'S MOTION IN LIMINE FOR ORDER	001	DN 03/02/00	
		PROHIBITING PROSECUTION MISCONDUCT IN	001		
0150	11/29/99	MOT /DEFT'S MOTION TO APPLY HEIGHTENED	001	DN 03/02/00	
		STANDARD OF REVIEW/CARE IN THIS CASE	001		
0151	11/29/99	MOT /DEFT'S MOTION TO ALLOW THE DEFENSE TO	001	DN 03/02/00	
		ARGUE LAST AT THE PENALTY PHASE	001		
0152	11/29/99	MOT /DEFT'S MOTION IN LIMINE TO PROHIBIT ANY	001	DN 03/02/00	
		REFERENCES TO THE FIRST PHASE AS THE	001		
0153	11/29/99	MOT /DEFT'S MOTION FOR PERMISSION TO FILE	001	MH 03/02/00	
		OTHER MOTIONS	001		
0154	11/29/99	MOT /DEFT'S MOTION FOR INSPECTION OF POLICE	001	DN 03/02/00	
		OFFICERS' PERSONNEL FILES	001		

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0155	11/29/99	MOT /DEFT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS	001	DN	03/02/00	
0156	11/29/99	MOT /DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING MANNER	001	GR	03/02/00	
0157	11/29/99	MOT /DEFT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO	001	DN	03/02/00	
0158	11/29/99	MOT /DEFT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS/OBJECTIONS	001	OC	03/02/00	
0159	11/29/99	MOT /DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE	001	DN	03/02/00	
0160	11/29/99	MOT /DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS	001	DN	06/01/00	
0161	11/29/99	MOT /DEFT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS	001	DN	03/02/00	
0162	11/29/99	MOT /DEFT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY	001	DN	03/02/00	
0163	11/29/99	MOT /DEFT'S MOTION IN LIMINE TO PRECLUDE INTRODUCTION OF VICTIM IMPACT EVIDENCE	001	DN	03/02/00	
0164	11/29/99	MOT /DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY	001	DN	03/02/00	
0165	11/29/99	MOT /DEFT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY	001	DN	03/02/00	
0166	11/29/99	MOT /DEFT'S MOTION TO BIFURCATE PENALTY PHASE	001	DN	03/02/00	
0167	11/29/99	MOT /DEFT'S MOTION FOR JURY QUESTIONNAIRE	001	GR	03/02/00	
0168	11/29/99	REQT/MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE	001		12/27/99	Y
		BECAUSE THE STATE IS SEEKING THE DEATH PENALTY				
0169	11/29/99	REQT/MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE	001		12/27/99	Y
		GUILT PHASE				
0170	11/29/99	REQT/MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS	001		12/27/99	Y
		WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER				
0171	11/29/99	REQT/MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND	001		11/29/99	Y
		METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT				
0172	11/29/99	REQT/MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS OBJECTIONS REQUESTS AND	001		12/27/99	Y
		OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE				
0173	11/29/99	REQT/MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE	001		12/27/99	Y
		JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT				
0174	11/29/99	REQT/DEFENDANTS MOTION TO DISMISS STATES NOTICE OF INTENT TO SEEK DEATH PENALTY	001		12/27/99	Y
		BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL				
0175	11/29/99	REQT/MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF	001		12/27/99	Y
		THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS				
0176	11/29/99	MOT /DEFT'S MOTION FOR CHANGE OF VENUE	001	DN	03/02/00	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0177	11/30/99	ROC /RECEIPT OF COPY	001		11/29/99	
0178	12/02/99	OPPS/SUPPLEMENTAL OPPOSITION TO DEFENDANTS	001			Y
		MOTION IN LIMINE TO PRECLUDE EVIDENCE	001			
		OF OTHER FUNDS WEAPONS AND AMMUNITION NOT USED IN THE CRIME				
0179	12/03/99	MOT /DEFT'S MOTION TO SUPPRESS EVIDENCE	001	VC	05/23/00	
		ILLEGALLY SEIZED VO 4/18/00	001			
0180	12/06/99	TRAN/REPORTER'S TRANSCRIPT	001		11/18/99	
0181	12/02/99	ORDR/ORDER APPOINTING COUNSEL FOR MATERIAL	001		12/02/99	
		WITNESS CHARLA SEVERS	001			
0182	12/02/99	ORDR/ORDER	001			
0183	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR	001			
		PERMISSION TO FILE OTHER MOTIONS	001			
0184	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			
		BIFURCATE PENALTY PHASE	001			
0185	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR	001			Y
		INSPECTION OF POLICE OFFICERS	001			
		PERSONNEL FILES				
0186	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR	001			Y
		DISCLOSURE OF ANY POSSIBLE BASIS FOR	001			
		DISQUALIFICATION OF DISTRICT ATTORNEY				
0187	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			Y
		APPLY HEIGHTENED STANDARD OF REVIEW	001			
		AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY				
0188	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			Y
		PRECLUDE EVIDENCE OF ALLEGED	001			
		CO-CONSPIRATORS STATEMENTS				
0189	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			
		EXCLUDE AUTOPSY PHOTOGRAPHS	001			
0190	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR	001			Y
		DISQUALIFICATION FROM THE JURY VENIRE	001			
		OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF				
		THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER				
0191	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR	001			Y
		DISCOVERY AND EVIDENTIARY HEARING	001			
		REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE				
		DEATH PENALTY WILL BE SOUGHT				
0192	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			Y
		ALLOW THE DEFENSE TO ARGUE LAST AT THE	001			
		PENALTY PHASE				
0193	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			Y
		PROHIBIT THE USE OF PEREMPTORY	001			
		CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT				
0194	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION IN	001			Y
		LIMINE TO PROHIBIT ANY REFERENCES TO	001			
		THE FIRST PHASE AS THE GUILT PHASE				
0195	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO	001			Y
		AUTHENTICATE AND FEDERALIZE ALL MOTIONS	001			
		OBJECTIONS REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE				
		PROCEEDINGS IN THE ABOVE ENTITLED CASE				
0196	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION IN	001			Y
		LIMINE FOR ORDER PROHIBITING	001			
		PROSECUTION MISCONDUCT IN ARGUMENT				

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0197	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE	001 001			Y
0198	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO DISMISS STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL	001 001			Y
0199	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS	001 001			Y
0200	12/06/99	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE REGARDING CO-DEFENDANTS SENTENCES	001 001			Y
0201	12/06/99	OPPS/OPPOSITION TO DEFENDANTS MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES	001 001			Y
0202	12/06/99	ROC /RECEIPT OF COPY	001		12/06/99	
0203	12/07/99	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR CHANGE OF VENUE	001 001			
0204	12/09/99	HEAR/AT THE REQUEST OF THE COURT	001		12/20/99	
0205	12/08/99	LIST/NOTICE OF WITNESSES	001			
0206	12/14/99	AFFD/AFFIDAVIT OF JOSEPH S SCISCENTO IN SUPPORT OF THE MOTION TO CONTINUE	001 001			
0208	12/20/99	TRAN/REPORTER'S TRANSCRIPT OF DECEMBER 16, 1999 AT REQUEST OF COURT RE: MOTIONS			12/16/99	
0209	12/16/99	OPPS/OPPOSITION TO MOTION TO CONTINUE TRIAL	001 001			
0210	12/16/99	REQT/MOTION TO CONTINUE TRIAL	001			
0211	12/22/99	ORDR/STIPULATION AND ORDER	001		12/22/99	
0212	12/22/99	MEMO/MEMORANDUM TO THE COURT	001			
0213	12/20/99	CALC/CALENDAR CALL	001		05/23/00	
0214	12/20/99	JURY/TRIAL BY JURY	001		06/09/00	
0215	12/29/99	TRAN/REPORTER'S TRANSCRIPT	001		12/20/99	
0216	12/29/99	MEMO/MEMORANDUM TO THE COURT	001			
0217	01/06/00	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			01/06/00	
0218	01/11/00	MOT /MATERIAL WITNESS CHARLA SEVERS' MOTION FOR OWN RECOGNIZANCE RELEASE	001 001	GR	01/18/00	
0219	01/11/00	ROC /RECEIPT OF COPY	001		01/11/00	
0220	01/12/00	TRAN/REPORTER'S TRANSCRIPT RE: DEFENDANT'S MOTIONS	001 001		01/06/00	
0221	01/12/00	ROC /RECEIPT OF COPY	001		01/12/00	
0222	01/13/00	ORDR/ORDER GRANTING PERMISSION OF MEDIA ENTRY	001			
0223	01/18/00	OCAL/STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS	001 001	OC	05/23/00	
0224	01/21/00	OPPS/STATES OPPOSITION TO MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED	001 001			
0225	01/14/00	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	001			
0226	01/25/00	TRAN/REPORTER'S TRANSCRIPT MATERIAL WITNESS CHARLA SEVERS MOTION FOR OWN RECOGNIZANCE RELEASE	001 001		01/18/00	Y
0227	02/02/00	MEMO/MEMORANDUM TO THE COURT	001			
0228	02/16/00	RPLY/REPLY TO STATES OPPOSITION TO MOTION TO SUPPRESS	001 001			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0229	02/17/00	MOT /ALL PENDING MOTIONS 02/17/00	001		02/17/00	
0230	02/24/00	MEMO/MEMORANDUM TO THE COURT FOR REQUEST OF MOTION TO BE FILED	001 001			
0231	03/02/00	MOT /ALL PENDING MOTIONS 3/2/00	001		03/02/00	
0232	03/06/00	TRAN/REPORTER'S TRANSCRIPT ALL DEFENDANTS PENDING MOTIONS STATUS CHECK	001 001		02/17/00	Y
WITNESS CHARLA SEVERS						
0233	03/09/00	MOT /DEFENDANT'S MOTION IN LIMINE TO PREVENT MOTION	001 001	DN	03/02/00	
0234	03/02/00	MOT /DEFENDANT'S PRO PER MOTION TO DISQUALIFY MOTION	001 001	DN	03/02/00	
0235	03/16/00	PTAT/SUPPLEMENTAL POINTS AND AUTHORITIES IN OPPOSITION TO MOTION TO SUPPRESS	001 001			
0236	03/16/00	TRAN/REPORTER'S TRANSCRIPT ALL DEFENDANT'S PENDING MOTIONS	001 001		03/02/00	
0237	03/30/00	RPLY/REPLY TO STATES SUPPLEMENTAL OPPOSITION TO MOTION TO SUPPRESS	001 001			
0238	03/31/00	ROC /RECEIPT OF COPY	001		03/31/00	
0239	04/04/00	MEMO/MEMORANDUM TO THE COURT	001			
0240	04/10/00	ORDR/STIPULATION AND ORDER	001		04/10/00	
0241	04/11/00	MEMO/MEMORANDUM TO THE COURT	001			
0242	04/18/00	DECN/DECISION AND ORDER	001			
0243	04/17/00	CRTF/CERTIFICATE OF MAILING OF EXHIBITS	001		04/20/00	
0244	04/26/00	MOT /DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILES/RECORDS/INFORMATION	001 001	OC	05/18/00	
0245	04/18/00	OCAL/MINUTE ORDER RE: DECISION: MOTION TO SUPPRESS	001 001	DN	04/18/00	
0246	04/26/00	REQT/MOTION AND NOTICE OF MOTION FOR DISCOVERY OF PROSECUTION FILES RECORDS AND INFORMATION NECESSARY TO A FAIR TRIAL	001 001		05/08/00	Y
0247	04/26/00	ADDM/ADDENDUM TO NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES	001 001			
0248	04/27/00	ROC /RECEIPT OF COPY	001		04/26/00	
0249	05/02/00	OPPS/SUPPLEMENTAL OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME	001 001			Y
0250	05/09/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS	001 001		04/24/00	Y
0251	05/09/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR DISCOVERY OF PROSECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL	001 001		05/08/00	Y
0252	05/08/00	ORDR/ORDER FOR PRODUCTION OF INMATE SIKIA SMITH BAC #63405	001 001		05/08/00	
0253	05/12/00	ORDR/ORDER FOR PRODUCTION OF INMATE	001	HG	06/05/00	
0254	05/15/00	NOTC/NOTICE OF DEFENDANTS EXPERT WITNESSES	001			
0255	05/17/00	SUPP/SUPPLEMENTAL NOTICE OF EXPERT WITNESSES	001			
0256	05/23/00	MOT /ALL PENDING MOTIONS 5/23/00	001		05/23/00	
0257	05/19/00	ORDR/STIPULATION AND ORDER	001		05/19/00	
0258	05/19/00	ORDR/ORDER FOR PRODUCTION OF INMATE	001	HG	06/05/00	
0259	05/30/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR DISCOVERY OF	001 001		05/18/00	Y

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
PRESECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL						
0260	06/01/00	TRAN/REPORTER'S TRANSCRIPT OF MAY 23, 2000			05/23/00	
0261	06/05/00	TRB /TRIAL BEGINS	001			
0262	05/31/00	ORDR/ORDER TO PRODUCE JUVENILE RECORDS	001			
0263	06/05/00	CRJL/CRIMINAL JURY LIST			06/05/00	Y
D1						
0264	06/02/00	TRAN/REPORTER'S TRANSCRIPT DEFENDANT'S MOTION	001		06/01/00	Y
		IN LIMINE TO PRECLUDE EVIDENCE OF	001			
OTHER GUNS AND AMMUNITION NOT USED IN THE CRIME						
0265	06/07/00	ACJL/AMENDED CRIMINAL JURY LIST			06/07/00	Y
D1						
0266	06/06/00	LIST/JURY LIST	001			
0267	06/06/00	ACJL/AMENDED CRIMINAL JURY LIST	001			
0268	06/08/00	ACJL/AMENDED CRIMINAL JURY LIST	001			
0270	06/09/00	HEAR/PENALTY HEARING	001	HJ	06/16/00	
0271	06/12/00	ORDR/ORDER FOR CONTACT VISIT	001			
0272	06/09/00	INST/INSTRUCTIONS TO THE JURY	001			
0273	06/09/00	VER /VERDICT	001		06/09/00	
0274	06/14/00	ROC /RECEIPT OF COPY	001		06/12/00	
0275	06/16/00	OCAL/STATUS CHECK: THREE JUDGE PANEL	001	MH	06/20/00	
0276	06/19/00	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			06/05/00	
0277	06/16/00	INST/INSTRUCTIONS TO THE JURY	001			
0278	06/20/00	HEAR/THREE JUDGE PANEL / PENALTY HEARING	001		07/26/00	
0279	06/20/00	REQT/EX PARTE MOTION TO WITHDRAWAL AS	001			Y
		ATTORNEY OF RECORD FOR MATERIAL	001			
WITNESS CHARLA SEVERS						
0280	06/20/00	EXPR/EX PARTE ORDER ALLOWING WITHDRAWAL OF	001			Y
		ATTORNEY OF RECORD FOR MATERIAL	001			
WITNESS CHARLA SEVERS						
0281	06/21/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS -	001		06/20/00	
		STATUS CHECK: THREE JUDGE PANEL	001			
0282	06/22/00	ORDR/ORDER	001			
0283	06/22/00	VERF/PAGE VERIFICATION SHEET	001			
0284	06/23/00	MOT /DEFT'S MOTION FOR NEW TRIAL	001	DN	07/13/00	
0285	06/23/00	ROC /RECEIPT OF COPY	001		06/23/00	
0286	06/28/00	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			06/20/00	
0287	06/28/00	EXPT/EX PARTE MOTION TO ALLOW FEES IN EXCESS	001			Y
		OF STATUTORY MAXIMUM FOR ATTORNEY ON	001			
COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS						
0288	06/28/00	EXPR/EX PARTE ORDER ALLOWING FEES IN EXCESS	001			Y
		OF STATUTORY MAXIMUM FOR ATTORNEY ON	001			
COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS						
0289	06/30/00	RSPN/STATES RESPONSE TO MOTION FOR NEW TRIAL	001			
0290	07/06/00	TRAN/REPORTER'S TRANSCRIPT 6/5/00 VOLUME I			06/12/00	
0291	07/06/00	TRAN/REPORTER'S TRANSCRIPT 6/6/00 VOLUME II			06/07/00	
0292	07/06/00	TRAN/REPORTER'S TRANSCRIPT 6/7/00 VOLUME III			06/08/00	
0293	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/08/00 VOLUME IV			06/12/00	
0294	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/09/00 VOLUME V			06/12/00	
0295	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/13/00 VOLUME I			06/14/00	
0296	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/13/00 VOLUME II			06/14/00	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0297	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/14/00 VOLUME III			06/19/00	
0298	07/06/00	TRAN/REPORTER'S TRANSCRIPT 06/16/00 VOLUME IV			06/20/00	
0299	07/10/00	MOT /DEFT'S MTN FOR IMPOSITION (VJ 7/13/00) WITHOUT THE POSSIBILITY OF PAROLE	001	VC	07/24/00	
0300	07/10/00	REQT/MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE	001		07/24/00	Y
OR IN THE ALTERNATIVE MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL PROCEDURE						
0301	07/10/00	RPLY/REPLY TO RESPONSE TO MOTION FOR NEW TRIAL	001			
0302	07/10/00	ROC /RECEIPT OF COPY	001		07/10/00	
0303	07/13/00	MOT /DECISION: DEFT'S MTN FOR IMPOSITION OF MOTION	001	DN	07/20/00	
0304	07/12/00	MEMO/MEMORANDUM REGARDING THE THREE JUDGE PANEL	001			
0305	07/14/00	MOT /STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILT PHASE	001	OC	07/20/00	
0306	07/17/00	OPPS/STATES OPPOSITION FOR IMPOSITION OF LIFE WITHOUT AND OPPOSITION TO EMPANEL JURY AND OR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THE THREE JUDGE PANEL PROCEDURE	001			Y
0307	07/14/00	REQT/NOTICE OF MOTION AND STATES MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILT PHASE OF THE DONTÉ JOHNSON TRIAL	001		07/20/00	Y
0308	07/19/00	MEMO/MEMORANDUM REGARDING A STAY OF THE PENALTY PROCEEDINGS	001			
0309	07/18/00	MEMO/MEMORANDUM IN SUPPORT OF GRANTING STAY	001			
0310	07/18/00	RPLY/REPLY TO STATES OPPOSITION REGARDING THREE-JUDGE PANEL	001			
0311	07/21/00	MOT /ALL PENDING MOTIONS 7/20/00	001		07/20/00	
0312	07/20/00	ORDR/ORDER	001			
0313	07/20/00	ROC /RECEIPT OF COPY	001		07/20/00	
0314	07/20/00	ROC /RECEIPT OF COPY	001		07/20/00	
0315	07/20/00	ORDR/ORDER FOR CONTACT VISIT	001			
0316	07/21/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR A NEW TRIAL	001		07/13/00	
0317	07/21/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - DECISION DEFENDANT'S MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE OR IN THE ALTERNATIVE MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE-JUDGE PANEL PROCEDURE - STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILTY PLEA	001		07/20/00	Y
0318	07/25/00	TRAN/REPORTER'S TRANSCRIPT OF THREE JUDGE PANEL DAY 1, VOLUME 1			07/24/00	
0319	07/26/00	TRE /TRIAL ENDS				
0320	07/26/00	SENT/SENTENCING VR 9/26	001	VC	10/10/00	
0321	07/27/00	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			07/24/00	
0322	07/26/00	VER /VERDICT (COUNT XI)	001		07/26/00	

(Continued to page 12)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0323	07/26/00	VER /VERDICT (COUNT XII)	001		07/26/00	
0324	07/26/00	VER /VERDICT (COUNT XIII)	001		07/26/00	
0325	07/26/00	VER /VERDICT (COUNT XIV)	001		07/26/00	
0326	07/26/00	VER /SPECIAL VERDICT (COUNT XI)	001		07/26/00	
0327	07/26/00	VER /SPECIAL VERDICT (COUNT XII)	001		07/26/00	
0328	07/26/00	VER /SPECIAL VERDICT (COUNT XIII)	001		07/26/00	
0329	07/26/00	VER /SPECIAL VERDICT (COUNT XIV)	001		07/26/00	
0330	07/26/00	VER /SPECIAL VERDICT (COUNT XI)	001		07/26/00	
0331	07/26/00	VER /SPECIAL VERDICT (COUNT XII)	001		07/26/00	
0332	07/26/00	VER /SPECIAL VERDICT (COUNT XIII)	001		07/26/00	
0333	07/26/00	VER /SPECIAL VERDICT (COUNT XIV)	001		07/26/00	
0334	07/28/00	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	001		07/26/00	
0335	08/24/00	EXPR/AMENDED EX PARTE ORDER ALLOWING WITHDRAWAL OF ATTORNEY OF RECORD FOR	001 001			Y
MATERIAL WITNESS CHARLA SEVERS						
0336	09/05/00	MSAD/DEFT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE VJ 10/03/00	001 001	VC	10/12/00	
0337	09/05/00	REQT/MOTION TO SET ASIDE DEATH SENTENCE OR IN THE ALTERNATIVE MOTION TO SETTLE	001 001			Y
RECORD						
0338	09/06/00	ROC /RECEIPT OF COPY	001		09/05/00	
0339	09/07/00	MOT /ALL PENDING MOTIONS 9/7/00	001		09/07/00	
0340	09/12/00	NOEV/NOTICE OF TRANSCRIPTS			06/05/00	
0341	09/15/00	RSPN/STATES RESPONSE TO DEFENDANTS MOTION TO SET ASIDE DEATH SENTENCE OR IN THE	001 001			Y
THE ALTERNATIVE MOTION TO SETTLE RECORD						
0342	09/26/00	SENT/SENTENCING	001	GR	10/03/00	
0343	09/29/00	TRAN/REPORTER'S TRANSCRIPT	001		09/07/00	
0344	10/02/00	RPLY/REPLY TO STATES RESPONSE TO MOTION TO SET ASIDE DEATH SENTENCE OR IN THE	001 001			Y
ALTERNATIVE MOTION TO SETTLE RECORD						
0345	10/03/00	JUDG/JUDGMENT OF CONVICTION	001	GR	10/03/00	
0346	10/03/00	WARR/WARRANT OF EXECUTION	001			
0347	10/03/00	ORDR/ORDER OF EXECUTION	001			
0348	10/03/00	NTFE/NOTICE TO TRANSPORT FOR EXECUTION	001			
0349	10/05/00	EXPT/EX PARTE MOTION FOR RELEASE OF EVIDENCE	001			
0350	10/05/00	ORDR/ORDER FOR RELEASE OF EVIDENCE	001		09/29/00	
0351	10/03/00	JMNT/ADMINISTRATION/ASSESSMENT FEE	0001		10/06/00	
0352	10/03/00	JMNT/JUDGMENT OF RESTITUTION (XI)	0001		10/06/00	
0353	10/09/00	JUDG/JUDGMENT OF CONVICTION	001		10/09/00	
0354	10/13/00	TRAN/REPORTER'S TRANSCRIPT OF SENTENCING	001		10/03/00	
0355	10/18/00	ROP /RECEIPT OF EXHIBITS	001			
0356	10/26/00	ORDR/ORDER FOR STAY OF EXECUTION	001			

ORIGINAL

JOC  
STEWART L. BELL  
DISTRICT ATTORNEY  
Nevada Bar #000477  
200 S. Third Street  
Las Vegas, Nevada 89155  
(702) 455-4711  
Attorney for Plaintiff

FILED

OCT 3 4 22 PM '00

*Shirley E. Pirogine*  
CLERK

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,  
#1586283

Defendant.

Case No. C153154  
Dept. No. V  
Docket H

JUDGMENT OF CONVICTION

WHEREAS, on the 17th day of September, 1998, Defendant, DONTE JOHNSON, entered a plea of Not Guilty to the crimes of COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060, 193.165); COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPING AND/OR MURDER (Felony - NRS 199.480, 200.380, 200.310, 200.320, 200.010, 200.030); COUNTS III, IV, V & VI - ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); COUNTS VII, VIII, IX, & X - FIRST DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165); and COUNTS XI, XII, XIII & XIV - MURDER WITH USE OF A DEADLY WEAPON (Open Murder) (Felony - NRS 200.010, 200.030, 193.165); and

WHEREAS, the Defendant DONTE JOHNSON, was tried before a Jury and the Defendant was found guilty of the crimes of COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060, 193.165); COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER (Felony - NRS

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CE31

1 199.480, 200.380, 200.310, 200.320, 200.010, 200.030); COUNTS III, IV, V & VI - ROBBERY  
2 WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); COUNTS VII, VIII,  
3 IX, & X - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony -  
4 NRS 200.310, 200.320, 193.165); and COUNTS XI, XII, XIII & XIV - FIRST DEGREE  
5 MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.165),  
6 and the Jury verdict was returned on or about the 9th day of June, 2000. Thereafter, a Three-  
7 Judge Panel, deliberating in the penalty phase of said trial, in accordance with the provisions of  
8 NRS 175.552 and 175.554, found that there were two (2) aggravating circumstances in  
9 connection with the commission of said crime, to-wit:

10 1. The murder was committed while the person was engaged, alone or with others, in the  
11 commission of or an attempt to commit or flight after committing or attempting to commit, any  
12 robbery, arson in the first degree, burglary, invasion of the home or kidnaping in the first degree,  
13 and the person charged:

14 (a) Killed or attempted to kill the person murdered;

15 (b) Knew or had reason to know that life would be taken or lethal force used.

16 2. The defendant has, in the immediate proceeding, been convicted of more than one  
17 offense of murder in the first or second degree. For the purposes of this subsection, a person  
18 shall be deemed to have been convicted of a murder at the time the jury verdict of guilt is  
19 rendered or upon pronouncement of guilt by a judge or judges sitting without a jury.

20 That on or about the 26th day of July, 2000, the Three-Judge Panel unanimously found,  
21 beyond a reasonable doubt, that there were no mitigating circumstances sufficient to outweigh  
22 the aggravating circumstance or circumstances, and determined that the Defendant's punishment  
23 should be DEATH as to COUNTS XI, XII, XIII & XIV - MURDER OF THE FIRST DEGREE  
24 WITH USE OF A DEADLY WEAPON in the Nevada State Prison located at or near Carson  
25 City, State of Nevada.

26 WHEREAS, thereafter, on the 3rd day of October, 2000, the Defendant being present in  
27 court with his counsel, JOSEPH SCISCENTO, Deputy Special Public Defender, and DAYVID  
28 J. FIGLER, Deputy Special Public Defender, and GARY L. GUYMON, Chief Deputy District

1 Attorney, also being present; the above entitled Court did adjudge Defendant guilty thereof by  
2 reason of said trial and verdicts and, in addition to the \$25.00 Administrative Assessment Fee,  
3 the Defendant is sentenced as follows:

4 COUNT I - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
5 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for BURGLARY  
6 WHILE IN POSSESSION OF A FIREARM;

7 COUNT II - a Maximum term of SEVENTY-TWO (72) months with a Minimum parole  
8 eligibility of SIXTEEN (16) months in the Nevada Department of Prisons for CONSPIRACY  
9 TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER, to run consecutive  
10 to Count I;

11 COUNT III - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
12 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
13 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
14 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
15 USE OF A DEADLY WEAPON, to run consecutive to Count II;

16 COUNT IV - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
17 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
18 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
19 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
20 USE OF A DEADLY WEAPON, to run consecutive to Count III;

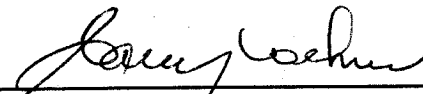
21 COUNT V - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
22 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
23 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
24 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
25 USE OF A DEADLY WEAPON, to run consecutive to Count IV;

26 COUNT VI - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
27 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
28 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with

1 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
2 USE OF A DEADLY WEAPON, to run consecutive to Count V;  
3 COUNT VII - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
4 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
5 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
6 DEADLY WEAPON, to run consecutive to Count VI;  
7 COUNT VIII - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
8 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
9 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
10 DEADLY WEAPON, to run consecutive to Count VII;  
11 COUNT IX - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
12 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
13 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
14 DEADLY WEAPON, to run consecutive to Count VIII;  
15 COUNT X - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of  
16 Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
17 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
18 DEADLY WEAPON, to run consecutive to Count IX;  
19 COUNT XI - DEATH for FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON,  
20 and pay \$33,605.95 Restitution jointly and severally with co-offenders Sikia Lafayette Smith and  
21 Terrell Cochise Young;  
22 COUNT XII - DEATH for FIRST DEGREE MURDER WITH USE OF A DEADLY  
23 WEAPON;  
24 COUNT XIII - DEATH for FIRST DEGREE MURDER WITH USE OF A DEADLY  
25 WEAPON;  
26 COUNT XIV - DEATH for FIRST DEGREE MURDER WITH USE OF A DEADLY  
27 WEAPON.  
28 Credit for time served 776 days.

1        THEREFORE, the Clerk of the above entitled Court is hereby directed to enter this  
2 Judgment of Conviction as part of the record in the above entitled matter.

3        DATED this 3 day of October, 2000, in the City of Las Vegas, County of Clark,  
4 State of Nevada.

5  
6   
7 DISTRICT JUDGE  
8        for Judge Jeffrey Sobel GB  
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26 DA#98-153154X/kjh  
27 LVMPD EV#9808141600  
28 BURG W/WPN; CONSP ROBB/  
KIDNAP/MURDER; 1° KIDNAP  
W/WPN; 1° MURDER W/WPN - F



ORIGINAL

FILED

OCT 9 5 01 PM '00

*Shirley S. Langione*  
CLERK

JOC  
STEWART L. BELL  
DISTRICT ATTORNEY  
Nevada Bar #000477  
200 S. Third Street  
Las Vegas, Nevada 89155  
(702) 455-4711  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,  
#1586283

Defendant.

Case No. C153154  
Dept. No. V  
Docket H

JUDGMENT OF CONVICTION

WHEREAS, on the 17th day of September, 1998, Defendant, DONTE JOHNSON, entered a plea of Not Guilty to the crimes of COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060, 193.165); COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPING AND/OR MURDER (Felony - NRS 199.480, 200.380, 200.310, 200.320, 200.010, 200.030); COUNTS III, IV, V & VI - ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); COUNTS VII, VIII, IX, & X - FIRST DEGREE KIDNAPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165); and COUNTS XI, XII, XIII & XIV - MURDER WITH USE OF A DEADLY WEAPON (Open Murder) (Felony - NRS 200.010, 200.030, 193.165); and

WHEREAS, the Defendant DONTE JOHNSON, was tried before a Jury and the Defendant was found guilty of the crimes of COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060, 193.165); COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER (Felony - NRS

COUNTY CLERK

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2 WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); COUNTS VII, VIII,  
3 IX, & X - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony -  
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5 MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.165),  
6 and the Jury verdict was returned on or about the 9th day of June, 2000. Thereafter, a Three-  
7 Judge Panel, deliberating in the penalty phase of said trial, in accordance with the provisions of  
8 NRS 175.552 and 175.554, found that there were two (2) aggravating circumstances in  
9 connection with the commission of said crime, to-wit:

10 1. The murder was committed while the person was engaged, alone or with others, in the  
11 commission of or an attempt to commit or flight after committing or attempting to commit, any  
12 robbery, arson in the first degree, burglary, invasion of the home or kidnaping in the first degree,  
13 and the person charged:

14 (a) Killed or attempted to kill the person murdered;

15 (b) Knew or had reason to know that life would be taken or lethal force used.

16 2. The defendant has, in the immediate proceeding, been convicted of more than one  
17 offense of murder in the first or second degree. For the purposes of this subsection, a person  
18 shall be deemed to have been convicted of a murder at the time the jury verdict of guilt is  
19 rendered or upon pronouncement of guilt by a judge or judges sitting without a jury.

20 That on or about the 26th day of July, 2000, the Three-Judge Panel unanimously found,  
21 beyond a reasonable doubt, that there were no mitigating circumstances sufficient to outweigh  
22 the aggravating circumstance or circumstances, and determined that the Defendant's punishment  
23 should be DEATH as to COUNTS XI, XII, XIII & XIV - MURDER OF THE FIRST DEGREE  
24 WITH USE OF A DEADLY WEAPON in the Nevada State Prison located at or near Carson  
25 City, State of Nevada.

26 WHEREAS, thereafter, on the 3rd day of October, 2000, the Defendant being present in  
27 court with his counsel, JOSEPH SCISCENTO, Deputy Special Public Defender, and DAYVID  
28 J. FIGLER, Deputy Special Public Defender, and GARY L. GUYMON, Chief Deputy District

1 Attorney, also being present; the above entitled Court did adjudge Defendant guilty thereof by  
2 reason of said trial and verdicts and, in addition to the \$25.00 Administrative Assessment Fee,  
3 the Defendant is sentenced as follows:

4 COUNT I - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
5 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for BURGLARY  
6 WHILE IN POSSESSION OF A FIREARM;

7 COUNT II - a Maximum term of SEVENTY-TWO (72) months with a Minimum parole  
8 eligibility of SIXTEEN (16) months in the Nevada Department of Prisons for CONSPIRACY  
9 TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER, to run consecutive  
10 to Count I;

11 COUNT III - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
12 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
13 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
14 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
15 USE OF A DEADLY WEAPON, to run consecutive to Count II;

16 COUNT IV - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
17 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
18 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
19 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
20 USE OF A DEADLY WEAPON, to run consecutive to Count III;

21 COUNT V - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
22 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
23 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with  
24 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
25 USE OF A DEADLY WEAPON, to run consecutive to Count IV;

26 COUNT VI - a Maximum term of ONE HUNDRED EIGHTY (180) months with a Minimum  
27 parole eligibility of FORTY (40) months in the Nevada Department of Prisons for ROBBERY  
28 plus an equal and consecutive Maximum term of ONE HUNDRED EIGHTY (180) months with

1 a Minimum parole eligibility of FORTY (40) months in the Nevada Department of Prisons for  
2 USE OF A DEADLY WEAPON, to run consecutive to Count V;  
3 COUNT VII - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
4 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
5 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
6 DEADLY WEAPON, to run consecutive to Count VI;  
7 COUNT VIII - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
8 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
9 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
10 DEADLY WEAPON, to run consecutive to Count VII;  
11 COUNT IX - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department  
12 of Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
13 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
14 DEADLY WEAPON, to run consecutive to Count VIII;  
15 COUNT X - LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of  
16 Prisons for FIRST DEGREE KIDNAPPING plus an equal and consecutive LIFE WITHOUT  
17 THE POSSIBILITY OF PAROLE in the Nevada Department of Prisons for USE OF A  
18 DEADLY WEAPON, to run consecutive to Count IX;  
19 COUNT XI - DEATH for FIRST DEGREE MURDER plus an equal and consecutive DEATH  
20 for USE OF A DEADLY WEAPON, and pay \$33,605.95 Restitution jointly and severally with  
21 co-offenders Sikia Lafayette Smith and Terrell Cochise Young;  
22 COUNT XII - DEATH for FIRST DEGREE MURDER plus an equal and consecutive DEATH  
23 for USE OF A DEADLY WEAPON;  
24 COUNT XIII - DEATH for FIRST DEGREE MURDER plus an equal and consecutive DEATH  
25 for USE OF A DEADLY WEAPON;  
26 COUNT XIV - DEATH for FIRST DEGREE MURDER plus an equal and consecutive DEATH  
27 for USE OF A DEADLY WEAPON.  
28 Credit for time served 776 days.

1            THEREFORE, the Clerk of the above entitled Court is hereby directed to enter this  
2 Judgment of Conviction as part of the record in the above entitled matter.

3            DATED this 9<sup>th</sup> day of October, 2000, in the City of Las Vegas, County of Clark,  
4 State of Nevada.



DISTRICT JUDGE

**JEFFREY D. SOBEL**

26 DA#98-153154X/kjh  
27 LVMPD EV#9808141600  
28 BURG W/WPN; CONSP ROBB/  
KIDNAP/MURDER; 1° KIDNAP  
W/WPN; 1° MURDER W/WPN - F

## CRIMINAL COURT MINUTES

98-C-153154-C      STATE OF NEVADA      vs Johnson, Donte

---

09/02/98   11:30 AM   00   GRAND JURY INDICTMENT

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: LINDA VIGIL, Court Clerk  
DEBBIE VINSON/dv, Relief Clerk  
CATHY NELSON, Reporter/Recorder

PARTIES:   998  
             004088   Adair, Valerie

Y  
Y

Keith Yoerger, Foreperson stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 97BGJ184X to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C153154, Department V. Ms. Adair advised deft. JOHNSON is in custody at Clark County Detention Center and requested a NO BAIL BENCH WARRANT ISSUE, SO ORDERED. Exhibits 1-31 lodged with Clerk of the Court, exhibits 32,33,34 returned to LVMPD E. Guenther. COURT ORDERED ARRAIGNMENT DATE SET.

B/W (CUSTODY)

9/8/98 9:00 AM INITIAL ARRAIGNMENT

---

09/08/98   09:00 AM   00   INITIAL ARRAIGNMENT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: JANICE HAMPTON, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:   998  
             003726   Guymon, Gary L.

Y  
Y

001 D1   Johnson, Donte  
001765   McMahon, Lee E.

Y  
Y

Ms. McMahon advised the Court she is representing the Deft. Upon Court's inquiry, Mr. Guymon advised the State will file a notice of intent to seek the death penalty. Before the canvassing Ms. McMahon stated this is a grand jury indictment and requested a continuance to receive the transcript. Mr. Guymon advised the transcript should be ready next Tuesday. COURT ORDERED, matter CONTINUED to Thursday.

CUSTODY

9-17-98 9:00 AM ARRAIGNMENT CONTINUED

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 001

09/16/98 11:30 AM 00 SUPERSEDING GRAND JURY INDICTMENT

HEARD BY: James Brennan, Visiting Judge; Dept. VJ6

OFFICERS: SUE DEATON, Court Clerk  
JENNIFER CHURCH, Reporter/RecorderPARTIES: 998  
003726 Guymon, Gary L.N  
Y

Keith Yoerger, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 97BGJ184X to the Court. COURT ORDERED, the SUPERSEDING Indictment may be filed and is assigned Case Number C153154, which was previously tracked to Department V. State requested a NO BAIL BENCH WARRANT ISSUE; COURT SO ORDERED. Exhibit(s) 1 through 30 were previously lodged with the Clerk of District Court. Exhibit(s) 31 through 34 were returned to Las Vegas Metropolitan Police Department, E. Guenther. Exhibit(s) 35 through 41 are to be lodged with Clerk of District Court. State advised Deft has an Arraignment Continued scheduled in Department V tomorrow, September 16, 1998, at 9:00 A.M. and they would ask that the date stand; COURT SO ORDERED.

B.W. (CUSTODY)

9-17-98, 9:00 A.M., ARRAIGNMENT CONTINUED (DEPT. V)

09/17/98 09:00 AM 00 ARRAIGNMENT CONTINUED

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: JANICE HAMPTON/AC, Relief Clerk  
ARLENE BLAZI, Reporter/RecorderPARTIES: 998  
003726 Guymon, Gary L.Y  
Y001 D1 Johnson, Donte  
SPD Special Public Defender  
001765 McMahon, Lee E.Y  
Y  
Y

Ms. McMahon advised Court Mr. LaPorta will be co-counsel on this case. Ms. McMahon stated that it is her understanding the transcript with the exception of one witness will be available today. Ms. McMahon requested 21 days from the file stamp date for the filing of a writ. SO ORDERED. Mr. Guymon advised Court and counsel that the State will be seeking the death penalty and the Notice to Seek Death Penalty will be filed within one week. DEFENDANT JOHNSON ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY DAY RULE.

CONTINUED ON PAGE: 003

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 002

COURT ORDERED, MATTER SET FOR TRIAL.

CUSTODY

6/29/99 9:00 AM CALENDAR CALL

7/5/99 10:00 AM JURY TRIAL

10/08/98 09:00 AM 00 DEFT'S MOTION TO SET BAIL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

003726 Guymon, Gary L.

001 D1 Johnson, Donte

SPD Special Public Defender

003754 Laporta, Peter R.

Y

Y

Y

Y

Y

Court stated it has read the Motion. COURT ORDERED, MOTION FOR BAIL IS DENIED.

CUSTODY

02/23/99 09:00 AM 00 DEFT'S PRO PER MOTION WITHDRAW COUNSEL  
AND APPOINT OUTSIDE COUNSEL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

004963 Daskas, Robert J.

001 D1 Johnson, Donte

Y

Y

Y

Court advised Mr. Kohn was out sick and requested a continuance. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 02/25/99 09:00 AM 01



## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA vs Johnson, Donte

CONTINUED FROM PAGE: 003

02/25/99 09:00 AM 01 DEFT'S PRO PER MOTION WITHDRAW COUNSEL  
AND APPOINT OUTSIDE COUNSEL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998  
004963 Daskas, Robert J.

Y

Y

001 D1 Johnson, Donte  
000556 Kohn, Philip J.

Y

Y

Mr. Kohn appeared on behalf of Mr. LaPorta. Upon Court's inquiry, Defendant stated he is no longer asking for another attorney. COURT ORDERED, motion DENIED calendar call and trial dates STAND.

CUSTODY

04/12/99 09:00 AM 00 DEFT'S PRO PER MTN TO DISMISS COUNSEL  
AND APPOINTMENT OF ALTERNATE COUNSEL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998  
003726 Guymon, Gary L.  
004963 Daskas, Robert J.

Y

Y

Y

001 D1 Johnson, Donte  
SPD Special Public Defender  
003754 Laporta, Peter R.

Y

Y

Y

Court advised parties that if the State does not have an objection, the Court will hear this matter without the D.A. in a closed courtroom. Court stated that it does not see a great harm in this. CONFERENCE AT BENCH. Mr. Guymon requested that all pre-trial motions be filed three weeks prior to trial. Court directed counsel to file pre-trial motions no later than three weeks prior to the trial date. COURT ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 04/15/99 09:00 AM 01

CONTINUED ON PAGE: 005

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA vs Johnson, Donte

CONTINUED FROM PAGE: 004

05/17/99 09:00 AM 00 ALL PENDING MOTIONS 5/17/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

003726 Guymon, Gary L.

004963 Daskas, Robert J.

001 D1 Johnson, Donte

SPD Special Public Defender

003754 Laporta, Peter R.

Y

Y

Y

Y

Y

Y

DEFENDANT'S MOTION TO PROCEED PRO PER WITH CO-COUNSEL AND INVESTIGATOR...  
DEFENDANT'S PRO PER MOTION FOR DISCOVERY

Court asked Defendant if he wanted to withdraw his motion to discharge Mr. LaPorta and Defendant stated yes. Court stated it did read Defendant's motion and Defendant does have a right to represent himself when certain questions are answered and also with the condition that the request is made in a timely manner so as not to upset the trial setting. COURT ORDERED, matters OFF CALENDAR and trial date STANDS.

CUSTODY

06/07/99 09:00 AM 00 AT THE REQUEST OF THE COURT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

000981 Noxon, Arthur G.

001 D1 Johnson, Donte

SPD Special Public Defender

004264 Figler, Dayvid J.

Y

Y

Y

Y

Y

JUDGE SOBEL NOT PRESENT THIS DATE; MATTER CONTINUED.

CUSTODY

CONTINUED TO: 06/08/99 09:00 AM 01

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA vs Johnson, Donte

CONTINUED FROM PAGE: 005

06/08/99 09:00 AM 01 AT THE REQUEST OF THE COURT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998 Y  
003726 Guymon, Gary L. Y  
001 D1 Johnson, Donte Y  
SPD Special Public Defender Y  
004264 Figler, Dayvid J. Y

STIPULATION AND ORDER FILED IN OPEN COURT WHICH TAKES CARE OF THIS MATTER.  
COURT ORDERED, MATTER TAKEN OFF CALENDAR.

CUSTODY

06/29/99 09:00 AM 00 ALL PENDING MOTIONS 6/29/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998 Y  
004963 Daskas, Robert J. Y  
001 D1 Johnson, Donte Y  
SPD Special Public Defender Y  
003754 Laporta, Peter R. Y  
004264 Figler, Dayvid J. Y

STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY  
OF THE CRIME"...DEFENDANT'S MOTION TO CONTINUE TRIAL...CALENDAR CALL

Mr. Daskas stated he is ready for trial. Statements by Court and counsel  
regarding confidential informant, new murder allegation and physical  
evidence in vehicle. Mr. Figler advised Court they cannot give effective  
assistance of counsel with the current trial date. COURT ORDERED, MOTION TO  
CONTINUE TRIAL GRANTED, TRIAL DATE VACATED AND RESET and matter set for  
STATUS CHECK.

COURT ORDERED, ANY AND ALL MOTIONS ARE TO BE FILED NO LATER THAN 10/18/99  
and set matter for STATUS CHECK and instructed counsel to get courtesy  
copies to court prior to 10/21/99 date.

CONTINUED ON PAGE: 007

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 006

Statements by Court and counsel regarding State's Motion in Limine and  
MATTER CONTINUED TO STATUS CHECK DATE.

## CUSTODY

7/8/99 9:00 AM STATUS CHECK: TRIAL DATE/STATE'S MOTION IN LIMINE TO PERMIT  
THE STATE TO PRESENT "THE COMPLETE STORY OF THE CRIME"

10/21/99 9:00 AM STATUS CHECK: FILING OF ALL MOTIONS PRIOR TO TRIAL

1/4/00 9:00 AM CALENDAR CALL

1/10/99 10:00 AM JURY TRIAL

07/08/99 09:00 AM 00 ALL PENDING MOTIONS 7/8/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

004963 Daskas, Robert J.

003726 Guymon, Gary L.

001 D1 Johnson, Donte

SPD Special Public Defender

003754 Laporta, Peter R.

Y  
Y  
Y  
Y  
Y  
Y

STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY  
OF THE CRIME"...STATUS CHECK: TRIAL DATE

Court stated one reason matter is on calendar today is to see if trial date  
works and Mr. Figler advised Court previously he moved his other trial.  
COURT ORDERED, CALENDAR CALL AND TRIAL DATE STANDS.

Regarding State's motion, Mr. LaPorta advised they have already filed an  
opposition. Upon Court's inquiry, Mr. Guymon stated they would like 10 days  
to reply, and COURT SO ORDERED. COURT FURTHER ORDERED, STATE'S MOTION IN  
LIMINE AND MOTIONS SET FOR 7/13/99 CONTINUED TO 10/21/99 STATUS CHECK DATE.  
Lengthy discussion between Court and Mr. Guymon regarding the firmness of  
the trial date set.

## CUSTODY

10/21/99 9:00 AM ALL PENDING MOTIONS

CLERK'S NOTE: STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE  
COMPLETE STORY OF THE CRIME" WAS CONTINUED TO 10/21/99. 8/13/99 CD

CONTINUED ON PAGE: 008

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 007

07/13/99 09:00 AM 00 DEFT'S MOTION TO COMPEL PRODUCTION OF  
ANY/ALL STATEMENTS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ROSA ARDESCH/ra, Court Clerk  
CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

000981 Noxon, Arthur G.

001 D1 Johnson, Donte  
SPD Special Public Defender  
003754 Laporta, Peter R.

Y  
Y  
Y  
Y  
Y

DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATION  
OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH  
PROSECUTION....DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL  
STATEMENTS OF THE DEFT.....DEFT'S MOTION TO REVEAL THE IDENTITY OF  
INFORMANTS AND REVEAL ANY BENEFITS, DEALS PROMISES OR INDUCEMENTS

Matter on in error. COURT ORDERED all motions CONTINUED to the Status Check  
date.

CUSTODY

10/21/99 9:00 AM STATUS CHECK: FILING OF ALL MOTIONS

CONTINUED TO: 10/21/99 09:00 AM 01

07/13/99 09:00 AM 00 ALL PENDING MOTIONS 7/13/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

000981 Noxon, Arthur G.

001 D1 Johnson, Donte  
SPD Special Public Defender  
003754 Laporta, Peter R.

Y  
Y  
Y  
Y  
Y

DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF  
EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR  
COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION

CONTINUED ON PAGE: 009

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 008

OF ANY AND ALL STATEMENTS OF THE DEFENDANT...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS, PROMISES OR INDUCEMENTS

Court stated that on 7/8/99 this date was to have been vacated and, ORDERED, MATTER OFF CALENDAR. Court advised Mr. LaPorta if a problem should arise before the 10/21/99 date, matter can be placed back on calendar.

CUSTODY

CLERK'S NOTE: CONTINUANCE DATES FOR ALL ABOVE MOTIONS WERE ENTERED ON 7/13/99. 8/13/99 CD

08/30/99 09:00 AM 00 STATE'S MOTION TO PERMIT DNA TESTING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

003726 Guymon, Gary L.

001 D1 Johnson, Donte

SPD Special Public Defender

000556 Kohn, Philip J.

Y

Y

Y

Y

Y

Mr. Kohn advised Court he thinks there will be an objection to the State's motion and requested this matter be put over a few days. Mr. Guymon advised Court he spoke with Mr. Figler. COURT ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 09/02/99 09:00 AM 01

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 009

09/02/99 09:00 AM 01 STATE'S MOTION TO PERMIT DNA TESTING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

003726 Guymon, Gary L.

Y

Y

001 D1 Johnson, Donte

Y

SPD Special Public Defender

Y

004264 Figler, Dayvid J.

Y

Upon Court's inquiry, Mr. Figler advised Court he discussed this matter with Mr. Kohn and at issue is an item of evidence retrieved from the scene, but the sample is not enough to have multiple testing done. Mr. Figler advised Court the name of the lab needs to be worked out. COURT ORDERED, MATTER TAKEN OFF CALENDAR; IF THERE IS A PROBLEM, COUNSEL CAN PLACE THIS BACK ON CALENDAR.

CUSTODY

09/30/99 09:00 AM 00 STATE'S REQUEST FOR HEARING RE: MATERIAL  
WITNESS CHARLA SEVERS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 998

003726 Guymon, Gary L.

Y

Y

004380 Sciscento, Joseph S.

Y

001 D1 Johnson, Donte

Y

SPD Special Public Defender

Y

004380 Sciscento, Joseph S.

Y

Witness, Charla Severs present, in custody. COURT ORDERED, MATTER TAKEN OFF CALENDAR until bail is posted.

CUSTODY

CONTINUED ON PAGE: 011

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 010

10/11/99 09:00 AM 00 STATE'S MOTION TO VIDEOTAPE THE  
DEPOSITION OF CHARLA SEVERS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	N
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y

MOTION TO VIDEOTAPE CHARLA SEVERS FILED IN OPEN COURT. Statements by Court and counsel regarding the Motion. Mr. Guymon advised Court there is a material witness warrant. Court directed counsel to have pleadings submitted prior to 10/21/99. Mr. Sciscento requested this witness be appointed counsel to advise her of her rights. COURT ORDERED, CHIP SIEGEL APPOINTED to discuss with the witness her rights, the deposition and the witness' request to be released from custody. FURTHER, MATTER CONTINUED.

CUSTODY

10/14/99 8:00 AM CONFIRMATION OF COUNSEL (SIEGEL)

CONTINUED TO: 10/14/99 09:00 AM 01



## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 011

10/14/99 09:00 AM 00 ALL PENDING MOTIONS 10/14/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004264	Figler, Dayvid J.	Y
004380	Sciscento, Joseph S.	Y
004748	Siegel, Jay	Y

STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS . . .  
CONFIRMATION OF COUNSEL (SIEGEL)

Upon Court's inquiry, Mr. Siegel advised Court he can confirm as counsel for the witness, SEVERS. Mr. Siegel advised Court he has reviewed the pleadings and requested a videotape deposition be taken. Mr. Sciscento advised Court this witness may be an accomplice to the murder. Mr. Guymon advised Court this witness is not an accomplice. Mr. Siegel requested the witness, SEVERS be given immunity. Court directed the State to file a reply that addresses the issues. Mr. Guymon stated this witness will not be prosecuted as an accomplice and will not be prosecuted for perjury; but the State cannot give immunity if there is no criminal conduct. Court directed the State to prepare something in writing for Mr. Siegel. Court directed pleadings be filed by 10/19/99 by close of business with a courtesy copy to the Court. Court advised parties that it is inclined to allow the deposition. Upon Court's inquiry, Mr. Guymon advised Court the State would like the deposition as soon as possible. COURT ORDERED, MATTER CONTINUED FOR A DECISION AND DEPOSITION DATE SET.

CUSTODY

10/21/99 9:00 A.M. DECISION

10/26/99 9:30 A.M. DEPOSITION OF CHARLA SEVERS

CONTINUED ON PAGE: 013

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 012

10/21/99 09:00 AM 00 ALL PENDING MOTIONS 10/21/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004748	Siegel, Jay	Y

STATUS CHECK: FILING OF ALL MOTIONS...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS, PROMISES, OR INDUCEMENTS...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF DEFENDANT...STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER CRIMES...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT... DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS, AMMUNITION

COURT ORDERED, STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS AND DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHERS CRIMES GRANTED. COURT FURTHER ORDERED, DEPOSITION SET FOR 10/26/99 AT 9:30 AM. Discussion between Court and counsel regarding the deposition.

AS TO ALL OTHER MOTIONS, Court stated they have not hit the file yet and, asked counsel if they would like a briefing schedule set, advising them that they will not be based on argument, but the written Points and Authorities. COURT ORDERED, STATE TO ANSWER BY 11/4/99; MR. SCISCENTO TO REPLY BY 11/12/99 and motions CONTINUED FOR DECISION ON 11/18/99 AT 9:30 AM. Mr. Sciscento requested additional time to file motions as he has just recently been assigned to this case and COURT GRANTED THIS REQUEST STATING MOTIONS NEED TO BE FILED BY 11/18/99 and a hearing date will be set at that time.

FOLLOWING CONFERENCE AT BENCH, Court instructed counsel to have Defendant here on 10/26/99 at 9:30 AM, DRESSED.

CUSTODY

10/26/99 9:30 AM DEPOSITION OF CHARLA SEVERS

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 013

11/18/99 9:30 AM ALL PENDING MOTIONS

10/26/99 09:30 AM 00 DEPOSITION HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004264	Figler, Dayvid J.	Y
004380	Sciscento, Joseph S.	Y
004748	Siegel, Jay	Y

Statements by Court regarding the deposition. Counsel stipulated that there is no objection to videotaping this, as long as the Defendant is not shown in jail clothes. Mr. Sciscento advised Court he just finished a Motion to Exclude Media Coverage From this Deposition. Mr. Sciscento renewed Motion Against Deposition. COURT ORDERED, MOTION DENIED. Mr. Figler requested to reserve the right to strike any testimony from today's deposition. CONFERENCE AT BENCH. COURT ORDERED, MOTION IN LIMINE TO PRECLUDE MEDIA COVERAGE OF VIDEO DEPOSITION OF CHARLA SEVERS IS DENIED. Mr. Figler requested the Court put a freeze on the transcript and videotape. SO ORDERED. Mr. Guymon advised Court he will not show this videotape to any of the witnesses. Statement by Mr. Siegel regarding the custody status of Charla Severs. Court invoked the exclusionary rule.

Witness, Charla Severs sworn and testified and evidence marked and admitted, per worksheet. Mr. Figler moved to renew his Motion to Strike the Videotape and for the testimony be stricken. COURT ORDERED, MOTION DENIED.

Court does not find that there is sufficient reason to believe that the witness, Charla Severs is an accomplice and the issue now becomes what is the State going to do with this witness. Court admonished witness that it is important that she is present at trial. Upon Court's inquiry, witness advised Court she will be present for trial. Court directed Mr. Siegel to put in writing his best plan and include the witnesses safety and the Court will make a decision. Mr. Gardner requested that ten days prior to trial the witness be available. COURT ORDERED, MATTER CONTINUED.

CUSTODY

10/28/99 9:00 A.M. DECISION: WITNESS RELEASE

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 014

10/28/99 09:00 AM 00 DECISION: WITNESS RELEASE

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004963 Daskas, Robert J.  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004748 Siegel, Jay

Y  
Y  
Y  
Y  
Y

CONFERENCE AT BENCH. Statements by Court regarding the release of witness, Charla Severs. Court noted that the conditions of the release were discussed at the bench. Court directed Mr. Siegel to prepare an order. FURTHER, TRIAL DATE STANDS.

CUSTODY

11/08/99 09:00 AM 00 DEFT'S MOTION IN LIMINE TO PRECLUDE  
EVIDENCE OF WITNESS INTIMIDATION

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
006841 Sweikert, Steven  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004380 Sciscento, Joseph S.  
004264 Figler, Dayvid J.

Y  
Y  
Y  
Y  
Y  
Y

Mr. Sciscento requested this Motion be continued to 11/18/99. Mr. Sciscento advised Court he may need more time to file motions. COURT ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 11/18/99 09:00 AM 01

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 015

11/18/99 09:00 AM 00 ALL PENDING MOTIONS 11/18/99

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/ac, Court Clerk  
 CAROLE D'ALOIA, Relief Clerk  
 SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
 004963 Daskas, Robert J.  
 001 D1 Johnson, Donte  
 SPD Special Public Defender  
 004380 Sciscento, Joseph S.  
 004264 Figler, Dayvid J.

Y  
 Y  
 Y  
 Y  
 Y  
 Y

DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION .  
 . . DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMATION OF INFORMANTS  
 AND REVEAL ANY BENEFITS, DEALS, PROMISES OR INDUCEMENTS . . . DEFENDANT'S  
 MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR  
 ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH  
 PROSECUTION . . . DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL  
 STATEMENTS OF THE DEFENDANT . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE  
 EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . .  
 DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY  
 BENEFITS, DEALS, PROMISES OR INDUCEMENTS . . . DEFENDANT'S MOTION TO COMPEL  
 DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF  
 BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION . . .  
 DEFENDANT'S REPLY TO OPPOSITON TO MOTION IN LIMINE TO PRECLUDE EVIDENCE OF  
 OTHER WEAPONS

COURT ORDERED, AS TO THE DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE  
 OF WITNESS INTIMIDATION, IS DENIED IN PART AND GRANTED IN PART. Court noted  
 that this is granted only in the sense that there is a continuing obligation  
 to provide new evidence.

AS TO THE MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OR  
 PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION, The State has  
 agreed to provide and attach the transcript which reveals aducements of four  
 or five witnesses and has a continued duty to disclose anything new; Motion  
 is Denied if the State has given all that exists up to this point.

AS TO THE MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE  
 DEFENDANT: The State has given Defense counse full access of their file.  
 Upon Court's inquiry, Mr. Daskas advised Court he has copied the detectives  
 file. COURT ORDERED, MOTION GRANTED; Mr. Sciscento advised Court he will  
 set up a time to meet with Mr. Daskas.

AS TO THE MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND  
 AMMUNITION NOT USED IN THE CRIME: Statements by Court and counsel regarding

CONTINUED ON PAGE: 017

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 016

Motion and foundation. Court directed the supplemental opposition be filed by 12/2/99; reply to be filed by 12/16/99 and matter CONTINUED. Mr. Sciscento requested an Evidentiary Hearing be set. COURT ORDERED, MATTER CONTINUED; Court noted the the issue of a Evidentiary Hearing will be decided on the Calendar Call and the hearing will be heard prior to the trial, if necessary.

Mr. Sciscento requested one week to file a motion that might be dispositive of this case. Court directed Mr. Sciscento to file motion by 11/25/99; State to reply by 12/9/99; Mr. Sciscento to respond by 12/23/99 and matter CONTINUED. Mr. Daskas advised Court the State will have a Motion to Allow Evidence also. COURT ORDERED, MATTER CONTINUED.

## CUSTODY

12/27/99 9:00 A.M. ADDITIONAL TRIAL MOTIONS

1/4/00 9:00 A.M. DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF  
OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME

12/16/99 08:00 AM 00 AT THE REQUEST OF THE COURT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/ac, Court Clerk  
CAROLE D'ALOIA, Relief Clerk  
DEBRA VAN BLARICOM, Reporter/Recorder

PARTIES: STATE OF NEVADA  
006526 Turner, Robert B.  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004380 Sciscento, Joseph S.

Y  
Y  
N  
Y  
Y

COURT ORDERED, MOTION TO CONTINUE IS CONTINUED TO 12/20/99.

## CUSTODY

CONTINUED TO: 12/20/99 08:30 AM 01

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 017

12/20/99 08:30 AM 01 AT THE REQUEST OF THE COURT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
JERI ANDERSON, Reporter/Recorder

PARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
004963 Daskas, Robert J.  
  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004264 Figler, Dayvid J.  
004380 Sciscento, Joseph S.

Y  
Y  
Y  
  
Y  
Y  
Y  
Y

Statements by Court and Counsel regarding the Defendant's Motion for a Continuance. Mr. Figler advised Court he cannot give effective assistance of counsel with the current trial date. Statements by Court and counsel. Mr. Figler advised Court the defense would like to retest the ballistics, the D.N.A. and the fingerprint results. Statements by Mr. Sciscento regarding Dr. Mortellaro as Defendant JOHNSON may have lost confidence in the doctor. Mr. Sciscento advised Court there is another doctor who does extensive testing and it could take about three months for a report. Statements by Court. Court directed the Defense to contact the lab and secure an affidavit from the new expert. COURT ORDERED, THE DEFENSE'S MOTION TO CONTINUE IS GRANTED; TRIAL DATE VACATED AND RESET. Statements by Court and counsel regarding the Motions currently set for 12/27/99. Mr. Daskas advised Court the State has filed responses in 22 of the 23 motions. Court directed the Defense file a reply to the motions by 1/31/00. FURTHER, MATTER CONTINUED FOR A STATUS CHECK AND DECISION ON THE MOTIONS. Court noted that the final date for motions to be filed will be 2/17/00. Mr. Daskas advised Court there is a Motion to Suppress which might require an evidentiary hearing. COURT ORDERED, MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED IS SET FOR 1/6/00 at 10:45 A.M.

1/6/00 10:45 A.M. DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED

2/17/00 9:00 A.M. ALL PRE-TRIAL MOTIONS

5/30/00 9:00 A.M. CALENDAR CALL

6/8/00 10:00 A.M. JURY TRIAL

CONTINUED ON PAGE: 019

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 018

01/06/00 10:45 AM 01 DEFT'S MOTION TO SUPPRESS EVIDENCE  
ILLEGALLY SEIZED VO 4/18/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
DEBRA VAN BLARICOM, Reporter/Recorder

PARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
004963 Daskas, Robert J.  
  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004380 Sciscento, Joseph S.  
004264 Figler, Dayvid J.  
004748 Siegel, Jay

Y  
Y  
Y  
  
Y  
Y  
Y  
Y  
Y

## EVIDENTIARY HEARING

Mr. Sciscento invoked the exclusionary rule. SO ORDERED. Witnesses sworn and testified and evidence marked and admitted, per worksheet. Court further ORDERED, CHARLA SEVERS to be present at the Calendar Call. Mr. Sciscento moved to suppress the Defendant's statement. Court directed Mr. Sciscento to include this request in his reply to the District Attorney's Points and Authorities. CONFERENCE AT BENCH. Court directed the State to file their response by 1/18/00; Defense to reply by 2/1/00 and MATTER CONTINUED.

## CUSTODY

CONTINUED TO: 02/17/00 09:00 AM 02

01/18/00 09:00 AM 00 MATERIAL WITNESS CHARLA SEVERS' MOTION  
FOR OWN RECOGNIZANCE RELEASE

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004963 Daskas, Robert J.  
  
001 D1 Johnson, Donte  
004748 Siegel, Jay

Y  
Y  
  
Y  
Y

CONTINUED ON PAGE: 020



## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 019

Witness, Charla Severs present. Mr. Daskas requested if the witness is released from house arrest, that she be directed to check in weekly and requested a Status Check be set thirty days prior to trial. COURT ORDERED, MOTION GRANTED, conditioned upon Charla Severs stay in contact with the District Attorney and report in at least once a week. FURTHER, MATTER CONTINUED FOR A STATUS CHECK.

4/24/00 9:00 A.M. STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS

02/17/00 09:00 AM 00 ALL PENDING MOTIONS 02/17/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
DEBRA VAN BLARICOM, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004031 Porterfield Jr, Owen W.  
001 D1 Johnson, Donte  
004748 Siegel, Jay

Y  
Y  
Y  
Y

DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED . . . DEFENDANT'S  
MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE . . .  
DEFENDANT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS. . . DEFENDANT'S  
MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO  
WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON  
GUILTY OF CAPITAL MURDER . . . DEFENDANT'S MOTION FOR DISCLOSURE OF  
EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION  
UPON VICTIM'S FAMILY MEMBERS . . . DEFENDANT'S MOTION TO AUTHENTICATE AND  
FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION AND  
ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE . . .  
DEFENDANT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE  
JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT . . . DEFENDANT'S  
MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS . . .  
DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT  
ATTORNEY . . . DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR  
EXERCISING PEREMPTORY CHALLENGES . . . DEFENDANT'S MOTION FOR JURY  
QUESTIONNAIRE . . . DEFENDANT'S MOTION FOR CHANGE OF VENUE . . .  
DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY  
BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL . . .  
DEFENDANT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES . . .  
DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND  
AMMUNITION NOT USED IN THE CRIME . . . DEFENDANT'S MOTION IN LIMINE FOR  
ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT . . . DEFENDANT'S MOTION  
IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE"  
. . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES . . .  
DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS

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## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 020

CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY . . . DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT . . . DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE . . . DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION . . . DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED. . . STATUS CHECK: WITNESS CHARLA SEVERS

Court advised parties it will need additional time to study this matter. COURT ORDERED, MATTER CONTINUED.

CONTINUED TO: 3/2/00 9:00 A.M.

03/02/00 09:00 AM 00 ALL PENDING MOTIONS 3/2/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004264	Figler, Dayvid J.	Y

DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED . . . DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE . . . DEFENDANT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS . . . DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON GUILTY OF CAPITAL MURDER . . . DEFENDANT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION UPON VICTIM'S FAMILY MEMBERS . . . DEFENDANT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE . . . DEFENDANT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT . . . DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS . . . DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY . . . DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES . . . DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE . . . DEFENDANT'S MOTION FOR CHANGE OF VENUE . . . DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL . . . DEFENDANT'S MOTION FOR INSPECTION

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## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 021

OF POLICE OFFICERS' PERSONNEL FILES . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . DEFENDANT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT . . . DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE" . . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANT SENTENCES . . . DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY . . . DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT . . . DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE . . . DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION . . . DEFENDANT'S MOTION IN LIMINE TO PREVENT THE STATE FROM TELLING COMPLETE STORY . . . DEFENDANT'S PRO PER MOTION TO DISQUALIFY THIS COURT

Court directed the State to file their answers to the Motions continued to 5/23/00 by 3/16/00.

COURT ORDERED, THE MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED IS CONTINUED TO 5/23/00.

COURT ORDERED, DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE IS DENIED.

AS TO THE DEFENDANT'S MOTION TO FILE OTHER MOTIONS, COURT STATED THAT IT WILL CONSIDER OTHER MOTIONS ON THE MERTIS.

AS TO THE DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON GUILTY OF CAPITAL MURDER, COURT ORDERED, MOTION DENIED; Court stated that it will handle this according to established law and Court directed counsel to file a memorandum of law at the time of trial.

AS TO DEFENDANT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION UPON VICTIM'S FAMILY MEMBERS, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE: Statements by Court and Mr. Figler. Court directed Mr. Figler to do what he thinks he has to to protect the record. Court stated that it will not rule on this motion and motion is taken OFF CALENDAR.

AS TO THE MOTION TO PROHIBIT THE USE OF PREEMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT, COURT ORDERED, MOTION DENIED.

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## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 022

AS TO THE MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS, Court directed Mr. Daskas to file a supplement indicating what statement he expects to get in by 3/30/00; Mr. Figler to file an answer by 4/13/00; State to reply by 4/20/00 and matter continued to the Calendar Call.

AS TO THE DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY, COURT ORDERED, MOTION IS DENIED.

AS TO THE DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES, COURT ORDERED, MOTION DENIED.

AS TO THE DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE, COURT ORDERED, MOTION FOR JURY QUESTIONNAIRE IS GRANTED with the understanding this Court will strictly limit anything in addition to the questionnaire. Court directed counsel to submit an agreed upon questionnaire to the Court by 5/17/00.

AS TO THE DEFENDANT'S MOTION FOR CHANGE OF VENUE, COURT ORDERED, MOTION DENIED.

AS TO THE DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME, Court directed the State to file brief supplemental points and authorities and matter CONTINUED to 5/23/00.

AS TO DEFENDANT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE", COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES, Court directed Mr. Figler file a reply with federal authority by 3/30/00 and matter continued to 5/23/00 for Decision.

AS TO DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT, Court directed the State to provide this information to Defense counsel, if it exists.

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## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 023

AS TO DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS, COURT ORDERED, MOTION IS DENIED AT THIS TIME; Court will consider photographs individually at trial.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION, COURT ORDERED, MOTION GRANTED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PREVENT THE STATE FROM TELLING COMPLETE STORY IS DENIED.

AS TO DEFENDANT'S PRO PER MOTION TO DISQUALIFY THIS COURT, COURT ORDERED, MOTION IS DENIED WITHOUT PREJUDICE to the Special Public Defender's Office refile, if they wish to pursue this matter pursuant to the District Court rules.

Mr. Guymon requested all exhibits from the co-offender's cases be brought into this case number. SO ORDERED.

Court directed counsel to physically meet and agree upon jury instructions prior to trial. Court advised parties the trial schedule.

CUSTODY

04/18/00 09:00 AM 00 MINUTE ORDER RE: DECISION: MOTION TO SUPPRESS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk

PARTIES: NO PARTIES PRESENT

MINUTE ORDER:

Pursuant to the Decision and Order filed 4/18/00, the Defendant's Motion to Suppress Evidence Seized by Police in a Warrantless Search is DENIED.

Therefore, the 5/23/00 date is VACATED.

CONTINUED ON PAGE: 025

## CRIMINAL COURT MINUTES

98-C-153154-C

STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 024

04/24/00 09:00 AM 00 STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004963 Daskas, Robert J.  
004748 Siegel, Jay

Y  
Y  
Y

Mr. Daskas advised Court Charla Severs is present in Court and has been checking in. Court directed Mr. Daskas to submit a copy of the jury questionnaire on 5/19/00 by noon to the Court. FURTHER, Matter continued.

CUSTODY

CONTINUED TO: 05/23/00 09:00 AM 01

05/08/00 09:00 AM 00 DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILES/RECORDS/INFORMATION

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004963 Daskas, Robert J.  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004380 Sciscento, Joseph S.

Y  
Y  
Y  
Y  
Y

Ms. Daskas advised Court he spoke with Mr. Sciscento and the State does not oppose items 1,2,3 or 5, but is concerned with item 4. Statements by counsel. Mr. Sciscento requested Las Vegas and federal agency records regarding drug sales involving the victims. Statements regarding possible Brady material. Court directed the State to file an opposition addressing the Brady issue by 5/15/00 and MATTER CONTINUED.

CUSTODY

CONTINUED TO: 05/18/00 09:00 AM 01

CONTINUED ON PAGE: 026

## CRIMINAL COURT MINUTES

98-C-153154-C

STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 025

05/18/00 09:00 AM 01 DEFT'S MOTION FOR DISCOVERY OF  
PROSECUTION FILES/RECORDS/INFORMATION

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
DEBRA VAN BLAIRICOM, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y

Upon Court's inquiry, Mr. Daskas advised he spoke to Mr. Sciscento and matter has been resolved, therefore, motion is moot. COURT ORDERED, matter OFF CALENDAR; FUTURE DATES STAND.

CUSTODY

05/23/00 09:00 AM 00 ALL PENDING MOTIONS 5/23/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y

STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS . . . DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS' STATEMENTS . . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . CALENDAR CALL

Mr. Guymon advised Court the witness, Charla Severs has been checking in with his office. Ms. Sciscento advised Court counsel have agreed that they will not use the co-conspirators' statements or co-defendant's sentences. COURT ORDERED, MOTIONS OFF CALENDAR.

Statements by Court and counsel regarding regarding the guns. Mr. Sciscento advised Court an evidentiary hearing may be necessary. COURT ORDERED, MATTER CONTINUED.

CONTINUED ON PAGE: 027

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 026

Statements by Court and counsel regarding the jury questionnaire.

CUSTODY

6/1/00 9:00 A.M. DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME

06/01/00 09:00 AM 04 DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
JUDY NORMAN/jn, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004963	Daskas, Robert J.	Y
003726	Guymon, Gary L.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y

The Court stated he had read the pleadings, had the same concerns as earlier and inquired as to how this played out in the co-defendants trials. Following arguments by counsel, COURT ORDERED, MOTION DENIED; counsel to meet in chambers 6/5 at 9:15. Mr. Guyman advised most of the evidence given to the defense had not been returned. The Court stated he wanted it Friday so the Clerks could begin marking the evidence. Mr. Sciscento advised he should be receiving the evidence back today.

CUSTODY

CONTINUED ON PAGE: 028



## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 027

06/05/00 10:00 AM 00 TRIAL BY JURY

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Jury panel assembled. Introductions by counsel. Jury panel sworn and twelve jurors seated for voir dire. Court admonished jury and took morning recess from 10:50 AM to 11:00 AM. Jury panel reassembled, voir dire continues. Court admonished jury and took lunch recess from 11:55 AM to 1:05 PM. Jury panel reassembled and voir dire continues. Court admonished jury and took afternoon recess with jurors being told to report back at 3:00 PM. OUTSIDE THE PRESENCE OF THE JURY, Court stated Mr. Sciscento and Mr. Figler indicated, at the bench, that they have a challenge for cause, which Court indicated it would overrule. Mr. Figler and Mr. Sciscento stated their objections for the record. Jury panel reassembled, voir dire continues. Jury of 12 and 2 alternates selected and sworn. Jury admonished and recessed for the evening.

CUSTODY

CONTINUED TO: 06/06/00 09:15 AM 01

CONTINUED ON PAGE: 029

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 028

06/06/00 09:15 AM 01 TRIAL BY JURY

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA/CD, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler and Mr. Sciscento stated their contemporaneous objections for the record. Statements by Court and Mr. Figler regarding Morgan. Upon Court's inquiry, Mr. Daskas stated his contemporaneous Batson challenge for the record. COURT OVERRULED THIS CHALLENGE. Court recessed from 9:35 to 9:45 A.M. Jury reassembled and Court reconvened. Reading of indictment by Clerk. Opening statement by Mr. Guymon. Jury admonished and recessed from 11:10 AM to 11:25 AM. Jury reassembled. Opening statement by Mr. Sciscento. Testimony and exhibits per worksheet. Jury admonished and recessed for lunch from 1:05 PM to 2:05 PM. Jury reassembled and testimony and exhibits continued per worksheet. Jury admonished and recessed from 4:00 PM to 4:15 PM. Jury reassembled and testimony and exhibits continued per worksheet. Jury admonished and recessed for the evening. OUTSIDE THE PRESENCE OF THE JURY, COURT DENIED STATE'S MOTION FOR DISCOVERY as it relates to Defense witnesses for the penalty hearing. FURTHER, COURT ORDERED, STATE'S MOTION FOR CONTINUANCE DENIED.

CUSTODY

CONTINUED TO: 06/07/00 08:00 AM 02

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 029

06/07/00 08:00 AM 02 TRIAL BY JURY

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed from 10:35 AM to 10:40 AM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for lunch from 11:55 AM to 1:05 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for afternoon break from 2:50 PM to 3:00 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and rescess for another afternoon break from 4:20 PM to 4:30 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for the evening at 5:25 PM.

CUSTODY

CONTINUED TO: 06/08/00 09:15 AM 03

## CRIMINAL COURT MINUTES

98-C-153154-C

STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 030

06/08/00 09:15 AM 03 TRIAL BY JURY

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed from 11:25 AM to 11:40 AM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for lunch from 1:00 PM to 2:10 PM. OUTSIDE THE PRESENCE OF THE JURY, Court stated for the record that there were contemporaneous objections to several of the exhibits that came in yesterday and Court has OVERRULED THOSE OBJECTIONS. COURT FURTHER STATED THERE WAS A MOTION FOR CHANGE OF VENUE WHICH IS DENIED, AS COURT FINDS NO BASIS WHATSOEVER FOR A CHANGE OF VENUE. Mr. Sciscento stated for the record Defendant's concerns that this case was rushed along. Court advised Defendant of his constitutional right to testify. Jury instructions settled on the record. State rests. Upon Court's inquiry, Mr. Sciscento advised they would not be calling any witnesses and the Defense rests. Jury instructions read. Closing argument by Mr. Daskas. Jury admonished and recessed from 4:00 PM to 4:15 PM. OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler stated his objections in regard to State using two 42 inch screens during their closing argument. Mr. Figler also made a motion for mistrial and COURT DENIED HIS MOTION. Jury reassembled. Closing argument by Mr. Sciscento. Rebuttal argument by Mr. Guymon. Bailiff sworn and Court instructed jury to deliberate, giving them the option to deliberate into the evening or come back at 8:00 AM in the morning. Jury advised they will come back tomorrow at 8:00 AM.

CUSTODY

CONTINUED TO: 06/09/00 09:00 AM 04

CONTINUED ON PAGE: 032

## CRIMINAL COURT MINUTES

98-C-153154-C

STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 031

06/09/00 09:00 AM 04 TRIAL BY JURY

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Jury reassembled at 8:00 AM to begin deliberations. Jury returned to Court at 4:10 PM with verdicts as follows:

COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (F) - GUILTY  
COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER (F) - GUILTY  
COUNTS III, IV, V & VI - ROBBERY WITH USE OF A DEADLY WEAPON (F) - GUILTY  
VII, VIII, IX, X - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) - GUILTY  
XI, XII, XIII, XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F) - GUILTY

Jury polled. COURT ORDERED, matter set for PENALTY HEARING and INSTRUCTED JURY TO REPORT BACK TO COURT ON TUESDAY, JUNE 13 AT 9:15 AM. Jury admonished and recessed.

CUSTODY

6/13/00 9:30 AM PENALTY HEARING

CONTINUED ON PAGE: 033

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 032

06/13/00 09:15 AM 00 PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: GEORGETTE BYRD/GB, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
004963 Daskas, Robert J.  
  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004264 Figler, Dayvid J.  
004380 Sciscento, Joseph S.

Y  
Y  
Y  
  
N  
Y  
Y  
Y

Outside the presence of the jury, COURT ORDERED, Motion to Sever or Bifurcate the Penalty Hearing is DENIED. Court noted it does not think it is accord with current Nevada case law. Colloquy regarding Mr. Figler's fax of Supreme Court case Washington, Bartholomew. COURT ORDERED, all those things that are listed under 1, 4, 5 and 6 that relate to prior acts will come in. Colloquy regarding victim impact. COURT ORDERED, it will limit it to four parents, one for each victim. Colloquy regarding letters being presented by the State. Mr. Sciscento stated he does not see anything that goes with the aggravation or prior harm to the community. Further Mr. Sciscento requested the State to make an offer of proof as to what section he will be focusing on and the difference between the language and understanding. Court noted it has read the letters and does not see any probative value that could outweigh the possible prejudice. Objections by Mr. Guymon advising the letters address violence and thinks the violence clearly is a character trait that the jury can know about. COURT ORDERED, the letters, except for the possibility of rebuttal, will not come in. Colloquy regarding gang references. Mr. Sciscento advised it is his understanding that information will be brought by the State through PSI reports and any reports of probation. Mr. Sciscento further advised he has not objection. Mr. Figler stated his objections as to Aggravator number 3 and Aggravator number 12. Mr. Daskas advised in the statute the aggravator makes no distinction between whether it's a victim or whether it's a co-defendant who was also present in that home when the bullets are shot. COURT ORDERED, Aggravator 3 is stricken. Colloquy regarding courts emotions during penalty hearing. With agreement by all Counsel, COURT ORDERED, the Clerk will read the admonition.

10:06 AM Jury present, followed by opening statments by Counsel. Witnesses sworn and testified. Exhibits marked per the worksheet. 12:20 PM Jury excused for lunch break. 1:25 PM Jury present followed by continued testimony. 5:21 PM State rests. COURT ORDERED, Jury excused and to return at 8:00 AM tomorrow.

CUSTODY

CONTINUED TO: 06/14/00 08:00 AM 01

PRINT DATE: 11/09/00

PAGE: 033

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MINUTES DATE: 06/13/00

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 033

06/14/00 08:00 AM 01 PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
DEBRA VAN BLAIRICOM, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Jury reassembled at 8:13 AM. Mr. Figler requested a five minute recess and Court admonished and recessed jury. OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler requested a short continuance to work on his closing. COURT ADMONISHED MR. FIGLER AND GRANTED HIS REQUEST FOR THE CONTINUANCE. Court instructed bailiff to advise jury that court will be back in session at 9:30 AM. Jury reassembled and Court apologized for the delay. Testimony and exhibits per worksheet. Jury admonished and recessed from 11:30 to 11:45 AM for morning break. Jury reassembled and testimony and exhibits continued per worksheet. Jury recessed at 12:40 PM for lunch. OUTSIDE THE PRESENCE OF THE JURY parties stipulate to the reading of the jury instructions before closing arguments. Jury instructions settled on the record. Court advised Defendant of his right to make an allocution statement. Jury panel reassembled and testimony and exhibits continued per worksheet. Jury recessed from 3:30 to 3:45 PM. Jury reassembled. Testimony and exhibits continued per worksheet. Defense rests. Jury instructions read. Closing arguments. 5:20 PM jury given short recess. Closing arguments continued. Jury recessed at 6:10 PM and ordered to come back at 8:00 AM in the morning for deliberations.

CONTINUED TO: 06/15/00 09:00 AM 02

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 034

06/15/00 09:00 AM 02 PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
DEBRA VAN BLARICOM, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Outside the presence of the Jury, Statements by Court and counsel regarding two notes from the jury yesterday afternoon.

CONTINUED TO: 06/16/00 08:00 AM 03

06/16/00 08:00 AM 03 PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
DEBRA VAN BLARICOM, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y
000556	Kohn, Philip J.	Y
002437	Pescetta, Michael L.	Y
000556	Kohn, Philip J.	Y

Outside the presence of the jury, Statements by Court and counsel regarding the two notes from the jury yesterday afternoon. Notes marked Court's Exhibits VII and VIII. Arguments by counsel. (Matter trailed)

RECALLED: Court stated that it has reviewed the authority. Court advised parties the jury foreperson will be brought in and questioned. Mr. Figler requested the jury foreperson be questioned without the media and court observers present. SO ORDERED. Jury foreperson brought into the courtroom and questioned. Juror #7 brought into the courtroom and questioned regarding

CONTINUED ON PAGE: 036



## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 035

Court's Exhibit #VII and his feeling on the death penalty. Outside the presence of Juror #7, statements by Court and counsel. Juror #7 brought back into the courtroom and questioned and returned to the jury room. COURT ORDERED, Juror #7 stays on the jury. Mr. Sciscento requested the Court impose a gag order as there was something on the news last night.

Jury panel assembled. Court questioned as to Court's Exhibit #VIII regarding a deadlock. Upon Court's inquiry, the jury requested to be allowed to continue deliberations. Court directed the jury to continue deliberations.

Outside the presence of the jury, statements by Court and counsel regarding an Allen charge. Both counsel advised Court they oppose an Allen charge. Court stated there is also another issue, which may be a non-issue as at some point yesterday, late in the day, a member of the victim's family was in the jury lounge and there was a Newsweek magazine, which had the death penalty on the cover (marked Court's Exhibit IX). Upon Court's inquiry, neither counsel requested to pursue this matter.

Time: 11:35 a.m.

Court noted the jury has two notes, (Marked Court's Exhibits X & XI). Court's Exhibit X, indicates the jury is at a stalemate; Court's Exhibit XI, from Juror #1, indicates there was an incident that occurred last week that she needs to bring to the Court's attention as soon as possible. (Courtroom cleared) Juror #1 brought into the courtroom and advised Court of an incident which occurred in the parking garage and returned to the jury. Jury assembled. Jury questioned regarding the jury note, Exhibit X indicating a stalemate. Outside the presence of the jury, statements by Court and counsel regarding the jury not being able to make a final decision. Mr. Sciscento moved for a mistrial. Statements by Court and counsel. Mr. Figler requested to withdraw the Motion for a Mistrial. Statements by Court and counsel regarding the scheduling of the three-judge panel.

Courtroom opened to the public and jury re-assembled. COURT ORDERED, JURY RELEASED AND HUNG JURY DECLARED. Jury thanked and excused. Court advised parties it can schedule the three-judge panel during the weeks of 7/24, 8/7 or 8/14. Court directed counsel to review their schedules and COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK.

CUSTODY

6/20/00 9:00 A.M. STATUS CHECK: THREE-JUDGE PANEL

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 036

06/20/00 09:00 AM 00 STATUS CHECK: THREE JUDGE PANEL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
004963 Daskas, Robert J.  
  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004380 Sciscento, Joseph S.  
004264 Figler, Dayvid J.

Y  
Y  
Y  
Y  
Y  
Y

Transcript of 6/16/00 Penalty Phase FILED IN OPEN COURT. Upon Court's inquiry, all counsel advised they will be available during July 24, 25 and 26, 2000. Mr. Figler advised Court motions may need to be filed and requested a date after September. Court advised counsel it will notify the Supreme Court and request two other judges be designated as quickly as possible. Court directed counsel to file motion to challenge the three-judge panel by 7/10/00; Oppositions to be filed by 7/14/00.

Court further directed counsel to file a memorandum on this Court's duty along with the other judges' duty in a three-judge panel. Court submitted a copy of the oath that a judge takes and the jury oath to counsel. Court requested counsel submit their best analysis of the duty of a judge on a three-judge panel and if it is the same duty as a juror.

Statements by Court and Mr. Figler regarding the selection process of the three-judge panel.

Mr. Figler requested the verdict forms and special verdict forms be made court's exhibits. COURT ORDERED, VERDICTS AND SPECIAL VERDICTS MADE COURT'S EXHIBITS.

CUSTODY

7/24/00 9:30 A.M. THREE-JUDGE PANEL PENALTY HEARING

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 037

07/06/00 09:00 AM 00 DEFT'S MOTION FOR NEW TRIAL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA/CD, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/RecorderPARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
001 D1 Johnson, Donte  
003845 Williams, Kevin V.Y  
Y  
Y  
Y

COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 07/13/00 08:30 AM 01

07/13/00 08:30 AM 01 DEFT'S MOTION FOR NEW TRIAL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CONNIE KALSKI/CK, Court Clerk  
CAROLE D'ALOIA, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/RecorderPARTIES: STATE OF NEVADA  
004963 Daskas, Robert J.  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004264 Figler, Dayvid J.Y  
Y  
Y  
Y  
Y

Mr. Figler presented a photograph depicting the jury room door to the Court. COURT ORDERED, photograph to be marked next in order. Upon Court's inquiry, Mr. Figler advised he would have his reply ready by Wednesday, July 19, 2000, A.M. Mr. Figler inquired if the Court has an inclination to grant the STAY. Court advised the Court would need to read the corresponding pleadings and would be ready to give its disposition next court date. The Court further stated, all the pleadings as the Defendant's Motion for new trial have been reviewed and ORDERED, Motion DENIED. FURTHER ORDERED, 7/24/00 hearing date VACATED and reset. The Court further noted there will be no oral argument as to the upcoming Defendant's motion.

CUSTODY

7/20/00 9:00 AM DEFT'S MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE; OR, IN THE ALTERNATIVE, MOTION TO EMPANEL JURY FOR

CONTINUED ON PAGE: 039

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 038

SENTENCING HEARING AND/OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO  
CONSTITUTIONALITY OF THREE JUDGE PANEL PROCEDURE

07/20/00 09:00 AM 00 ALL PENDING MOTIONS 7/20/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA  
003726 Guymon, Gary L.  
001 D1 Johnson, Donte  
SPD Special Public Defender  
004264 Figler, Dayvid J.

Y  
Y  
Y  
Y  
Y

DECISION: DEFENDANT'S MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE; OR, IN THE ALTERNATIVE, MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND/OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL . . . STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILTY PHASE

COURT ORDERED, MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE IS DENIED IN ITS ENTIRETY. Court advised parties it will not order a stay. Court stated that it will sign an order denying relief today. Court stated its findings.

FURTHER, AS TO THE MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILTY PHASE: Statements by Court and counsel. Mr. Figler requested the other two judges read the trial transcript of the guilt phase. Court advised it will make the transcripts available to the other judges. Mr. Figler advised Court he objects to a summary. Court directed all counsel to get together and work out a summary both sides think is fair prior to the three judge panel, otherwise Mr. Guyman to call his lead detective. Statements by Court and Mr. Figler regarding a stay from the Nevada Supreme Court. Mr. Figler further requested a statistical analysis on how the two other judges were picked. COURT ORDERED, MOTION DENIED. Mr. Figler advised Court he will be preparing an Order by this morning.

CUSTODY

7/24/00 9:00 A.M. THREE JUDGE PANEL / PENALTY HEARING

CONTINUED ON PAGE: 040

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 039

07/24/00 08:00 AM 00 THREE JUDGE PANEL / PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
CARRIE HANSEN, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Three Judge Panel assembled consisting of the Judge Jeffrey D. Sobel, Judge Michael R. Griffin and Judge Steve Elliott. Mr. Guymon disclosed the inducement regarding Sharla Severs for the record. Mr. Figler stated his objection regarding the constitutionality of the three judge panel for the record. Opening statement by Mr. Guymon. Opening statement by Mr. Figler. Sciscento. Morning recess from 10:30 to 10:45 AM. Witness testimony and exhibits per worksheet. Court recessed for lunch from 11:30 AM to 1:00 PM. Witness testimony and exhibits continued per worksheet. Court took afternoon recess from 3:25 to 3:40 PM. Witness testimony and exhibits per continued per worksheet. State rested. Court recessed and, ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 07/26/00 08:00 AM 01

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 040

07/26/00 08:00 AM 01 THREE JUDGE PANEL / PENALTY HEARING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA, Court Clerk  
CARRIE HANSEN, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004380	Sciscento, Joseph S.	Y
004264	Figler, Dayvid J.	Y

Three Judge panel reassembled and witness testimony and exhibits continued per worksheet. Court recessed from 9:40 to 9:52 AM. Closing argument by Mr. Daskas. Closing argument by Mr. Figler and Mr. Sciscento. Rebuttal argument by Mr. Guymon. Judges retire to deliberate at 11:25 AM. Judges return with their verdicts at 1:21 PM as follows: THE THREE JUDGE PANEL, HAVING FOUND THAT THE AGGRAVATING CIRCUMSTANCE OR CIRCUMSTANCES OUTWEIGHT ANY MITIGATING CIRCUMSTANCE OR CIRCUMSTANCES IMPOSE A SENTENCE OF DEATH AS TO COUNTS XI-XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F). Panel polled.

CUSTODY

09/07/00 09:00 AM 00 ALL PENDING MOTIONS 9/7/00

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALOIA/CD, Court Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
000738	Berrett, Bill A.	Y
005691	Kochevar, Brian J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004264	Figler, Dayvid J.	Y

DEFENDANT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE RECORD...  
SENTENCING

REGARDING DEFENDANT'S MOTION, COURT ORDERED, State to file Opposition by 9/21/00; Mr. Figler to reply by 9/28/00 and MOTION AND SENTENCING CONTINUED.

CONTINUED ON PAGE: 042

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 041

CUSTODY

10/12/00 9:00 AM ALL PENDING MOTIONS

10/03/00 09:00 AM 00 SENTENCING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: CAROLE D'ALLOIA, Court Clerk  
GEORGETTE BYRD/GB, Relief Clerk  
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003726	Guymon, Gary L.	Y
004963	Daskas, Robert J.	Y
001 D1	Johnson, Donte	Y
SPD	Special Public Defender	Y
004264	Figler, Dayvid J.	Y
004380	Sciscento, Joseph S.	Y

Officer Williams of P&P present. COURT ORDERED, Deft's Motion to Set Aside Death Sentence or Motion to Settle Record is denied. Objections by Mr. Figler and Mr. Sciscento. COURT ORDERED, the record will stand the way it is, and Mr. Sciscento can assess his concerns in Supreme Court. DEFENDANT JOHNSON ADJUDGED GUILTY of:

I-Burglary While In Possession Of a Firearm (F)

II-Conspiracy To Commit Robbery And/Or Kidnapping And/Or Murder (F)

III-VI-Robbery With Use of a Deadly Weapon (F)

VII-X-First Degree Kidnapping With Use of a Deadly Weapon (F)

XI-XIV-Murder Of The First Degree With Use Of A Deadly Weapon (F)

COURT FURTHER ORDERED, the terms of incarceration will be to the maximum, and counts will run consecutive to each other. In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Defendant is SENTENCED as follows and ORDERED to pay restitution in the amount of \$33,605.95 jointly and severally with Sikia Lafayette Smith and Terrell Cochise Young:

CT I-Burglary While In Possession of a Firearm: To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons.

CT II-Conspiracy to Commit Robbery and/or Kidnapping and/or Murder: To a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of

CONTINUED ON PAGE: 043

## CRIMINAL COURT MINUTES

98-C-153154-C STATE OF NEVADA

vs Johnson, Donte

CONTINUED FROM PAGE: 042

SIXTEEN (16) MONTHS in the Nevada Department of Prisons consecutive to Count I.

CT III-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for Use of a Deadly Weapon, consecutive to Count II.

CT IV-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to Count III.

V-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to Count IV.

VI-Robbery With Use of a Deadly Weapon: To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to count V.

VII-First Degree Kidnapping With Use Of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons, without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive to VI.

VIII-First Degree Kidnapping With use of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive to VII.

IX-First Degree Kidnapping With use of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive VIII.

X-First Degree Kidnapping With Use of a Deadly Weapon; To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive IX.

CONTINUED ON PAGE: 044



## CRIMINAL COURT MINUTES

98-C-153154-C    STATE OF NEVADAvs Johnson, Donte

CONTINUED FROM PAGE: 043

XI-First Degree Murder With Use of a Deadly Weapon: DEATH, plus \$33,605.95 restitution jointly and severally with co-offenders Sikia Lafayette Smith and Terrell Cochise Young.

XII-First Degree Murder With Use of a Deadly Weapon: DEATH.

XIII-First Degree Murder With Use of a Deadly Weapon: DEATH.

XIV-First Degree Murder With Use of a Deadly Weapon: DEATH.

Defendant is entitled to (776) DAYS credit for time served.

Order of Execution and Warrant of Execution signed and filed in open court. Further, defendant's motion set on 10/12/00 is vacated.

CLERK'S NOTE: Minutes to reflect, Court noted automatic stay of execution.

		OFFERED	ADMITTED
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✓ 2	PHOTO	<input type="checkbox"/>	<input type="checkbox"/>
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✓ 6	PHOTO	<input type="checkbox"/>	<input type="checkbox"/>
✓ 7	PHOTO	<input type="checkbox"/>	<input type="checkbox"/>
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19	PHOTO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
20	PHOTO	6-7-00 <input checked="" type="checkbox"/> no obs	<input checked="" type="checkbox"/>
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OFFERED ADMITTED

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95	PHOTO	↓	<input checked="" type="checkbox"/>	↓	<input checked="" type="checkbox"/>
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✓ 130	PHOTO	6-7-00	<input checked="" type="checkbox"/> OBS	<input checked="" type="checkbox"/>
✓ 131	PHOTO		<input type="checkbox"/>	<input type="checkbox"/>
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✓ 148	PHOTO	↓	<input checked="" type="checkbox"/> ↓	<input checked="" type="checkbox"/>
✓ 149	PHOTO		<input type="checkbox"/>	<input type="checkbox"/>
✓ 150	PHOTO		<input type="checkbox"/>	<input type="checkbox"/>

	OFFERED	ADMITTED
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PHOTO	<input type="checkbox"/>	<input type="checkbox"/>
LARGE EVIDENCE BAG	6-7-00 <input checked="" type="checkbox"/> Submitted	<input checked="" type="checkbox"/>
A VCR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MED. EVIDENCE BAG	6-7-00 <input checked="" type="checkbox"/> Submitt	<input checked="" type="checkbox"/>
151 A Beeper holster	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
151 B Beeper	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
151 C Key	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
151 D Key	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MED. EVIDENCE BAG	6-7-00 <input checked="" type="checkbox"/> Subo	<input checked="" type="checkbox"/>
A Duct Tape	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SMALL EVIDENCE BAG & CONTENTS	6-7-00 <input checked="" type="checkbox"/> Skip NO OBJ	<input checked="" type="checkbox"/>
LARGE EVIDENCE BAG	6-7-00 <input checked="" type="checkbox"/> Subo	<input checked="" type="checkbox"/>
A) DUFFEL BAG	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
LARGE CHART - JULY - 1998	6-6-00 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/>
LARGE CHART - AUGUST 1998	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CHART DEFTS	<input type="checkbox"/>	<input type="checkbox"/>
STATEMENT SIKIA SMITH	<input type="checkbox"/>	<input type="checkbox"/>
CRIME SCENE DIAGRAM	6-7-00 <input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/>
MIRANDA CARD- S. SMITH	<input type="checkbox"/>	<input type="checkbox"/>
TRANSCRIPT OF TAPE- S-SMITH	<input type="checkbox"/>	<input type="checkbox"/>
TAPE (SMITH)	<input type="checkbox"/>	<input type="checkbox"/>
HAND DRAWN DIAGRAM (SMITH)	<input type="checkbox"/>	<input type="checkbox"/>
VOLUNTARY STATEMENT (SMITH)	<input type="checkbox"/>	<input type="checkbox"/>
LARGE EVIDENCE BAG	<input type="checkbox"/>	<input type="checkbox"/>



	OFFERED	ADMITTED
✓ <del>180</del> A. BANANA CLIP	<input type="checkbox"/>	<input type="checkbox"/>
✓ <del>181</del> B. HAND GUN 380	<input type="checkbox"/>	<input type="checkbox"/>
<del>182</del> C. 22 RIFLE	6-7-00 <input checked="" type="checkbox"/> Sub	<input checked="" type="checkbox"/>
<del>183</del> SMALL EVIDENCE BAG	6-8-00 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>184</del> A. Remote Control	6-8-00 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓ <del>185</del> CHART - MAP	<input type="checkbox"/>	<input type="checkbox"/>
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<del>187</del> CERT. COPY PRINTS SMITH	6-8-00 <input checked="" type="checkbox"/> Sub No obj	<input checked="" type="checkbox"/>
✓ <del>188</del> ENLARGED PRINT CARD - SMITH	<input type="checkbox"/>	<input type="checkbox"/>
<del>189</del> MED EVID. BAG & CONTENTS-WEAPON	<input type="checkbox"/>	<input type="checkbox"/>
✓ <del>190</del> AFFIDAVIT RICHARD GOOD-SMITH	<input type="checkbox"/>	<input type="checkbox"/>
✓ <del>191</del> PAPER - SMITH TEST	<input type="checkbox"/>	<input type="checkbox"/>
✓ <del>192</del> PAPER - SMITH TEST	<input type="checkbox"/>	<input type="checkbox"/>
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✓ <del>194</del> CHART PICTURES OF VICTIMS	<input type="checkbox"/>	<input type="checkbox"/>
<del>195</del> Posterboard Photo of 4 Victims	6-6-00 <input checked="" type="checkbox"/> O.B.S.	<input checked="" type="checkbox"/>
<del>196</del> Posterboard Photo of 3 Persons	6-7-00 <input checked="" type="checkbox"/> O.B.S.	<input checked="" type="checkbox"/>
<del>197</del> LVMPD Evidence Envelope	6-7-00 <input checked="" type="checkbox"/> Strip to contents No O.B.S.	<input checked="" type="checkbox"/>
182A	<input type="checkbox"/>	<input type="checkbox"/>
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182C	<input type="checkbox"/>	<input type="checkbox"/>
182D	<input type="checkbox"/>	<input type="checkbox"/>
182E	<input type="checkbox"/>	<input type="checkbox"/>
182F	<input type="checkbox"/>	<input type="checkbox"/>
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Not opened

Not opened

OFFERED ADMITTED

~~183A~~ Not opened~~189~~ LV Review Journal Front Page 8/15/986-6-00  
5:00 PM☒ NO OBJ☒~~183~~ Handwritten Letter of Charla Severs to DA

6-7-00

☒ NO OBJ☒~~186~~ Handwritten Letter of Charla Severs to Chan 8

6-7-00

☒ NO OBJ☐~~187~~ Stipulation: Expert Witness F. Beaudette

6-7-00

☒ stip NO OBJ☒~~188~~ LVMPD Envelop containing Fingerprint Card - D. Johnson

6-7-00

☒ NO OBJ☒~~189~~ Envelop

6-7-00

☒ OBJ☒~~190~~ LVMPD Consent to Search Card

6-7-00

☒ OBJ☒~~191~~ LVMPD Evidence Bag Containing Black Jean

6-7-00

☒ Sub☒~~192~~ LVMPD Evidence Bag w/Contents☐☐~~193~~ LVMPD Evidence Bag w/Contents☐☐~~194~~ LVMPD Evidence Bag w/Contents

6-7-00

☒ NO OBJ☒~~195~~ Stipulation re: Ace Harter/Thunderbird Hotel

6-7-00

☒ K.D. NO OBJ☒~~196~~ Stipulation re: Blue Motorola Pager☒☒~~197~~ Fingerprint Card

6-8-00

☒ Sub NO OBJ☒~~198~~ Fingerprint Card☒☒~~199~~ Photo

6-8-00

☒ NO OBJ☒~~200~~ Photo☒☒~~201~~ Photo☒☒~~202~~ Photo☒☒~~203~~ Poster Chart 1

6-8-00

☒ NO OBJ☒~~204~~ Poster Chart

6-8-00

☒ NO OBJ☒~~205~~ Poster Chart

6-8-00

☒ Sub NO OBJ☒~~206~~ Stipulation - Typed statement about Sheree Norman

6-8-00

☒ stip NO OBJ☒~~207~~ Video Photo 3xy

6-13-00

☒☒

## PLAINTIFF'S EXHIBITS

CASE NO.

C153154 (10)

OFFERED ADMITTED

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202) Video	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
203) Photo 3x4			
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210)	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
211) Probation officer Report Juvenile	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
212) Probation officer Report	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
213) Abstract of Judgment-Prison Commitment	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
214) Photo 3x4	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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225)	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
226)	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
227)	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
228) Photo	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
229) Photo	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
230) Photo	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
231) Photo	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
232) Photo	6-13-00	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**CASE NO.**

053154

[illegible]

[illegible]

## PLAINTIFF'S EXHIBITS

**CASE NO.** C153154

OFFERED ADMITTED

## Court's Exhibits - Contd

Newsweek Magazine

" - Note from Turcy

"1" - Note From Jury

VS.  
Donte Johnson  
  
DEFENDANT \_\_\_\_\_.

COUNSEL FOR THE PLAINTIFF  
*Sciscento / Figler*  
COUNSEL FOR THE DEFENDANT

[illegible]

DEFENDANT'S EXHIBITS:

CASE NO. C153154

	OFFERED	ADMITTED
Order to Produce Juvenile Records	<input type="checkbox"/>	<input type="checkbox"/>
B. Baby Picture	6-14-00 <input checked="" type="checkbox"/> sub mtd	<input checked="" type="checkbox"/>
C. Neighborhood Photo	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
D. Family Photo	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
E. Picture of House	6-14-00 11:02am <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
F. Picture of House	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
G. Neighborhood Picture	6-14-00 11:02am <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
H. Picture of Apt.	6-14-00 <input checked="" type="checkbox"/> sub mtd	<input checked="" type="checkbox"/>
I. Family Photo	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
J. Picture Defendant	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
K. Family Tree	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
L. Video Tape so. central	6-14-00 11:17am <input checked="" type="checkbox"/> obj	<input checked="" type="checkbox"/> sub to copy
M. CPS Report (Child Protective Services)	6-14-00 <input checked="" type="checkbox"/> obj	<input checked="" type="checkbox"/>
N. Video - Dante @ Age 7	6-14-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
O. Polaroid	7-12-00 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
P. A Broken System	7-26-00 <input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/>
Q.	<input type="checkbox"/>	<input type="checkbox"/>
R.	<input type="checkbox"/>	<input type="checkbox"/>
S.	<input type="checkbox"/>	<input type="checkbox"/>
T.	<input type="checkbox"/>	<input type="checkbox"/>
U.	<input type="checkbox"/>	<input type="checkbox"/>
V.	<input type="checkbox"/>	<input type="checkbox"/>
W.	<input type="checkbox"/>	<input type="checkbox"/>
X.	<input type="checkbox"/>	<input type="checkbox"/>
Y.	<input type="checkbox"/>	<input type="checkbox"/>
Z.	<input type="checkbox"/>	<input type="checkbox"/>



## PLAINTIFF'S EXHIBITS

**CASE NO.** C153154

OFFERED	ADMITTED
1	1
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100	100

[illegible]

DEFENDANT'S EXHIBITS:

CASE NO. C153184

	OFFERED	ADMITTED
A. <u>Letter to Channel 8</u>	<input checked="" type="checkbox"/> <i>state more</i>	<input checked="" type="checkbox"/>
B. <u>9-27-98 letter</u>	<input checked="" type="checkbox"/> <i>strip</i>	<input checked="" type="checkbox"/>
C. <u>letter to Donte Johnson</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
D. <u>letter to Donte Johnson 8-30-98</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
E. _____	<input type="checkbox"/>	<input type="checkbox"/>
F. _____	<input type="checkbox"/>	<input type="checkbox"/>
G. _____	<input type="checkbox"/>	<input type="checkbox"/>
H. _____	<input type="checkbox"/>	<input type="checkbox"/>
I. _____	<input type="checkbox"/>	<input type="checkbox"/>
J. _____	<input type="checkbox"/>	<input type="checkbox"/>
K. _____	<input type="checkbox"/>	<input type="checkbox"/>
L. _____	<input type="checkbox"/>	<input type="checkbox"/>
M. _____	<input type="checkbox"/>	<input type="checkbox"/>
N. _____	<input type="checkbox"/>	<input type="checkbox"/>
O. _____	<input type="checkbox"/>	<input type="checkbox"/>
P. _____	<input type="checkbox"/>	<input type="checkbox"/>
Q. _____	<input type="checkbox"/>	<input type="checkbox"/>
R. _____	<input type="checkbox"/>	<input type="checkbox"/>
S. _____	<input type="checkbox"/>	<input type="checkbox"/>
T. _____	<input type="checkbox"/>	<input type="checkbox"/>
U. _____	<input type="checkbox"/>	<input type="checkbox"/>
V. _____	<input type="checkbox"/>	<input type="checkbox"/>
W. _____	<input type="checkbox"/>	<input type="checkbox"/>
X. _____	<input type="checkbox"/>	<input type="checkbox"/>
Y. _____	<input type="checkbox"/>	<input type="checkbox"/>
Z. _____	<input type="checkbox"/>	<input type="checkbox"/>

# *Certification of Copy*

**STATE OF NEVADA,  
COUNTY OF CLARK,**

I, SHIRLEY B. PARRAGUIRRE, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original:

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (10-3-00); JUDGMENT OF CONVICTION (10-09-00); DISTRICT COURT MINUTES; EXHIBIT LISTS;

**THE STATE OF NEVADA,**

**Plaintiff(s),**

**vs.**

**DONTE JOHNSON,**


**Defendant(s).**

**D.C. CASE C153154  
Department V**

now on file and of record in this office.

**IN WITNESS THEREOF,** I have hereunto set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada, this 9th day of November, 2000 .

**SHIRLEY B. PARRAGUIRRE  
CLARK COUNTY CLERK**

  
Barbara Belt Deputy Clerk