

Robbery is the unlawful taking of personal property from the person of another, or in his presence, against his will, by means of force or violence or fear of injury, immediate or future, to his person or property, or the person or property of a member of his family, or of anyone in his company at the time of the robbery. Such force or fear must be used to:

1. Obtain or retain possession of the property,
2. To prevent or overcome resistance to the taking of the property, or
3. To facilitate escape with the property.

In any case the degree of force is immaterial if used to compel acquiescence to the taking of or escaping with the property. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

The value of property or money taken is not an element of the crime of Robbery, and it is only necessary that the State prove the taking of some property or money.

Robbery may spread over considerable and varying periods of time. All matters immediately prior to and having direct causal connection with the robbery are deemed so closely connected with it as to be a part of the occurrence. Thus, although acts of violence and intimidation preceded the actual taking of the property and may have been primarily intended for another purpose, it is enough to support the charge of robbery when a person takes the property by taking advantage of the terrifying situation he created.

INSTRUCTION NO. 17

Any person, who by day or night, enters any house, room, apartment, tenement, shop, warehouse, store, other building, automobile or other vehicle with the intent to commit larceny and/or robbery is guilty of burglary.

RA 000061

INSTRUCTION NO. (3)

The intention with which an entry was made is a question of fact which may be inferred from the defendant's conduct and all other circumstances disclosed by the evidence.

RA 000062

It is not necessary that the State prove the defendant actually committed a larceny or robbery inside the house after he entered in order for you to find him guilty of burglary. The gist of the crime of burglary is the unlawful entry with criminal intent. Therefore, a burglary was committed if the defendant entered the house with the intent to commit a larceny or robbery regardless of whether or not that crime occurred.

INSTRUCTION NO. 20

Consent to enter is not a defense to the crime of burglary so long as it is shown that entry was made with the specific intent to commit a larceny or robbery therein. Moreover, force or a "breaking" as such is not a necessary element of the crime.

RA 000064

INSTRUCTION NO. 21

Larceny is the stealing, taking and carrying away of the personal goods or property of another, with the specific intent to permanently deprive the owner thereof.

RA 000065

INSTRUCTION NO. 22

Every person who commits the crime of burglary, who has in his possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure, or upon leaving the structure, is guilty of burglary while in possession of a firearm.

RA 000066



INSTRUCTION NO. 23

Every person who, in the commission of a burglary, commits any other crime, may be prosecuted for each crime separately.

RA 000067

Every person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away any person by any means whatsoever with the intent to hold or detain, or who holds or detains, the person:

1) for the purpose of committing a robbery upon or from the person; or

2) for the purpose of killing the person or inflicting substantial bodily harm upon him;

is guilty of Kidnapping in the First Degree.

The law does not require the person being kidnapped to be carried away for any minimal distance.

The term "inveigle" means to lead astray by trickery or deceitful persuasion.

In order for you to find the defendant guilty of both first degree kidnapping and an associated offense of robbery, you must also find beyond a reasonable doubt either:

- 1) That any movement of the victim was not incidental to the robbery;
- 2) That any incidental movement of the victim substantially increased the risk of harm to the victim over and above that necessarily present in the robbery;
- 3) That any incidental movement of the victim substantially exceeded that required to complete the robbery;
- 4) That the victim was physically restrained and such restraint substantially increased the risk of harm to the victim; or
- 5) The movement or restraint had an independent purpose or significance.

"Physically restrained" includes but is not limited to tying, binding, or taping.

If you find Defendant guilty of First Degree Kidnapping, you must determine whether or not the Kidnapping resulted in substantial bodily harm. Substantial bodily harm means:

1. Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ; or
2. Prolonged physical pain.

If you find the defendant guilty of Attempt Murder, Attempt Robbery, Robbery or First Degree Kidnapping, you must also determine whether or not a deadly weapon was used in the commission of this crime.

If more than one person commits a crime, and one of them uses a deadly weapon in the commission of that robbery, each may be convicted of "With Use of a Deadly Weapon," even though he did not personally himself use the weapon.

"Deadly weapon" means any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death, or, any weapon, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death.

You are instructed that a firearm is a deadly weapon.

INSTRUCTION NO. 29

In order to "use" a deadly weapon, there need not be conduct which actually produces harm but only conduct which produces a fear of harm or force by means or display of the deadly weapon in aiding the commission of the crime.

RA 000073

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.



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2 The Defendant is presumed innocent until the contrary is proved. This presumption  
3 places upon the State the burden of proving beyond a reasonable doubt every material  
4 element of the crime charged and that the Defendant is the person who committed the  
5 offense.

6 A reasonable doubt is one based on reason. It is not mere possible doubt but is such a  
7 doubt as would govern or control a person in the more weighty affairs of life. If the minds of  
8 the jurors, after the entire comparison and consideration of all the evidence, are in such a  
9 condition that they can say they feel an abiding conviction of the truth of the charge, there is  
10 not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or  
11 speculation.

12 If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a  
13 verdict of not guilty.  
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You are here to determine the guilt or innocence of the Defendant from the evidence in the case. You are not called upon to return a verdict as to the guilt or innocence of any other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more other persons are also guilty.

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

A witness who has special knowledge, skill, experience, training or education in a particular science, profession or occupation is an expert witness. An expert witness may give his opinion as to any matter in which he is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.

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2 It is a constitutional right of a defendant in a criminal trial that he may not be  
3 compelled to testify. Thus, the decision as to whether he should testify is left to the  
4 defendant on the advice and counsel of his attorney. You must not draw any inference of  
5 guilt from the fact that he does not testify, nor should this fact be discussed by you or enter  
6 into your deliberations in any way.  
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2 Identification testimony is an expression of belief by the witness, its value depends  
3 on the opportunity the witness had to observe the offender at the time of the offense and to  
4 make a reliable identification later.

5 In appraising the identification testimony of a witness, you should consider the  
6 following:

- 7 1) The opportunity of the witness to view the criminal at the time of the crime;
  - 8 2) The witness' degree of attention;
  - 9 3) The accuracy of his prior description of the criminal;
  - 10 4) The level of certainty demonstrated at the confrontation;
  - 11 5) The time between the crime and the confrontation;
  - 12 6) Whether the identification was the product of the eyewitness' own recollection or  
13 was the result of subsequent influence or suggestiveness; and
  - 14 7) The totality of the circumstances surrounding the eyewitness' identification.
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Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.



INSTRUCTION NO. 39

In your deliberation you may not discuss or consider the subject of punishment, as that is a matter which lies solely with the court. Your duty is confined to the determination of the guilt or innocence of the Defendant.

RA 000083

INSTRUCTION NO. 40

When you retire to consider your verdict, you must select one of your number to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

RA 000084

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant and his/her counsel.

Readbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a readback, you must carefully describe the testimony to be read back so that the court reporter can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

INSTRUCTION NO. 42

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:

AW. V.  
DISTRICT JUDGE

RA 000086

## REGISTER OF ACTIONS

CASE No. 04C204957

## The State of Nevada vs Rickie Slaughter

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Case Type: **Felony/Gross Misdemeanor**

Date Filed: 09/22/2004

Location: **Department 3**

Conversion Case Number: **C204957**

Defendant's Scope ID #: 1896569

1211173

Lower Court Case Number: **04FN00980**

Supreme Court No.: 61991

## PARTY INFORMATION

Defendant Slaughter, Rickie

|              | Lead Attorneys               | Pro Se     |
|--------------|------------------------------|------------|
| Plaintiff(s) | Mr. [REDACTED]               | [REDACTED] |
| Defendant(s) | Mr. [REDACTED]<br>[REDACTED] | [REDACTED] |

|                         |                         |
|-------------------------|-------------------------|
| <b>Material Witness</b> | <b>Richard, Jacquan</b> |
|-------------------------|-------------------------|

**Plaintiff            State of Nevada**

**Steven B Wolfson**  
702-671-2700(W)

## CHARGE INFORMATION

Charges: Slaughter, Rickie

| Charges: Staughter, Rickie                                         | Statute     | Level  | Date       |
|--------------------------------------------------------------------|-------------|--------|------------|
| 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 1. MURDER.                                                         | 200.010     | Felony | 01/01/1900 |
| 1. DEGREES OF MURDER                                               | 200.030     | Felony | 01/01/1900 |
| 1. ATTEMPT.                                                        | 193.330     | Felony | 01/01/1900 |
| 1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE                   | 200.310.1   | Felony | 06/26/2004 |
| 2. ROBBERY                                                         | 200.380     | Felony | 01/01/1900 |
| 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 2. CONSPIRACY TO COMMIT ROBBERY                                    | 200.380     | Felony | 06/26/2004 |
| 3. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 3. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS  | 200.010     | Felony | 06/26/2004 |
| 4. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 4. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 4. BATTERY WITH USE OF DEADLY WEAPON                               | 200.481.2e1 | Felony | 06/26/2004 |
| 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS | 200.380     | Felony | 06/26/2004 |
| 6. ROBBERY                                                         | 200.380     | Felony | 01/01/1900 |
| 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON        | 205.060.4   | Felony | 01/01/1900 |
| 8. BURGLARY.                                                       | 205.060     | Felony | 01/01/1900 |
| 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 9. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 9. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 10.KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 10.KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 10.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 11.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |

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|                                                                 |         |        |            |
|-----------------------------------------------------------------|---------|--------|------------|
| 11.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 11.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 12.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 12.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 12.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 13.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 13.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 13.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 14.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 14.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 14.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 15.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 15.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 15.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 16.KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 16.KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 16.USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 17.MAYHEM                                                       | 200.280 | Felony | 01/01/1900 |

## EVENTS &amp; ORDERS OF THE COURT

05/31/2012 [Sentencing](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**05/31/2012, 08/14/2012, 09/06/2012, 10/02/2012, 10/16/2012**

**Minutes**

05/31/2012 9:00 AM

- Jacob Villani, Deputy District Attorney, present on behalf of the State. Defendant Slaughter present, in custody, acting in Proper Person. Court stated that Parole and Probation never prepared a new report, so they need to interview Defendant and prepare a new report. COURT ORDERED, matter CONTINUED; Parole and Probation to interview Defendant and prepare a new Presentence Report. CUSTODY CONTINUED TO: 8/2/12 9:00 AM

08/02/2012 9:00 AM

08/09/2012 9:00 AM

08/14/2012 9:00 AM

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant present in custody in Proper Person. Court noted there is a motion to disqualify this court set for Thursday 8/16/2012 before Chief Judge Togliatti which he has completed and filed an affidavit for. Defendant requested to file a response to the Court's affidavit. Court stated that is an issue he will need to address with Judge Togliatti. Defendant advised he has prepared a reply to the State's opposition to his motion to disqualify and requested permission to file the document in open court. COURT ORDERED, Defendant's reply FILED IN OPEN COURT and matter CONTINUED. CUSTODY CONTINUED TO: 9/06/2012 9:00 AM

09/06/2012 9:00 AM

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Slaughter present, in custody, acting in Proper Person. Defendant Slaughter

RA 000088

advised that there are two significant issues in the Presentence Report which need to be corrected prior to sentencing. Specifically, Defendant Slaughter stated that they are on Page 10 as to Count 9 and on Page 4 as to his substance abuse history. Court advised Defendant that it will not order a new Presentence Report, but will require modifications. Statement by Defendant as to specific modifications to be made. Argument by Mr. DiGiacomo that modifications can be made by interlineations. COURT ORDERED, modifications to be made to the Presentence report. Court stated on page 2, Count 9 should be corrected to "with substantial bodily harm" with the appropriate penalty; on Page 4, change "awhile ago" to around "around 17 years of age", and "approximately \$1,000.00" is to be changed to "under \$1,000.00"; and recommendation on Count 9 is to reflect "with substantial bodily harm. Court stated it will advise Parole and Probation. CUSTODY CONTINUED TO: 10/2/13 9:00 AM

10/02/2012 9:00 AM

- Michelle Fleck, Deputy District Attorney, present on behalf of the State. Defendant Slaughter present, in custody, acting in Proper Person. As Court still does not have a supplemental Presentence Report, COURT ORDERED, matter CONTINUED; Court will have Law Clerk contact Parole and Probation. CUSTODY CONTINUED TO: 10/16/12 9:00 AM

10/16/2012 9:00 AM

- Also present: William Gamage, Esq. to accept appointment on behalf of the Defendant. DEFT SLAUGHTER ADJUDGED GUILTY of COUNT 1- CONSPIRACY TO COMMIT KIDNAPPING (F), COUNT 2-CONSPIRACY TO COMMIT ROBBERY (F), COUNT-3 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 5-ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT 6-ROBBERY WITH USE OF DEADLY WEAPON (F), COUNT 7- BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F), COUNT 8-BURGLARY (F), COUNT 9-1ST DEGREE KIDNAPPING WITH SUBTANTIAL BODILY HARM WITH USE OF A DEADLY WEAPON (F), AND COUNTS 10-14-1ST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Statements by Deft. and State. Colloquy regarding Restitution. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers if not previously taken, and \$35,000.00 Restitution to Victims of Crime, Defendant SENTENCED on COUNT 1 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNT 1; COUNT 3 to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 2; COUNT 5 to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 3; COUNT 6 to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 3; COUNT 7 to a

RA 000089

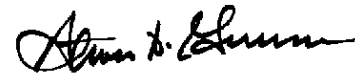
MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 6; COUNT 8 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 7; COUNT 9 to a MAXIMUM of LIFE with parole eligibility after FIFTEEN (15) YEARS plus a CONSECUTIVE MAXIMUM of LIFE with parole eligibility after FIFTEEN (15) YEARS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 6; COUNTS 10-14 to a MAXIMUM of LIFE with parole eligibility after FIVE (5) YEARS plus a CONSECUTIVE MAXIMUM of LIFE with parole eligibility after FIVE (5) YEARS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), ALL CONCURRENT to COUNT 9, with TWO THOUSAND SIX HUNDRED TWENTY-SIX (2,626) DAYS credit for time served. Deft not adjudicated on Count 4. COURT FURTHER ORDERED, Deft. to remain in the Clark County Detention Center (CCDC) until 10/30/12, so he has a chance to speak with Mr. Gamage. Deft. advised he will be filing an appeal. BOND, if any, EXONERATED. NDC

[Parties Present](#)

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RA 000090





CLERK OF THE COURT

JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RICKIE LAMONT SLAUGHTER  
#1896569

Defendant.

CASE NO. C204957

DEPT. NO. III

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of  
COUNT 1 – CONSPIRACY TO COMMIT KIDNAPPING (Category B Felony) in  
violation of NRS 199.480, 200.320; COUNT 2 – CONSPIRACY TO COMMIT  
ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNT 3 –  
ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in  
violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – BATTERY WITH  
USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.481;  
COUNT 5 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B

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RA 000091

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2 Felony) in violation of NRS 200.380, 193.330, 193.165, of COUNT 6 – ROBBERY  
3 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380,  
4 193.165; COUNT 7 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category  
5 B Felony) in violation of NRS 205.060; COUNT 8 – BURGLARY (Category B Felony) in  
6 violation of NRS 205.060; COUNT 9, – FIRST DEGREE KIDNAPPING WITH  
7 SUBSTANTIAL BODILY HARM, WITH USE OF A DEADLY WEAPON (Category A  
8 Felony) in violation of NRS 200.310, 200.320, 193.165 and COUNTS 10, 11, 12, 13 &  
9 14 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A  
10 Felony) in violation of NRS 200.310, 200.320, 193.165, and the matter having been  
11 tried before a jury and the Defendant having been found guilty of the crimes of COUNT  
12 1 – CONSPIRACY TO COMMIT KIDNAPPING (Category B Felony) in violation of  
13 NRS 199.480, 200.320; COUNT 2 – CONSPIRACY TO COMMIT ROBBERY (Category  
14 B Felony) in violation of NRS 200.380, 199.480; COUNT 3 – ATTEMPT MURDER  
15 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010,  
16 200.030, 193.330, 193.165; COUNT 4 – BATTERY WITH A DEADLY WEAPON  
17 (Category B Felony) in violation of NRS 200.481; COUNT 5 – ATTEMPT ROBBERY  
18 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380,  
19 193.330, 193.165; COUNT 6 – ROBBERY WITH USE OF A DEADLY WEAPON  
20 (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 7 – BURGLARY  
21 WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of  
22 NRS 205.060; COUNT 8 – BURGLARY (Category B Felony) in violation of NRS  
23 205.060; COUNT 9, – FIRST DEGREE KIDNAPPING WITH SUBSTANTIAL BODILY  
24 HARM, WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS  
25  
26  
27  
28

1 200.310, 200.320, 193.165 and 10, 11, 12, 13 & 14 – FIRST DEGREE KIDNAPPING  
2 WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.310,  
3 200.320, 193.165; thereafter, on the 16<sup>th</sup> day of October, 2012, the Defendant, acting  
4 as his own counsel, was present in court for sentencing, and good cause appearing,  
5

6 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in  
7 addition to the \$25.00 Administrative Assessment Fee, Restitution in the amount of  
8 \$35,000.00, payable to Victims Of Crime and \$150.00 DNA Analysis Fee including  
9 testing to determine genetic markers, (waived if previously taken), the Defendant is  
10 SENTENCED to the Nevada Department of Corrections (NDC) as follows: AS TO  
11 **COUNT 1** - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility  
12 of TWENTY-FOUR (24) MONTHS; AS TO **COUNT 2** - TO A MAXIMUM of SIXTY (60)  
13 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, Count 2  
14 to run CONSECUTIVE to Count 1; AS TO **COUNT 3** - TO A MAXIMUM of ONE  
15 HUNDRED EIGHTY (180) MONTHS with a MINIMUM Parole Eligibility of SIXTY (60)  
16 MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180) MONTHS  
17 MAXIMUM with a MINIMUM parole eligibility of SIXTY (60) MONTHS for the use of a  
18 Deadly Weapon, Count 3 to run CONSECUTIVE to Count 2; AS TO **COUNT 4** – NOT  
19 ADJUDICATED AS WAS PLED IN THE ALTERNATIVE TO COUNT 3; AS TO **COUNT**  
20 **5** - TO A MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM  
21 Parole Eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE  
22 HUNDRED TWENTY (120) MONTHS MAXIMUM with a MINIMUM parole eligibility of  
23 FORTY-EIGHT (48) MONTHS for use of a Deadly Weapon, Count 5 to run  
24 CONCURRENT with Count 3; AS TO **COUNT 6** - TO A MAXIMUM of ONE HUNDRED  
25 TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of FORTY-EIGHT (48)  
26  
27  
28

1 MONTHS plus a CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS  
2 MAXIMUM with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for use of  
3 a Deadly Weapon, Count 6 to run CONSECUTIVE to Count 3; AS TO **COUNT 7** - TO A  
4 MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole  
5 Eligibility of FORTY-EIGHT (48) MONTHS, Count 7 to run CONCURRENT with Count  
6 6; AS TO **COUNT 8** - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM  
7 Parole Eligibility of TWENTY-FOUR (24) MONTHS, Count 8 to run CONCURRENT  
8 with Count 7; AS TO **COUNT 9** - LIFE with a possibility of parole after a MINIMUM of  
9 FIFTEEN (15) YEARS have been served, plus an EQUAL and CONSECUTIVE term of  
10 LIFE with a possibility of parole after a MINIMUM of FIFTEEN (15) YEARS have been  
11 served for the use of a Deadly Weapon, Count 9 to run CONSECUTIVE to Count 6 ; AS  
12 TO **COUNT 10** - LIFE with a possibility of parole after a MINIMUM of FIVE (5) YEARS  
13 have been served, plus an EQUAL and CONSECUTIVE term of LIFE with a possibility  
14 of parole after a MINIMUM of FIVE (5) YEARS have been served for the use of a  
15 Deadly Weapon, Count 10 to run CONCURRENT with Count 9; AS TO **COUNT**  
16 **11** - LIFE with a possibility of parole after a MINIMUM of FIVE (5) YEARS have been  
17 served, plus an EQUAL and CONSECUTIVE term of LIFE with a possibility of parole  
18 after a MINIMUM of FIVE (5) YEARS have been served for the use of a Deadly  
19 Weapon, Count 11 to run CONCURRENT with Count 9; AS TO **COUNT 12** - LIFE with  
20 a possibility of parole after a MINIMUM of FIVE (5) YEARS have been served, plus an  
21 EQUAL and CONSECUTIVE term of LIFE with a possibility of parole after a MINIMUM  
22 of FIVE (5) YEARS have been served for use of a Deadly Weapon, Count 12 to run  
23 CONCURRENT with Count 9; AS TO **COUNT 13** - LIFE with a possibility of parole after  
24 a MINIMUM of FIVE (5) YEARS have been served, plus an EQUAL and

1 CONSECUTIVE term of LIFE with a possibility of parole after a MINIMUM of FIVE (5)  
2 YEARS have been served for use of a Deadly Weapon, Count 13 to run  
3 CONCURRENT with Count 9; and AS TO **COUNT 14** – LIFE with a possibility of parole  
4 after a MINIMUM of FIVE (5) YEARS have been served, plus an EQUAL and  
5 CONSECUTIVE term of LIFE with a possibility of parole after a MINIMUM of FIVE (5)  
6 YEARS have been served for the use of a Deadly Weapon, Count 14 to run  
7 CONCURRENT with Count 9 with TWO THOUSAND SIX HUNDRED TWENTY-SIX  
8 (2,626) DAYS credit for time served.  
9  
10  
11

12 DATED this 17 day of October, 2012.

13  
14   
15 DOUGLAS W. HERNDON  
16 DISTRICT JUDGE  
17  
18  
19  
20  
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28

NOTC

**GAMAGE & GAMAGE**

William H. Gamage, Esq.

Nevada Bar No. 009024

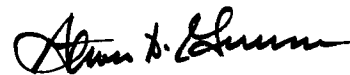
5580 S. Fort Apache Rd. Ste. 110

Las Vegas, Nevada 89148

Telephone: (702) 386-9529

Facsimile: (702) 382-9529

Attorneys for Defendant



CLERK OF THE COURT

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA

Plaintiff,

vs.

RICKIE SLAUGHTER

Defendant,

CASE NO.: 04C204957

DEPT. NO.: III

**NOTICE OF APPEAL**

**NOTICE OF APPEAL**

Notice is hereby given that RICKIE SLAUGHTER, defendant above named, hereby  
appeals to the Supreme Court of Nevada from the Judgment of Conviction entered in this action  
on the 22<sup>nd</sup> day of October, 2012

DATED this 23<sup>rd</sup> day of October, 2012.

**GAMAGE & GAMAGE**

/s/ William H. Gamage, Esq.

William H. Gamage, Esq.

Nevada Bar No. 009024

5580 S. Fort Apache Rd. Ste. 110

Las Vegas, Nevada 89148

*Attorneys for Defendant*

1  
2 **CERTIFICATE OF MAILING**

3 I HEREBY CERTIFY that on the 23<sup>rd</sup> day of October, I served a true and correct copy of  
4 the foregoing **NOTICE OF APPEAL** by placing a copy in a sealed envelope and depositing it in  
5 the United States mail at Las Vegas, Nevada, first-class postage fully prepaid, addressed as  
6 follows:

7 Steven B. Wolfson,  
8 Clark County District Attorney  
9 200 Lewis Ave.  
10 Las Vegas, Nevada 89155

11 David Neven  
12 High Desert State Prison  
13 P.O. Box 650  
14 Indian Springs, Nevada 89070

15 Nevada Attorney General – Las Vegas Office  
16 555 E. Washington Ave., Ste. 3900  
17 Las Vegas, Nevada 89101

18 /s/ William H. Gamage, Esq.

19  
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27  
28  
Employee of GAMAGE & GAMAGE

**CASE No. 04C204957**

Case Type: **Felony/Gross Misdemeanor**  
 Date Filed: **09/22/2004**  
 Location: **Department 3**  
 Conversion Case Number: **C204957**  
 Defendant's Scope ID #: **1896569**  
                                           **1211173**  
 Lower Court Case Number: **04FN00980**  
 Supreme Court No.: **61991**

|                  |                   |                                     |
|------------------|-------------------|-------------------------------------|
| Defendant        | Slaughter, Rickie | Lead Attorneys<br>Pro Se            |
| Material Witness | Richard, Jacquan  |                                     |
| Plaintiff        | State of Nevada   | Steven B Wolfson<br>702-671-2700(W) |

| Charges: Slaughter, Rickie                                         | Statute     | Level  | Date       |
|--------------------------------------------------------------------|-------------|--------|------------|
| 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 1. MURDER.                                                         | 200.010     | Felony | 01/01/1900 |
| 1. DEGREES OF MURDER                                               | 200.030     | Felony | 01/01/1900 |
| 1. ATTEMPT.                                                        | 193.330     | Felony | 01/01/1900 |
| 1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE                   | 200.310.1   | Felony | 06/26/2004 |
| 2. ROBBERY                                                         | 200.380     | Felony | 01/01/1900 |
| 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 2. CONSPIRACY TO COMMIT ROBBERY                                    | 200.380     | Felony | 06/26/2004 |
| 3. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 3. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS  | 200.010     | Felony | 06/26/2004 |
| 4. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 4. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 4. BATTERY WITH USE OF DEADLY WEAPON                               | 200.481.2e1 | Felony | 06/26/2004 |
| 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS | 200.380     | Felony | 06/26/2004 |
| 6. ROBBERY                                                         | 200.380     | Felony | 01/01/1900 |
| 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON        | 205.060.4   | Felony | 01/01/1900 |
| 8. BURGLARY.                                                       | 205.060     | Felony | 01/01/1900 |
| 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.    | 193.165     | Felony | 01/01/1900 |
| 9. KIDNAP WITH USE OF A DEADLY WEAPON                              | 200.310     | Felony | 01/01/1900 |
| 9. KIDNAPPING IN FIRST DEGREE                                      | 200.320     | Felony | 01/01/1900 |
| 10. KIDNAP WITH USE OF A DEADLY WEAPON                             | 200.310     | Felony | 01/01/1900 |
| 10. KIDNAPPING IN FIRST DEGREE                                     | 200.320     | Felony | 01/01/1900 |
| 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.   | 193.165     | Felony | 01/01/1900 |
| 11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.   | 193.165     | Felony | 01/01/1900 |
| 11. KIDNAP WITH USE OF A DEADLY WEAPON                             | 200.310     | Felony | 01/01/1900 |
| 11. KIDNAPPING IN FIRST DEGREE                                     | 200.320     | Felony | 01/01/1900 |
| 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.   | 193.165     | Felony | 01/01/1900 |
| 12. KIDNAP WITH USE OF A DEADLY WEAPON                             | 200.310     | Felony | 01/01/1900 |
| 12. KIDNAPPING IN FIRST DEGREE                                     | 200.320     | Felony | 01/01/1900 |
| 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME    | 193.165     | Felony | 01/01/1900 |

10/1/2013



|                                                                  |         |        |            |
|------------------------------------------------------------------|---------|--------|------------|
| 13. KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 13. KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 14. KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 14. KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 15. KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 15. KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 16. KIDNAP WITH USE OF A DEADLY WEAPON                           | 200.310 | Felony | 01/01/1900 |
| 16. KIDNAPPING IN FIRST DEGREE                                   | 200.320 | Felony | 01/01/1900 |
| 16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. | 193.165 | Felony | 01/01/1900 |
| 17. MAYHEM                                                       | 200.280 | Felony | 01/01/1900 |

| EVENTS & ORDERS OF THE COURT |                                                                                                                                                        |  |  |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|                              | <b>DISPOSITIONS</b>                                                                                                                                    |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>1. ATTEMPT.<br>Guilty                                                                              |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>1. MURDER.<br>Guilty                                                                               |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>1. DEGREES OF MURDER<br>Guilty                                                                     |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                          |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>2. ROBBERY<br>Guilty                                                                               |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                          |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>3. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                                    |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>3. KIDNAPPING IN FIRST DEGREE<br>Guilty                                                            |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>4. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                                    |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>4. KIDNAPPING IN FIRST DEGREE<br>Guilty                                                            |  |  |
| 01/01/1900                   | <b>Plea</b> (Judicial Officer: User, Conversion)<br>4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                          |  |  |
| 12/13/2004                   | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>15. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                           |  |  |
| 12/13/2004                   | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>15. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                   |  |  |
| 12/13/2004                   | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped |  |  |
| 12/13/2004                   | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>16. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                           |  |  |
| 12/13/2004                   | <b>Disposition</b> (Judicial Officer: User, Conversion)                                                                                                |  |  |

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|            |                                                                                                                                                        |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | 16. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                                                                              |
| 12/13/2004 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped |
| 12/13/2004 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>17. MAYHEM<br>Charges Amended/Dropped                                                       |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>1. ATTEMPT.<br>Guilty                                                                       |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>1. MURDER.<br>Guilty                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>1. DEGREES OF MURDER<br>Guilty                                                              |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                   |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>2. ROBBERY<br>Guilty                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                   |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>3. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                             |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>4. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                             |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>4. KIDNAPPING IN FIRST DEGREE<br>Guilty                                                     |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                   |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped  |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>6. ROBBERY<br>Charges Amended/Dropped                                                       |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped  |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON<br>Charges Amended/Dropped      |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>8. BURGLARY.<br>Charges Amended/Dropped                                                     |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>9. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                            |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>9. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                    |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped  |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>10. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                           |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>10. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                   |

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|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>11. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>11. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>12. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>12. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>13. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>13. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>14. KIDNAP WITH USE OF A DEADLY WEAPON<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>14. KIDNAPPING IN FIRST DEGREE<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/08/2005 | <b>Disposition</b> (Judicial Officer: User, Conversion)<br>14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Charges Amended/Dropped                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/08/2005 | <b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br>1. ATTEMPT.<br>Converted Disposition:<br>Sentence# 0001:<br>Minimum 90 Months to Maximum 240 Months<br>Placement: NSP<br>Cons/Conc: Concurrent<br>w/Charge Item: 0001<br>and Sentence#: 0001<br>in Case#: 03C196399<br>Converted Disposition:<br>Sentence# 0002:<br>Minimum 90 Months to Maximum 240 Months<br>Placement: NSP<br>Cons/Conc: Consecutive<br>w/Charge Item: 0001<br>and Sentence#: 0001<br>Converted Disposition:<br>Sentence# 0003: RESTITUTION<br>Amount: \$35000.00<br>Converted Disposition:<br>Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS<br>Amount: \$150.00<br>Converted Disposition:<br>Sentence# 0005: ADMINISTRATION FEE<br>Amount: \$25.00 |
| 08/08/2005 | <b>Adult Adjudication</b> (Judicial Officer: User, Conversion)<br>2. ROBBERY<br>Converted Disposition:<br>Sentence# 0001:<br>Minimum 72 Months to Maximum 180 Months<br>Placement: NSP<br>Cons/Conc: Concurrent<br>w/Charge Item: 0001<br>and Sentence#: 0001                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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Converted Disposition:  
Sentence# 0002:  
Minimum 72 Months to Maximum 180 Months  
Placement: NSP  
Cons/Conc: Consecutive  
w/Charge Item: 0005  
and Sentence#: 0001

08/08/2005 **Adult Adjudication** (Judicial Officer: User, Conversion)  
3. KIDNAP WITH USE OF A DEADLY WEAPON  
Converted Disposition:  
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0005  
and Sentence#: 0001

08/08/2005 **Adult Adjudication** (Judicial Officer: User, Conversion)  
4. KIDNAP WITH USE OF A DEADLY WEAPON  
Converted Disposition:  
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0007  
and Sentence#: 0001

05/14/2009 **Disposition** (Judicial Officer: User, Conversion)  
3. KIDNAPPING IN FIRST DEGREE  
Adjudication Withdrawn

05/14/2009 **Amended Supreme Court Reversal/Remand** (Judicial Officer: User, Conversion) Reason: Stricken, Vacated  
1. ATTEMPT.

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.  
Adjudication Withdrawn

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
1. MURDER.  
Adjudication Withdrawn

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
1. DEGREES OF MURDER  
Adjudication Withdrawn

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
2. ROBBERY  
Adjudication Withdrawn

05/14/2009 **Amended Supreme Court Reversal/Remand** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
2. ROBBERY

05/14/2009 **Amended Supreme Court Reversal/Remand** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
3. KIDNAP WITH USE OF A DEADLY WEAPON

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
4. KIDNAPPING IN FIRST DEGREE  
Adjudication Withdrawn

05/14/2009 **Amended Supreme Court Reversal/Remand** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
4. KIDNAP WITH USE OF A DEADLY WEAPON

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.  
Adjudication Withdrawn

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.  
Adjudication Withdrawn

05/14/2009 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken  
1. ATTEMPT.  
Adjudication Withdrawn

05/14/2009 **Amended Plea** (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn  
1. ATTEMPT.  
Plea Withdrawn

05/14/2009 **Amended Plea** (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn  
4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.  
Plea Withdrawn

05/14/2009 **Amended Plea** (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn  
4. KIDNAPPING IN FIRST DEGREE  
Plea Withdrawn

05/14/2009 **Amended Plea** (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn  
4. KIDNAP WITH USE OF A DEADLY WEAPON  
Plea Withdrawn

05/14/2009 **Amended Plea** (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn  
3. KIDNAPPING IN FIRST DEGREE

RA 000102

|            |                                                                                                                                                                                |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | Plea Withdrawn                                                                                                                                                                 |
| 05/14/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>3. KIDNAP WITH USE OF A DEADLY WEAPON<br>Plea Withdrawn                           |
| 05/14/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Plea Withdrawn |
| 05/14/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>2. ROBBERY<br>Plea Withdrawn                                                      |
| 05/14/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Plea Withdrawn |
| 05/14/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>1. DEGREES OF MURDER<br>Plea Withdrawn                                            |
| 05/14/2009 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken<br>3. KIDNAP WITH USE OF A DEADLY WEAPON<br>Adjudication Withdrawn                 |
| 05/14/2009 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken, Plea Withdrawn<br>3. KIDNAPPING IN FIRST DEGREE<br>Adjudication Withdrawn         |
| 05/14/2009 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Set Aside, Stricken<br>4. KIDNAP WITH USE OF A DEADLY WEAPON<br>Adjudication Withdrawn                 |
| 05/19/2009 | <b>Amended Plea</b> (Judicial Officer: User, Conversion) Reason: Stricken, Plea Withdrawn<br>1. MURDER.<br>Plea Withdrawn                                                      |
| 10/16/2009 | <b>Disposition</b> (Judicial Officer: Herndon, Douglas W.)<br>3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS<br>Guilty                                      |
| 05/20/2011 | <b>Disposition</b> (Judicial Officer: Herndon, Douglas W.)<br>4. BATTERY WITH USE OF DEADLY WEAPON<br>Guilty                                                                   |
| 10/16/2012 | <b>Disposition</b> (Judicial Officer: Herndon, Douglas W.)<br>1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE<br>Guilty                                                       |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE                                                          |
| 10/16/2012 | <b>Disposition</b> (Judicial Officer: Herndon, Douglas W.)<br>2. CONSPIRACY TO COMMIT ROBBERY<br>Guilty                                                                        |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>2. CONSPIRACY TO COMMIT ROBBERY                                                                           |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS                                         |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>4. BATTERY WITH USE OF DEADLY WEAPON<br>Comment (NO ADJUDICATION)                                         |
| 10/16/2012 | <b>Disposition</b> (Judicial Officer: Herndon, Douglas W.)<br>5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS<br>Guilty                                     |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS                                        |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>6. ROBBERY<br>Guilty                                                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty      |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>6. ROBBERY                                                                                                |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON<br>Guilty          |

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|            |                                                                                                                                                                            |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON                                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>8. BURGLARY.<br>Guilty                                                     |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>8. BURGLARY.                                                                                          |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty  |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>9. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                            |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>9. KIDNAPPING IN FIRST DEGREE<br>Guilty                                    |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                       |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>9. KIDNAP WITH USE OF A DEADLY WEAPON                                                                 |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>9. KIDNAPPING IN FIRST DEGREE                                                                         |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>10. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Amended, Charge(s) Reinstated<br>9. KIDNAPPING IN FIRST DEGREE<br>Guilty                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>10. KIDNAPPING IN FIRST DEGREE<br>Guilty                                   |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>10. KIDNAP WITH USE OF A DEADLY WEAPON                                                                |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                      |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>10. KIDNAPPING IN FIRST DEGREE                                                                        |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>11. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>11. KIDNAPPING IN FIRST DEGREE<br>Guilty                                   |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>11. KIDNAPPING IN FIRST DEGREE                                                                        |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>11. KIDNAP WITH USE OF A DEADLY WEAPON                                                                |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                      |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>12. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                           |
| 10/16/2012 | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>12. KIDNAPPING IN FIRST DEGREE<br>Guilty                                   |
| 10/16/2012 | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)                                                                                                          |

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|                                  |                                                                                                                                                                                                                                                                         |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  | 12. KIDNAP WITH USE OF A DEADLY WEAPON                                                                                                                                                                                                                                  |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                                                                                                                   |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>12. KIDNAPPING IN FIRST DEGREE                                                                                                                                                                     |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                                                                                              |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>13. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                                                                                                        |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>13. KIDNAPPING IN FIRST DEGREE<br>Guilty                                                                                                                                |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>13. KIDNAP WITH USE OF A DEADLY WEAPON                                                                                                                                                             |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                                                                                                                   |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>13. KIDNAPPING IN FIRST DEGREE                                                                                                                                                                     |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.<br>Guilty                                                                                              |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>14. KIDNAP WITH USE OF A DEADLY WEAPON<br>Guilty                                                                                                                        |
| 10/16/2012                       | <b>Amended Disposition</b> (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated<br>14. KIDNAPPING IN FIRST DEGREE<br>Guilty                                                                                                                                |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>14. KIDNAP WITH USE OF A DEADLY WEAPON                                                                                                                                                             |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>14. KIDNAPPING IN FIRST DEGREE                                                                                                                                                                     |
| 10/16/2012                       | <b>Adult Adjudication</b> (Judicial Officer: Herndon, Douglas W.)<br>14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.                                                                                                                                   |
| <b>OTHER EVENTS AND HEARINGS</b> |                                                                                                                                                                                                                                                                         |
| 09/22/2004                       | <a href="#">Criminal Bindover</a><br>CRIMINAL BINDOVER Fee \$0.00<br>04C2049570001.tif pages                                                                                                                                                                            |
| 09/22/2004                       | <b>Hearing</b><br>INITIAL ARRAIGNMENT<br>04C2049570002.tif pages                                                                                                                                                                                                        |
| 09/28/2004                       | <a href="#">Information</a><br>INFORMATION<br>04C2049570004.tif pages                                                                                                                                                                                                   |
| 09/28/2004                       | <a href="#">Information</a><br>AMENDED INFORMATION<br>04C2049570005.tif pages                                                                                                                                                                                           |
| 10/05/2004                       | <b>Hearing</b><br>CONFIRMATION OF COUNSEL (PRIVATE)<br>04C2049570006.tif pages                                                                                                                                                                                          |
| 10/05/2004                       | <a href="#">Motion</a><br>EXPARTE MOTION FOR RELEASE OF MEDICAL RECORDS<br>04C2049570009.tif pages                                                                                                                                                                      |
| 10/05/2004                       | <b>Initial Arraignment</b> (9:00 AM) ()<br>INITIAL ARRAIGNMENT Court Clerk: Jennifer Kimmel/jk Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty<br><a href="#">Parties Present</a><br><a href="#">Minutes</a><br>Result: Matter Heard |
| 10/11/2004                       | <a href="#">Order</a><br>ORDER RELEASING MEDICAL RECORDS<br>04C2049570010.tif pages                                                                                                                                                                                     |
| 10/12/2004                       | <a href="#">Motion</a><br>RUE'S MTN TO WITHDRAW DUE TO CONFLICT/06<br>04C2049570011.tif pages                                                                                                                                                                           |
| 10/13/2004                       | <a href="#">Expert Witness List</a><br>NOTICE OF EXPERT WITNESSES AND WITNESSES<br>04C2049570012.tif pages                                                                                                                                                              |
| 10/13/2004                       | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT PRELIMINARY HEARING<br>04C2049570013.tif pages                                                                                                                                                            |
| 10/19/2004                       | <b>Motion</b>                                                                                                                                                                                                                                                           |

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ALL PENDING MOTIONS 10-19-04  
04C2049570014.tif pages

10/19/2004 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (PRIVATE) Heard By: John McGroarty  
Result: Granted

10/19/2004 **Motion** (9:00 AM) ()  
EXPARTE MOTION FOR RELEASE OF MEDICAL RECORDS Heard By: John McGroarty  
Result: Moot

10/19/2004 **Motion** (9:00 AM) ()  
RUE'S MTN TO WITHDRAW DUE TO CONFLICT/06 Heard By: John McGroarty  
Result: Granted

10/19/2004 **All Pending Motions** (9:00 AM) ()  
ALL PENDING MOTIONS 10-19-04 Court Clerk: Annette Duncan Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

11/30/2004 **Calendar Call** (9:00 AM) ()  
CALENDAR CALL Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

12/01/2004 **Order**  
ORDER APPOINTING COUNSEL  
04C2049570016.tif pages

12/02/2004 **Order**  
STIPULATION AND ORDER EXTENDING TIME  
04C2049570017.tif pages

12/03/2004 **Overflow** (9:30 AM) ()  
OVERFLOW (16) S KRISKO / P WOMMER 2-3 DAYS/10-13 WITNESSES/NO OUT OF STATE Court Clerk: Denise Trujillo Reporter/Recorder: Jackie Nelson Heard By: McGroarty, John S.  
[Minutes](#)  
Result: Matter Continued

12/06/2004 **Expert Witness List**  
NOTICE OF WITNESSES  
04C2049570019.tif pages

12/06/2004 **CANCELED Jury Trial** (1:30 PM) ()  
Vacated  
Result: Vacate

12/07/2004 **Notice**  
NOTICE OF ALIBI  
04C2049570021.tif pages

12/08/2004 **Expert Witness List**  
NOTICE OF WITNESSES  
04C2049570022.tif pages

12/09/2004 **Notice**  
NOTICE OF REBUTTAL ALIBI  
04C2049570023.tif pages

12/10/2004 **Overflow** (9:30 AM) ()  
OVERFLOW (16) S KRISKO / P WOMMER 2-3 DAYS/10-13 WITNESSES/NO OUT OF STATE Court Clerk: Tina Hurd Reporter/Recorder: JoAnn Orduña Heard By: Stewart Bell  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

12/13/2004 **Hearing**  
TRIAL SETTING  
04C2049570020.tif pages

12/13/2004 **Information**  
SECOND AMENDED INFORMATION  
04C2049570026.tif pages

12/13/2004 **Request**  
MOTION TO DISMISS COUNSEL EX PARTE AND APPOINTMENT OF ALTERNATE COUNSEL  
04C2049570027.tif pages

12/13/2004 **Jury Trial** (9:30 AM) ()  
TRIAL BY JURY Court Clerk: Cheryl Case Reporter/Recorder: Debbie Van Blaricom Heard By: Ken Cory  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

12/16/2004 **Conversion Hearing Type** (9:00 AM) ()  
TRIAL SETTING Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

12/27/2004 **Certificate**  
CERTIFICATE OF SERVICE BY MAIL OF CERTIFICATE OF TITLE  
04C2049570028.tif pages

12/27/2004 **Order**  
ORDER TO PRODUCE TRANSCRIPT OF FARETTA CANVASS PORTION OF HEARING HELD DECEMBER 13 2004 IN DISTRICT COURT DEPT 1 DECEMBER 13 2004 IN DISTRICT COURT DEPT 1  
04C2049570029.tif pages

01/10/2005 **Petition**  
DEFT'S PRO PER PTN FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/13

RA 000106



04C2049570030.tif pages  
01/10/2005 [Application](#)  
EX PARTE APPLICATION TO PROCEED IN FORMA PAUPERIS/AFFIDAVIT OF INDIGENT/FINANCIAL CERTIFICATE INDIGENT/FINANCIAL CERTIFICATE  
04C2049570032.tif pages  
01/11/2005 **Motion**  
DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS/14  
04C2049570031.tif pages  
01/24/2005 [Motion](#)  
DEFT'S PRO PER MTN TO INSPECT ALL EVID FAVORABLE TO DEFENSE COURT MINUTES/15  
04C2049570033.tif pages  
01/24/2005 [Motion](#)  
DEFT'S PRO PER MTN FOR APPOINTMENT OF INVESTIGATOR/16  
04C2049570034.tif pages  
01/31/2005 [Response](#)  
RESPONSE TO DEFENDANTS MOTION FOR INVESTIGATOR  
04C2049570035.tif pages  
01/31/2005 [Certificate](#)  
CERTIFICATE OF FACSIMILE TRANSMISSION  
04C2049570036.tif pages  
01/31/2005 [Response](#)  
RESPONSE TO DEFENDANTS MOTION FOR FULL DISCOVERY AND REQUEST BY THE STATE FOR RECIPROCAL DISCOVERY FOR RECIPROCAL DISCOVERY  
04C2049570037.tif pages  
01/31/2005 **Motion**  
ALL PENDING MOTIONS (1/31/05)  
04C2049570038.tif pages  
01/31/2005 **Petition** (9:00 AM) ()  
DEFT'S PRO PER PTN FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/13 Heard By: John McGroarty  
Result: Matter Continued  
01/31/2005 **Motion** (9:00 AM) ()  
DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS/14 Heard By: John McGroarty  
Result: Matter Continued  
01/31/2005 **All Pending Motions** (9:00 AM) ()  
ALL PENDING MOTIONS (1/31/05) Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
02/07/2005 **Motion**  
ALL PENDING MOTIONS - 2/7/05  
04C2049570039.tif pages  
02/07/2005 [Petition](#)  
PETITION FOR PERMISSION FOR INCARCERATED PERSON TO MARRY PROPOSED ORDER AUTHORIZING MARRIAGE AUTHORIZING MARRIAGE  
04C2049570043.tif pages  
02/07/2005 **Petition** (9:00 AM) ()  
DEFT'S PRO PER PTN FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/13 Heard By: John McGroarty  
Result: Matter Continued  
02/07/2005 **Motion** (9:00 AM) ()  
DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS/14 Heard By: John McGroarty  
Result: Matter Continued  
02/07/2005 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN TO INSPECT ALL EVID FAVORABLE TO DEFENSE COURT MINUTES/15 Heard By: John McGroarty  
Result: Denied  
02/07/2005 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN FOR APPOINTMENT OF INVESTIGATOR/16 Heard By: John McGroarty  
Result: Granted  
02/07/2005 **All Pending Motions** (9:00 AM) ()  
ALL PENDING MOTIONS - 2/7/05 Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
02/08/2005 **Calendar Call** (9:00 AM) ()  
CALENDAR CALL Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
Result: Reset  
02/09/2005 **Hearing**  
STATE'S REQUEST RESET TRIAL DATE  
04C2049570042.tif pages  
02/09/2005 [Order](#)  
ORDER FOR APPOINTMENT OF PRIVATE INVESTIGATOR  
04C2049570046.tif pages  
02/09/2005 [Order](#)  
ORDER FOR CONTACT VISITS OF PRIVATE INVESTIGATOR  
04C2049570047.tif pages  
02/14/2005 **CANCELED Jury Trial** (1:30 PM) ()  
*Vacated*  
Result: Vacate  
02/14/2005 **Request** (9:00 AM) ()  
STATE'S REQUEST RESET TRIAL DATE Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)

RA 000107

02/22/2005 Result: Granted  
[Reporters Transcript](#)  
 REPORTER'S TRANSCRIPT RE EXCERPT OF SEALED HEARING  
 04C2049570048.tif pages

02/28/2005 [Motion](#)  
 DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24  
 04C2049570049.tif pages

02/28/2005 [Motion](#)  
 DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25  
 04C2049570050.tif pages

03/01/2005 [Response](#)  
 RESPONSE TO DEFENDANTS MOTION TO PRESERVE EVIDENCE AND INSPECT ORIGINAL PHOTO LINE UPS PHOTO LINE UPS  
 04C2049570052.tif pages

03/01/2005 [Opposition](#)  
 OPPOSITION TO DEFENDANTS MOTION TO REVEAL THE CONFIDENTIAL INFORMANT  
 04C2049570053.tif pages

03/10/2005 [Hearing](#)  
 DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27  
 04C2049570054.tif pages

03/10/2005 [Request](#)  
 REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFENDANTS MEDICAL RECORDS  
 04C2049570055.tif pages

03/15/2005 CANCELED [Calendar Call](#) (9:00 AM) ()  
 Vacated  
 Result: Vacate

03/16/2005 [Request](#)  
 EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS  
 04C2049570056.tif pages

03/16/2005 [Order](#)  
 ORDER RELEASING MEDICAL RECORDS  
 04C2049570058.tif pages

03/18/2005 [Reply](#)  
 DEFENDANTS REPLY TO THE STATES OPPOSITION TO DEFENDANTS MOTION TO REVEAL CONFIDENTIAL INFORMANT REVEAL  
 CONFIDENTIAL INFORMANT  
 04C2049570059.tif pages

03/21/2005 [Motion](#)  
 ALL PENDING MOTIONS (3/21/05)  
 04C2049570057.tif pages

03/21/2005 [Information](#)  
 THIRD AMENDED INFORMATION  
 04C2049570062.tif pages

03/21/2005 CANCELED [Jury Trial](#) (1:30 PM) ()  
 Vacated  
 Result: Vacate

03/21/2005 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty  
 Result: Matter Continued

03/21/2005 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25 Heard By: John McGroarty  
 Result: Matter Continued

03/21/2005 [All Pending Motions](#) (9:00 AM) ()  
 ALL PENDING MOTIONS (3/21/05) Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

03/23/2005 [Motion](#)  
 ALL PENDING MOTIONS (3/23/05)  
 04C2049570060.tif pages

03/23/2005 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty  
 Result: Matter Continued

03/23/2005 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25 Heard By: John McGroarty  
 Result: Matter Continued

03/23/2005 [Request](#) (9:00 AM) ()  
 DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27 Heard By: John McGroarty  
 Result: Matter Continued

03/23/2005 [All Pending Motions](#) (9:00 AM) ()  
 ALL PENDING MOTIONS (3/23/05) Court Clerk: April Watkins Relief Clerk: Nancy Noble/nn Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

03/24/2005 [Hearing](#)  
 DEFT'S PRO PER REQUEST COURT ORDER TO RECEIVE LAW BOOKS /30  
 04C2049570061.tif pages

03/29/2005 [Motion](#)  
 ALL PENDING MOTIONS (3/29/05)  
 04C2049570063.tif pages

03/29/2005 [Calendar Call](#) (9:00 AM) ()  
 CALENDAR CALL

03/29/2005 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty  
 Result: Denied

03/29/2005 [Motion](#) (9:00 AM) ()

RA 000108

03/29/2005 **DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25** Heard By: John McGroarty  
 Result: Matter Continued  
**Request** (9:00 AM) ()  
 03/29/2005 **DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27** Heard By: John McGroarty  
 Result: Moot  
 03/29/2005 **Request** (9:00 AM) ()  
 03/29/2005 **DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27** Heard By: John McGroarty  
 Result: Matter Continued  
 03/29/2005 **Request** (9:00 AM) ()  
 03/29/2005 **DEFT'S PRO PER REQUEST COURT ORDER TO RECEIVE LAW BOOKS /30** Heard By: John McGroarty  
 Result: Granted  
 03/29/2005 **All Pending Motions** (9:00 AM) ()  
 03/29/2005 **ALL PENDING MOTIONS (3/29/05)** Court Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty  
[Parties Present](#)  
[Minutes](#)  
 03/30/2005 Result: Matter Heard  
**Order**  
 03/30/2005 **SUPPLEMENTAL ORDER FOR APPOINTMENT AND PAYMENT OF PRIVATE INVESTIGATOR**  
 04C2049570067.tif pages  
 03/30/2005 **Order**  
 03/30/2005 **ORDER FOR RETURN OF LAW BOOKS**  
 04C2049570068.tif pages  
 04/01/2005 **Request**  
 04/01/2005 **DEFENDANTS MOTION FOR A CONTINUANCE**  
 04C2049570070.tif pages  
 04/01/2005 **Overflow** (9:30 AM) ()  
 04/01/2005 **OVERFLOW (16) S KRISKO/PRO PER-WOMMER 3 DAYS/10-13 WITNESSES/NO OUT OF STATE** Relief Clerk: Georgette Byrd/gb  
 Reporter/Recorder: Renee Silvaggio Heard By: Stewart Bell  
[Parties Present](#)  
[Minutes](#)  
 04/04/2005 Result: Matter Continued  
**Information**  
 04/04/2005 **FOURTH AMENDED INFORMATION**  
 04C2049570071.tif pages  
 04/04/2005 **Memorandum**  
 04/04/2005 **GUILTY PLEA MEMORANDUM/AGREEMENT**  
 04C2049570072.tif pages  
 04/04/2005 **CANCELED Jury Trial** (1:30 PM) ()  
 04/04/2005 **Vacated**  
 Result: Vacate  
 04/04/2005 **Jury Trial** (1:30 PM) ()  
 04/04/2005 **TRIAL BY JURY** Court Clerk: Carol Green Reporter/Recorder: Yvonne Valentin Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
 04/05/2005 Result: Matter Heard  
**Conversion Case Event Type**  
 04/05/2005 **SENTENCING**  
 04C2049570069.tif pages  
 05/05/2005 **Order**  
 05/05/2005 **ORDER FOR PRODUCTION OF INMATE**  
 04C2049570074.tif pages  
 06/06/2005 **Conversion Case Event Type**  
 06/06/2005 **SENTENCING VQ 06/06/05**  
 04C2049570075.tif pages  
 06/06/2005 **Sentencing** (10:30 AM) ()  
 06/06/2005 **SENTENCING** Court Clerk: Carol Green Reporter/Recorder: Mary Beth Cook Heard By: Herndon, Douglas W  
[Minutes](#)  
 06/27/2005 Result: Matter Continued  
**Request**  
 06/27/2005 **DEFENDANTS REQUEST FOR AMENDED PLEA AGREEMENT**  
 04C2049570077.tif pages  
 06/28/2005 **Motion**  
 06/28/2005 **DEFT'S PRO PER REQ FOR AMENDED PLEA/36**  
 04C2049570076.tif pages  
 08/05/2005 **Motion**  
 08/05/2005 **DEFT'S PRO PER MTN TO APPOINT COUNSEL/37**  
 04C2049570078.tif pages  
 08/08/2005 **Motion**  
 08/08/2005 **ALL PENDING MOTIONS 8/8/05**  
 04C2049570079.tif pages  
 08/08/2005 **Motion**  
 08/08/2005 **DEFT'S PRO PER MOTION TO WITHDRAW GUILTY PLEA/39**  
 04C2049570080.tif pages  
 08/08/2005 **Sentencing** (10:00 AM) ()  
 08/08/2005 **SENTENCING** Heard By: Douglas Herndon  
 Result: Matter Continued  
 08/08/2005 **CANCELED Sentencing** (10:00 AM) ()  
 08/08/2005 **Vacated**  
 Result: Vacate  
 08/08/2005 **Motion to Amend** (10:00 AM) ()  
 08/08/2005 **DEFT'S PRO PER REQ FOR AMENDED PLEA/36** Heard By: Douglas Herndon  
 Result: Moot  
 08/08/2005 **All Pending Motions** (9:00 AM) ()

RA 000109

ALL PENDING MOTIONS 8/8/05 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon

[Parties Present](#)

[Minutes](#)

08/16/2005 Result: Matter Heard  
**CANCELED Motion** (10:00 AM) ()  
*Vacated*

08/23/2005 Result: Vacate  
**CANCELED Motion to Withdraw Plea** (9:00 AM) ()  
*Vacated*

08/31/2005 Result: Vacate  
**Judgment**  
JUDGMENT OF CONVICTION - PLEA OF GUILTY  
04C2049570082.tif pages

08/31/2005 **Judgment**  
ADMINISTRATION/ASSESSMENT FEE  
04C2049570083.tif pages

08/31/2005 **Judgment**  
GENETIC TESTING FEE  
04C2049570084.tif pages

09/08/2005 **Order**  
ORDER APPOINTING COUNSEL  
04C2049570085.tif pages

08/07/2006 **Affidavit in Support**  
AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS  
04C2049570086.tif pages

08/07/2006 **Motion**  
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /40  
04C2049570088.tif pages

08/07/2006 **Motion**  
DEFT'S PRO PER MTN TO APPOINT COUNSEL/41  
04C2049570089.tif pages

08/07/2006 **Motion**  
DEFT'S PRO PER MTN FOR COURT MINUTES & TRANSCRIPTS OF COURT MINUTES AT STATE/42  
04C2049570090.tif pages

08/07/2006 **Motion**  
DEFT'S PRO PER MTN FOR LEAVE TO SUPPLEMENT PETITION FOR WRIT OF /43  
04C2049570091.tif pages

08/07/2006 **Petition**  
PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION  
04C2049570092.tif pages

08/10/2006 **Petition**  
PTN FOR WRIT OF HABEAS CORPUS /44  
04C2049570093.tif pages

08/10/2006 **Order for Petition for Writ of Habeas Corpus**  
ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS  
04C2049570094.tif pages

09/11/2006 **Opposition**  
STATES OPPOSITION TO DEFENDANTS MOTION FOR LEAVE TO SUPPLEMENT PETITION FORWRIT OF HABEAS CORPUS POST CONVICTION APPOINTMENT OF COUNSEL AND MOTION FOR COURT MINUTES AND TRANSCRIPTS AT STATE EXPENSE WRIT OF HABEAS CORPUS POST CONVICTION APPOINTMENT OF COUNSEL AND MOTION FOR COURT MINUTES AND TRANSCRIPTS AT STATE EXPENSE  
04C2049570095.tif pages

09/11/2006 **Order**  
APPLICATION AND ORDER FOR TRANSCRIPTS  
04C2049570096.tif pages

09/13/2006 **Motion**  
ALL PENDING MOTIONS 9/13/06  
04C2049570097.tif pages

09/13/2006 **Motion**  
DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE/46  
04C2049570098.tif pages

09/13/2006 **Petition to Proceed in Forma Pauperis** (9:00 AM) ()  
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /40 Heard By: Douglas Herndon  
Result: Granted

09/13/2006 **Motion for Appointment of Attorney** (9:00 AM) ()  
DEFT'S PRO PER MTN TO APPOINT COUNSEL/41 Heard By: Douglas Herndon  
Result: Denied

09/13/2006 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN FOR COURT MINUTES & TRANSCRIPTS OF COURT MINUTES AT STATE/42 Heard By: Douglas Herndon  
Result: Denied

09/13/2006 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN FOR LEAVE TO SUPPLEMENT PETITION FOR WRIT OF /43 Heard By: Douglas Herndon  
Result: Denied

09/13/2006 **All Pending Motions** (9:00 AM) ()  
ALL PENDING MOTIONS 9/13/06 Court Clerk: Carol Green Reporter/Recorder: Norma Silverman Heard By: J. Charles Thompson

[Parties Present](#)

[Minutes](#)

10/04/2006 Result: Matter Heard  
**Motion**  
DEFT'S PRO PER MTN FOR A TESTIMONIAL EVIDENTIARY HEARING TO DEVELOP /47  
04C2049570099.tif pages

10/09/2006 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE/46 Relief Clerk: Jennifer Lott Reporter/Recorder: Mary Beth Cook Heard By: Douglas Herndon

RA 000110

[Parties Present](#)  
[Minutes](#)  
 Result: Denied  
 10/11/2006 [Reporters Transcript](#)  
 REPORTER'S TRANSCRIPT OF SENTENCING  
 04C2049570100.tif pages  
 10/13/2006 [Reporters Transcript](#)  
 REPORTER'S TRANSCRIPT GUILTY PLEA  
 04C2049570101.tif pages  
 10/17/2006 [Motion](#) (9:00 AM) ()  
 DEFT'S PRO PER MTN FOR A TESTIMONIAL EVIDENTIARY HEARING TO DEVELOP /47 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
 Result: Denied  
 10/25/2006 [Order](#)  
 ORDER DENYING DEFENDANTS MOTION HEARD SEPTEMBER 13 2006  
 04C2049570102.tif pages  
 11/08/2006 [Hearing](#)  
 MINUTE ORDER RE: DEFT'S MTN FOR TRANSPORTATION OF INMATE  
 04C2049570103.tif pages  
 11/08/2006 [Minute Order](#) (9:00 AM) ()  
 MINUTE ORDER RE: DEFT'S MTN FOR TRANSPORTATION OF INMATE Court Clerk: Carol Green Heard By: Douglas Herndon  
[Minutes](#)  
 Result: Matter Heard  
 11/17/2006 [Opposition](#)  
 STATES OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS COORPUS POST CONVICTION CONVICTION  
 04C2049570104.tif pages  
 11/20/2006 [Petition for Writ of Habeas Corpus](#) (9:00 AM) ()  
 PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Herndon, Douglas W  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Continued  
 11/28/2006 [Petition for Writ of Habeas Corpus](#) (9:00 AM) ()  
 PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Herndon, Douglas W  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Continued  
 12/13/2006 [Response](#)  
 PETITIONERS RESPONSE TO THE STATES OPPOSITION TO PETITIONERS PETITION FOR WRIT OF HABEAS CORPUS REQUEST FOR EVIDENTIARY HEARING EXHIBITS WRIT OF HABEAS CORPUS REQUEST FOR EVIDENTIARY HEARING EXHIBITS  
 04C2049570105.tif pages  
 12/15/2006 [Motion](#)  
 DEFT'S PRO PER MTN FOR LEAVE TO FILE /49 (VJ 12/18/06)  
 04C2049570106.tif pages  
 12/18/2006 [Petition for Writ of Habeas Corpus](#) (9:00 AM) ()  
 PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
 Result: Denied  
 01/08/2007 [CANCELED Motion](#) (8:30 AM) ()  
 Vacated  
 Result: Vacate  
 01/11/2007 [Statement](#)  
 CASE APPEAL STATEMENT  
 04C2049570107.tif pages  
 01/11/2007 [Notice of Appeal](#)  
 DESIGNATION OF RECORD ON APPEAL  
 04C2049570108.tif pages  
 01/11/2007 [Notice of Appeal](#)  
 NOTICE OF APPEAL (SC 48742)  
 04C2049570109.tif pages  
 01/12/2007 [Statement](#)  
 CASE APPEAL STATEMENT  
 04C2049570110.tif pages  
 01/29/2007 [Judgment](#)  
 FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER  
 04C2049570111.tif pages  
 01/30/2007 [Notice of Entry of Decision and Order](#)  
 NOTICE OF ENTRY OF DECISION AND ORDER  
 04C2049570112.tif pages  
 03/28/2007 [Motion](#)  
 DEFT'S PRO PER MTN FOR CORRECTION OR MODIFCATION OF THE RECORD/50  
 04C2049570116.tif pages  
 03/29/2007 [Motion](#)  
 DEFT'S PRO PER REQUEST FOR TRANSCRIPT OF PROCEEDINGS /51  
 04C2049570117.tif pages  
 04/16/2007 [Reporters Transcript](#)  
 REPORTER'S TRANSCRIPT WRIT OF HABEAS CORPUS  
 04C2049570118.tif pages  
 04/16/2007 [Opposition](#)

RA 000111

STATES OPPOSITION TO DEFENDANTS MOTION TO CORRECT OR MODIFICATION OF THE RECORD RECORD  
04C2049570119.tif pages

04/17/2007 **Motion** (9:00 AM) ()  
DEFT'S PRO PER REQUEST FOR TRANSCRIPT OF PROCEEDINGS /51 Court Clerk: Carol Green Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)

Result: Matter Heard

04/24/2007 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN FOR CORRECTION OR MODIFICATION OF THE RECORD/50 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)

Result: Denied

07/26/2007 **Hearing**  
AT THE REQUEST OF THE COURT: SUPREME CT REMAND  
04C2049570120.tif pages

08/23/2007 **Judgment**  
CLERK/AFFIRMED-VACATED IN PART/REMANDED  
04C2049570122.tif pages

09/11/2007 **Hearing**  
CONFIRMATION OF COUNSEL (CHELINI)  
04C2049570123.tif pages

09/11/2007 **Request of Court** (9:00 AM) ()  
AT THE REQUEST OF THE COURT: SUPREME CT REMAND Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)

Result: Matter Heard

09/25/2007 **Hearing**  
CONFIRMATION OF COUNSEL (ALAN HARTER)  
04C2049570124.tif pages

09/25/2007 **Order**  
ORDER FOR PRODUCTION OF INMATE RICKIE LAMONT SLAUGHTER BAC #85902  
04C2049570125.tif pages

09/25/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (CHELINI) Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)

Result: Matter Heard

10/02/2007 **Hearing**  
CONFIRMATION OF COUNSEL (GARY GOWEN)  
04C2049570126.tif pages

10/02/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (ALAN HARTER) Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: James Brennan  
[Parties Present](#)  
[Minutes](#)

Result: Matter Heard

10/09/2007 **Order**  
ORDER FOR PRODUCTION OF INMATE  
04C2049570127.tif pages

10/09/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (GARY GOWEN) Relief Clerk: Teri Braegelmann Reporter/Recorder: Sharon Howard Heard By: Brennan, James  
[Parties Present](#)  
[Minutes](#)

Result: Matter Continued

10/17/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (GARY GOWEN) Heard By: Douglas Herndon  
Result: Matter Continued

10/18/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (GARY GOWEN) Court Clerk: Phyllis Irby/pi Reporter/Recorder: Dianne Prock Heard By: Herndon, Douglas W  
[Parties Present](#)  
[Minutes](#)

Result: Matter Continued

10/19/2007 **Hearing**  
STATUS CHECK:EVIDENTIARY HEARING  
04C2049570128.tif pages

10/19/2007 **Motion for Confirmation of Counsel** (9:00 AM) ()  
CONFIRMATION OF COUNSEL (GARY GOWEN) Court Clerk: Roshonda Mayfield Reporter/Recorder: Julie Lever Heard By: James Brennan  
[Parties Present](#)  
[Minutes](#)

Result: Matter Heard

10/22/2007 **Order**  
ORDER APPOINTING POST CONVICTION RELIEF COUNSEL  
04C2049570129.tif pages

10/25/2007 **Status Check** (9:00 AM) ()  
STATUS CHECK:EVIDENTIARY HEARING Relief Clerk: Linda M. Smith Reporter/Recorder: Diane Prock Heard By: Brennan, James  
[Parties Present](#)

RA 000112



|            |                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <a href="#">Minutes</a>                                                                                                                                                                                                                                                                                                                                                                          |
|            | Result: Matter Continued                                                                                                                                                                                                                                                                                                                                                                         |
| 11/02/2007 | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT OF PROCEEDINGS<br>04C2049570130.tif pages                                                                                                                                                                                                                                                                                          |
| 11/09/2007 | <a href="#">Response</a><br>ATTORNEY GENERALS RESPONSE TO NEVADA SUPREME COURTS JULY 24 2007 ORDER<br>04C2049570131.tif pages                                                                                                                                                                                                                                                                    |
| 11/27/2007 | <b>Hearing</b><br>FURTHER PROCEEDINGS: SENTENCE<br>04C2049570132.tif pages                                                                                                                                                                                                                                                                                                                       |
| 11/27/2007 | <b>Status Check</b> (9:00 AM) ()<br>STATUS CHECK:EVIDENTIARY HEARING Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon<br><a href="#">Parties Present</a><br><a href="#">Minutes</a>                                                                                                                                                                           |
|            | Result: Matter Heard                                                                                                                                                                                                                                                                                                                                                                             |
| 12/05/2007 | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT OF PROCEEDINGS<br>04C2049570133.tif pages                                                                                                                                                                                                                                                                                          |
| 01/17/2008 | <b>Further Proceedings</b> (9:00 AM) ()<br>FURTHER PROCEEDINGS: SENTENCE Relief Clerk: Roshonda Mayfield Reporter/Recorder: Sharon Howard Heard By: Manoukian, Noel<br><a href="#">Parties Present</a><br><a href="#">Minutes</a>                                                                                                                                                                |
|            | Result: Matter Continued                                                                                                                                                                                                                                                                                                                                                                         |
| 02/14/2008 | <b>Conversion Case Event Type</b><br>ARGUMENT DEFT'S REQUEST TO WITHDRAW PLEA<br>04C2049570134.tif pages                                                                                                                                                                                                                                                                                         |
| 02/14/2008 | <b>Further Proceedings</b> (9:00 AM) ()<br>FURTHER PROCEEDINGS: SENTENCE Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon<br><a href="#">Parties Present</a><br><a href="#">Minutes</a>                                                                                                                                                                       |
|            | Result: Matter Heard                                                                                                                                                                                                                                                                                                                                                                             |
| 03/28/2008 | <b>Brief</b><br>PETITIONERS OPENING BRIEF IN SUPPORT OF HIS REQUEST TO WITHDRAW HIS GUILTY PLEAS AS APPROPRIATE HABEAS RELIEF<br>PLEAS AS APPROPRIATE HABEAS RELIEF<br>04C2049570135.tif pages                                                                                                                                                                                                   |
| 03/28/2008 | <b>Conversion Case Event Type</b><br>PETITIONERS APPENDIX IN SUPPORT OF OPENING BRIEF<br>04C2049570136.tif pages                                                                                                                                                                                                                                                                                 |
| 04/18/2008 | <b>Opposition</b><br>OPPOSITION TO PETITIONERS MOTION FOR WITHDRAWAL OF GUILTY PLEA<br>04C2049570137.tif pages                                                                                                                                                                                                                                                                                   |
| 05/12/2008 | <b>Reply</b><br>PETITIONERS REPLY TO THE STATES OPPOSITION TO WITHDRAWAL OF GUILTY PLEA AS APPROPRIATE RELIEF PLEA AS APPROPRIATE RELIEF<br>04C2049570138.tif pages                                                                                                                                                                                                                              |
| 06/03/2008 | <b>Hearing</b><br>EVIDENTIARY HEARING<br>04C2049570139.tif pages                                                                                                                                                                                                                                                                                                                                 |
| 06/03/2008 | <b>Hearing</b> (9:00 AM) ()<br>ARGUMENT DEFT'S REQUEST TO WITHDRAW PLEA Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon<br><a href="#">Parties Present</a><br><a href="#">Minutes</a>                                                                                                                                                                        |
|            | Result: Matter Heard                                                                                                                                                                                                                                                                                                                                                                             |
| 06/19/2008 | <b>Evidentiary Hearing</b> (9:00 AM) ()<br>EVIDENTIARY HEARING Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon<br><a href="#">Parties Present</a><br><a href="#">Minutes</a>                                                                                                                                                                                 |
|            | Result: Matter Heard                                                                                                                                                                                                                                                                                                                                                                             |
| 06/30/2008 | <b>Order</b><br>ORDER FOR TRANSCRIPT<br>04C2049570140.tif pages                                                                                                                                                                                                                                                                                                                                  |
| 06/30/2008 | <b>Order</b><br>ORDER FOR TRANSCRIPT<br>04C2049570141.tif pages                                                                                                                                                                                                                                                                                                                                  |
| 06/30/2008 | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT MTN TO WITHDRAW PLEA<br>04C2049570142.tif pages                                                                                                                                                                                                                                                                                    |
| 06/30/2008 | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT EVIDENTIARY HEARING<br>04C2049570143.tif pages                                                                                                                                                                                                                                                                                     |
| 07/28/2008 | <a href="#">Reporters Transcript</a><br>REPORTER'S TRANSCRIPT OF FURTHER PROCEEDINGS<br>04C2049570144.tif pages                                                                                                                                                                                                                                                                                  |
| 08/04/2008 | <b>Affidavit</b><br>PETITIONERS AFFIDAVIT FOR DISQUALIFICATION OF THE HONORABLE MATERIAL WITNESS TO DISPUTED EVIDENTIARY FACTS OF HABEAS CLAIM DISTRICT COURT JUDGE DOUGLAS W HERNDON FOR PARTIALITY BIAS PREJUDICE AND AS MATERIAL WITNESS TO DISPUTED EVIDENTIARY FACTS OF HABEAS CLAIM DISTRICT COURT JUDGE DOUGLAS W HERNDON FOR PARTIALITY BIAS PREJUDICE AND AS<br>04C2049570145.tif pages |

RA 000113

08/11/2008 [Findings of Fact, Conclusions of Law and Order](#)  
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
04C2049570146.tif pages

08/12/2008 [Notice of Entry of Decision and Order](#)  
NOTICE OF ENTRY OF DECISION AND ORDER  
04C2049570147.tif pages

08/22/2008 [Motion](#)  
DEFT'S PRO PER MTN FOR CORRECTION OR MODIFICATION OF RECORD & TRANSCRIPT/60  
04C2049570149.tif pages

09/09/2008 [Response](#)  
STATES RESPONSE TO DEFTS MTN TO CORRECT TRANSCRIPT  
04C2049570151.tif pages

09/09/2008 [Notice of Appeal](#)  
NOTICE OF APPEAL (SC 52385)  
04C2049570152.tif pages

09/09/2008 [Statement](#)  
CASE APPEAL STATEMENT  
04C2049570154.tif pages

09/09/2008 [Motion](#) (9:00 AM) ()  
DEFT'S PRO PER MTN FOR CORRECTION OR MODIFICATION OF RECORD & TRANSCRIPT/60 Court Clerk: Carol Green  
Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Denied

09/10/2008 [Statement](#)  
CASE APPEAL STATEMENT  
04C2049570153.tif pages

09/12/2008 [Notice of Appeal](#)  
NOTICE OF APPEAL (SC 52385)  
04C2049570155.tif pages

09/12/2008 [Statement](#)  
CASE APPEAL STATEMENT  
04C2049570156.tif pages

04/16/2009 [Hearing](#)  
AT THE REQUEST OF THE COURT: PER SUPREME CT REMAND  
04C2049570162.tif pages

04/24/2009 [Order](#)  
ORDER FOR PRODUCTION OF INMATE RICKIE SLAUGHTER BAC #85902  
04C2049570163.tif pages

04/24/2009 [Judgment](#)  
CLERK'S CERTIFICATE REVERSED/REMANDED  
04C2049570164.tif pages

05/07/2009 [Hearing](#)  
STATUS CHECK: CONFIRMATION OF COUNSEL (BUSH) / TRIAL SETTING  
04C2049570165.tif pages

05/07/2009 [Request of Court](#) (9:00 AM) ()  
AT THE REQUEST OF THE COURT: PER SUPREME CT REMAND Court Clerk: Carol Green Relief Clerk: Susan Jovanovich /sj  
Reporter/Recorder: Cheryl Gardner Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

05/14/2009 [Status Check](#) (9:00 AM) ()  
STATUS CHECK: CONFIRMATION OF COUNSEL (BUSH) / TRIAL SETTING Court Clerk: Carol Green Relief Clerk: Carol Donahoo/cd  
Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Granted

07/07/2009 [Motion](#)  
DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUB/65  
04C2049570170.tif pages

07/21/2009 [Motion](#)  
DEFT'S MTN FOR REASONABLE BAIL  
04C2049570171.tif pages

07/21/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570172.tif pages

07/21/2009 [Motion to Dismiss](#) (9:00 AM) ()  
DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUB/65 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Denied

07/28/2009 [Motion](#) (9:00 AM) ()  
DEFT'S MTN FOR REASONABLE BAIL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: STEWART BELL  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard

08/05/2009 [Motion](#)  
DEFT'S MTN TO RECONSIDER LOWERING BAIL /69  
04C2049570175.tif pages

08/05/2009 [Receipt of Copy](#)  
RECEIPT OF COPY

RA 000114



04C2049570176.tif pages  
08/05/2009 [Notice of Appeal](#)  
NOTICE OF APPEAL (SC 54296)  
04C2049570177.tif pages  
08/06/2009 [Statement](#)  
CASE APPEAL STATEMENT  
04C2049570179.tif pages  
08/11/2009 **Motion to Reconsider** (9:00 AM) ()  
DEFT'S MTN TO RECONSIDER LOWERING BAIL /69 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Denied  
08/18/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570180.tif pages  
08/18/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570181.tif pages  
08/18/2009 [Request](#)  
REQUEST FOR ROUGH DRAFT TRANSCRIPT  
04C2049570182.tif pages  
08/26/2009 [Reporters Transcript](#)  
REPORTER'S TRANSCRIPT OF MOTION TO RECONSIDER BAIL - HEARD 08-11-09  
04C2049570183.tif pages  
08/26/2009 [Reporters Transcript](#)  
REPORTER'S TRANSCRIPT OF STATUS CHECK - HEARD 05-14-09  
04C2049570184.tif pages  
08/26/2009 [Reporters Transcript](#)  
REPORTER'S TRANSCRIPT OF MOTION FOR REASONABLE BAIL - HEARD 07-28-09  
04C2049570185.tif pages  
09/24/2009 CANCELED **Calendar Call** (9:00 AM) ()  
Vacated  
Result: Vacate  
09/28/2009 CANCELED **Jury Trial** (10:00 AM) ()  
Vacated  
Result: Vacate  
10/23/2009 [Judgment](#)  
CLERK'S CERTIFICATE APPEAL DISMISSED  
04C2049570189.tif pages  
10/27/2009 [Motion](#)  
DEFT'S MTN TO SUPPRESS  
04C2049570187.tif pages  
10/27/2009 [Motion](#)  
DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR  
04C2049570188.tif pages  
10/27/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570190.tif pages  
10/27/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570191.tif pages  
11/06/2009 [Notice of Witnesses and/or Expert Witnesses](#)  
NOTICE OF WITNESSES AND/OR EXPERT WITNESSES  
04C2049570192.tif pages  
11/06/2009 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570193.tif pages  
11/09/2009 [Opposition](#)  
STATES OPPOSITION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP  
IDENTIFICATION EVIDENCE EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE  
04C2049570195.tif pages  
11/09/2009 [Opposition](#)  
STATES OPPOSITION TO DEFTS MTN TO SUPPRESS  
04C2049570196.tif pages  
11/09/2009 [Opposition](#)  
STATES OPPOSITION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP  
IDENTIFICATION EVIDENCE EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE  
04C2049570204.tif pages  
11/09/2009 [Opposition](#)  
STATES OPPOSITION TO DEFTS MTN TO SUPPRESS  
04C2049570206.tif pages  
11/10/2009 **Motion**  
ALL PENDING MOTIONS (11-10-09)  
04C2049570194.tif pages  
11/10/2009 [Request](#)  
MOTION TO PRESERVE EVIDENCE FOR DNA TESTING ON AN ORDER SHORTENING TIME  
04C2049570197.tif pages  
11/10/2009 [Notice of Witnesses and/or Expert Witnesses](#)  
NOTICE OF EXPERT AND REBUTTAL EXPERT WITNESSES  
04C2049570198.tif pages  
11/10/2009 **Motion to Suppress** (9:00 AM) ()  
DEFT'S MTN TO SUPPRESS  
Result: Matter Continued  
11/10/2009 **Motion to Dismiss** (9:00 AM) ()  
DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR  
Result: Matter Continued

RA 000115

11/10/2009 **All Pending Motions** (9:00 AM) ()  
*ALL PENDING MOTIONS (11-10-09) Court Clerk: Carol Green Relief Clerk: Carol Donahoo/cd Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon*  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

11/13/2009 **Notice of Witnesses and/or Expert Witnesses**  
*SUPPLEMENTAL NOTICE OF WITNESSES*  
 04C2049570200.tif pages

11/16/2009 **Motion**  
*DEFT'S MTN TO STRIKE THE STATES NOTICE OF EXPERT AND REBUTTAL EXPERT TESTIMONY*  
 04C2049570199.tif pages

11/16/2009 **Receipt of Copy**  
*RECEIPT OF COPY*  
 04C2049570201.tif pages

11/17/2009 **Receipt of Copy**  
*RECEIPT OF COPY*  
 04C2049570202.tif pages

11/17/2009 **Reply**  
*REPLY TO STATES OPPOSITION TO DEFTS MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE*  
 04C2049570203.tif pages

11/17/2009 **Receipt of Copy**  
*RECEIPT OF COPY*  
 04C2049570205.tif pages

11/17/2009 **Reply**  
*REPLY TO STATES OPPOSITION TO DEFTS MTN TO SUPPRESS*  
 04C2049570207.tif pages

11/24/2009 **Motion**  
*ALL PENDING MOTIONS FOR 11/24/09*  
 04C2049570208.tif pages

11/24/2009 **Motion to Suppress** (9:00 AM) ()  
*DEFT'S MTN TO SUPPRESS*  
 Result: Matter Continued

11/24/2009 **Motion to Dismiss** (9:00 AM) ()  
*DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR*  
 Result: Matter Continued

11/24/2009 **All Pending Motions** (9:00 AM) ()  
*ALL PENDING MOTIONS FOR 11/24/09 Relief Clerk: Billie Jo Craig Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon*  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

12/01/2009 **Motion**  
*DEFT'S MTN TO CONTINUE TRIAL*  
 04C2049570209.tif pages

12/01/2009 **Motion**  
*ALL PENDING MOTIONS FOR 12/1/09*  
 04C2049570210.tif pages

12/01/2009 **Motion**  
*DEFT'S MTN TO CONTINUE CONTINUE TRIAL /77 (VA 12/8/09)*  
 04C2049570212.tif pages

12/01/2009 **Receipt of Copy**  
*RECEIPT OF COPY*  
 04C2049570213.tif pages

12/01/2009 **Motion to Suppress** (9:00 AM) ()  
*DEFT'S MTN TO SUPPRESS*

12/01/2009 **Motion to Dismiss** (9:00 AM) ()  
*DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR*

12/01/2009 **Motion to Strike** (9:00 AM) ()  
*DEFT'S MTN TO STRIKE THE STATES NOTICE OF EXPERT AND REBUTTAL EXPERT TESTIMONY*

12/01/2009 **All Pending Motions** (9:00 AM) ()  
*ALL PENDING MOTIONS FOR 12/1/09 Relief Clerk: Billie Jo Craig Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon*  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

12/03/2009 **Motion**  
*ALL PENDING MOTIONS 12/3/09*  
 04C2049570214.tif pages

12/03/2009 **Calendar Call** (9:00 AM) ()  
*CALENDAR CALL*

12/03/2009 **Motion to Continue** (9:00 AM) ()  
*DEFT'S MTN TO CONTINUE TRIAL*

12/03/2009 **All Pending Motions** (9:00 AM) ()  
*ALL PENDING MOTIONS 12/3/09 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon*  
[Parties Present](#)  
[Minutes](#)  
 Result: Matter Heard

12/07/2009 **CANCELED Jury Trial** (10:00 AM) ()  
*Vacated*  
 Result: Vacate

12/10/2009 **CANCELED Motion to Continue** (9:00 AM) ()  
*Vacated*

RA 000116

Result: Vacate  
02/23/2010 [Motion](#)  
DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUBSTITUTE COUNSEL/81  
04C2049570217.tif pages  
03/01/2010 [Notice of Witnesses and/or Expert Witnesses](#)  
NOTICE OF WITNESSES AND/OR EXPERT WITNESSES  
04C2049570218.tif pages  
03/02/2010 [Notice of Witnesses and/or Expert Witnesses](#)  
DEFENDANTS LIST OF WITNESSES  
04C2049570220.tif pages  
03/02/2010 [Receipt of Copy](#)  
RECEIPT OF COPY  
04C2049570221.tif pages  
03/04/2010 **Hearing**  
TRIAL SETTING  
04C2049570219.tif pages  
03/04/2010 **Calendar Call** (9:00 AM) ()  
CALENDAR CALL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
03/08/2010 **CANCELED Jury Trial** (10:00 AM) ()  
Vacated  
Result: Vacate  
03/09/2010 **Motion**  
ALL PENDING MOTIONS 3/9/10  
04C2049570222.tif pages  
03/09/2010 **Motion** (9:00 AM) ()  
DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUBSTITUTE COUNSEL/81  
03/09/2010 **Conversion Hearing Type** (9:00 AM) ()  
TRIAL SETTING  
03/09/2010 **All Pending Motions** (9:00 AM) ()  
ALL PENDING MOTIONS 3/9/10 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
06/21/2010 [Motion](#)  
DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINT/86  
04C2049570225.tif pages  
07/08/2010 **Hearing**  
FURTHER PROCEEDINGS: CONFIRMATION OF COUNSEL / RESET TRIAL  
04C2049570226.tif pages  
07/08/2010 **Motion to Dismiss** (9:00 AM) ()  
DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINT/86 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: James Brennan  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
07/15/2010 **CANCELED Calendar Call** (9:00 AM) ()  
Vacated  
Result: Vacate  
07/15/2010 **Further Proceedings** (9:00 AM) ()  
FURTHER PROCEEDINGS: CONFIRMATION OF COUNSEL / RESET TRIAL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: JOSEPH BONAVENTURE  
[Parties Present](#)  
[Minutes](#)  
Result: Matter Heard  
07/19/2010 **CANCELED Jury Trial** (10:00 AM) ()  
Vacated  
Result: Vacate  
11/02/2010 [Reporters Transcript](#)  
TRANSCRIPT OF DEFT'S MOTIONS - TUES 12/01/09  
11/24/2010 [Order for Permission to Marry](#)  
Order for Marriage  
11/30/2010 [Order](#)  
Order to View Crime Scene Photographs  
01/19/2011 [Supplemental Witness List](#)  
Supplemental Notice of Witnesses  
01/31/2011 [Motion to Dismiss](#)  
01/31/2011 [Motion](#)  
Motion to Preclude Suggestive Identification  
02/10/2011 **Calendar Call** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
02/10/2011 Reset by Court to 02/10/2011  
02/10/2011 **Motion to Dismiss** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
02/10/2011, 02/15/2011, 03/03/2011  
Defendant's Motion to Dismiss  
02/10/2011 **Motion** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
02/10/2011, 02/15/2011, 03/03/2011  
Motion to Preclude Involuntary Statement by Tiffany Johnson  
02/10/2011 [Motion](#)  
Motion to Preclude Involuntary Statement by Tiffany Johnson  
02/10/2011 **Motion** (9:00 AM) (Judicial Officer Herndon, Douglas W.)

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02/10/2011 **02/10/2011, 02/15/2011, 03/03/2011**  
*Motion to Preclude Suggestive Identification*  
**All Pending Motions** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
[Minutes](#)  
 Result: Matter Heard

02/11/2011 **Opposition**  
*State's Opposition to Defendant's Motion to Suppress*

02/11/2011 **Opposition**  
*State's Opposition to Defendant's Motion to Preclude Suggestive Identification*

02/11/2011 **Opposition**  
*State's Opposition to Defendant's Motion to Preclude Involuntary Statement by Tiffany Johnson*

02/14/2011 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Vacated - per Judge*  
*02/14/2011 Reset by Court to 02/14/2011*

02/14/2011 **Opposition**  
*State's Opposition to Defendant's Motion to Dismiss*

02/15/2011 **Status Check** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**02/15/2011, 03/03/2011**  
*Status Check: Trial*

02/15/2011 **All Pending Motions** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
[Minutes](#)  
 Result: Matter Heard

02/25/2011 **Reply**  
*Reply to State's Motion to Dismiss*

02/25/2011 **Reply**  
*Reply to States Opposition to Preclude Involuntary Statements of Tiffany Johnson*

02/25/2011 **Reply**  
*Reply to States Opposition to Preclude Suggestive Identification*

03/03/2011 **All Pending Motions** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
[Minutes](#)  
 Result: Matter Heard

03/10/2011 **Order**  
*Application and Order for Transcripts*

03/11/2011 **Motion to Stay**  
*Motion and Order to Stay Proceedings Pending Filing and Consideration of Extraordinary Writ in the Supreme Court*

03/23/2011 **Reporters Transcript**  
*Reporter's Transcript of Deft's Mtn to Dismiss - Heard 03/03/2011*

03/24/2011 **Motion to Stay** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**03/24/2011, 05/05/2011**  
*Motion and Order to Stay Proceedings Pending Filing and Consideration of Extraordinary Writ in the Supreme Court*  
[Minutes](#)  
 Result: Matter Heard

04/24/2011 **Motion for Discovery**  
*Motion for Discovery*

04/26/2011 **Notice of Witnesses and/or Expert Witnesses**  
*Defendant's Notice of Expert Witnesses*

04/29/2011 **Notice of Witnesses and/or Expert Witnesses**  
*Notice of Intent to Present Alibi Witnesses and Alibi Witness List*

05/05/2011 **Calendar Call** (9:00 AM) (Judicial Officer Herndon, Douglas W.)

05/05/2011 **Motion** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Motion and notice of Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial*

05/05/2011 **All Pending Motions** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
[Minutes](#)  
 Result: Matter Heard

05/09/2011 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Vacated - per Judge*  
*reset to begin on 5/10/11*

05/09/2011 **Supplement**  
*Supplement to Defendant's Notice Witnesses (NRS 174.233)*

05/10/2011 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer Herndon, Douglas W.)  
*Vacated*  
*Reset on 5/11/11 due to Court's schedule, being in a Penalty Hearing*

05/11/2011 **Jury Trial** (1:00 PM) (Judicial Officer Herndon, Douglas W.)  
**05/11/2011, 05/12/2011, 05/13/2011, 05/16/2011, 05/17/2011, 05/18/2011, 05/19/2011, 05/20/2011**  
[Minutes](#)  
 Result: Reset

05/11/2011 **Order**

05/12/2011 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer Herndon, Douglas W.)  
*Vacated - per Clerk*

05/13/2011 **Jury List**

05/16/2011 **Order**  
*Order Requiring Material Witness to Post Bail or be Committed to Custody*

05/16/2011 **Ex Parte**  
*Ex Parte Application for Order Requiring Material Witness to Post Bail*

05/16/2011 **Warrant**  
*Warrant of Arrest for Material Witness Jacquan Richard, ID#1211173*

05/17/2011 **Bench Warrant Return**  
*Material Witness warrant*

05/17/2011 **Trial Brief**  
*Trial Brief in Support of Defendant's Motion to Disqualify Expert*

05/20/2011 **Verdict**

05/20/2011 **Instructions to the Jury**  
*Instruction to the Jury (Instruction No. 1) Members of the Jury*

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05/20/2011 [Proposed Jury Instructions Not Used At Trial](#)  
*Defendant's Proposed Jury Instructions Not Used At Trial*

05/31/2011 [Motion](#)  
*Motion for Enlargement of Time to File Motion for New Trial*

06/14/2011 [Motion](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Motion for Enlargement of Time to File Motion for New Trial*  
[Minutes](#)  
 Result: Motion Granted

06/15/2011 [Motion](#)  
*Defendant's Pro-Per Motion to Dismiss Counsel, Motion for Self-Representation and for a New Trial*

06/28/2011 [Request](#)  
*Request For Rough Draft Transcript*

06/28/2011 [Receipt of Copy](#)

06/28/2011 [Receipt of Copy](#)

06/30/2011 [Motion](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**06/30/2011, 07/07/2011**  
*Defendant's Pro-Per Motion to Dismiss Counsel, Motion for Self-Representation and for a New Trial*  
[Minutes](#)  
 Result: Matter Continued

07/08/2011 [Order Granting](#)  
*Order Granting Request for Transcripts*

07/12/2011 [Transcript of Proceedings](#)  
*Heard May 16, 2011*

07/12/2011 [Transcript of Proceedings](#)  
*- Heard 05-18-11*

07/22/2011 [Motion](#)  
*Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for an in Camera S.C.O.P.E. Review*

07/28/2011 [Status Check](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Status Check: Counsel and Transcripts*  
[Minutes](#)  
 Result: Matter Heard

08/01/2011 [Opposition](#)  
*State's Opposition to Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for an In Camera S.C.O.P.E Review*

08/02/2011 [Motion](#) (9:00 AM) (Judicial Officer Thompson, Charles)  
*Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for an in Camera S.C.O.P.E. Review*  
[Minutes](#)  
 Result: Granted

08/04/2011 [Reporters Transcript](#)  
*Reporter's Transcript of Proceedings Jury Trial - Heard May 17, 2011*

08/12/2011 [Reporters Transcript](#)  
*Reporter's Transcript of Proceedings Jury Trial - Heard May 20, 2011*

08/12/2011 [Reporters Transcript](#)  
*Reporter's Transcript Of Proceedings Jury Trial - Heard May 19, 2011*

08/12/2011 [Reporters Transcript](#)  
*Reporters Transcript Of Proceedings Jury Trial - Heard May 19, 2011*

08/16/2011 [Sentencing](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**08/16/2011, 08/16/2011**  
[Minutes](#)  
 Result: Off Calendar

08/16/2011 [Order Granting](#)  
*Order Granting Request for Transcripts*

08/29/2011 [Reporters Transcript](#)  
*Heard May 12, 2011*

08/30/2011 [Status Check](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**08/30/2011, 09/13/2011**  
*Transcripts*  
[Minutes](#)  
*08/18/2011 Reset by Court to 08/30/2011*  
 Result: Matter Continued

09/02/2011 [Reporters Transcript](#)  
*Reporter's Transcript Of Proceedings - Heard May 20, 2011*

09/02/2011 [Reporters Transcript](#)  
*Reporter's Transcript Of Proceedings - Heard May 13, 2011*

09/02/2011 [Reporters Transcript](#)  
*Reporter's Transcript Of Proceedings - Heard May 13, 2011*

11/18/2011 [Motion](#)  
*Defendant's Pro Se Opening Motion for New Trial*

11/29/2011 [Motion](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**11/29/2011, 04/17/2012, 05/17/2012**  
*Defendant's Pro Se Opening Motion for New Trial*  
[Minutes](#)  
*03/27/2012 Reset by Court to 04/17/2012*  
*05/15/2012 Reset by Court to 05/17/2012*  
 Result: Continued

01/12/2012 [Opposition to Motion](#)  
*State's Opposition to Defendant's Motion for New Trial*

02/21/2012 **CANCELED Hearing** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
*Vacated*  
*Supplemental proper person motion filed*

03/15/2012 [Reply to Opposition](#)  
*Defendant's Reply to The State's Opposition to Defendant's Motion for a New Trial/Request for an Evidentiary Hearing for Defendant's Brady Claim*

RA 000119

04/13/2012 [Media Request and Order](#)  
Media Request and Order for Camera Access to Court Proceedings

05/31/2012 [Sentencing](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
**05/31/2012, 08/14/2012, 09/06/2012, 10/02/2012, 10/16/2012**  
[Parties Present](#)  
[Minutes](#)  
08/02/2012 Reset by Court to 08/09/2012  
08/09/2012 Reset by Court to 08/14/2012  
Result: Continued

06/05/2012 [Reporters Transcript](#)  
Reporter's Transcript of MTN for New Trial May 17, 2012

06/14/2012 [Motion](#)  
Defendant's Pro-Per Motion Requesting the Appointment of Appellate Counsel for Direct Appeal

06/26/2012 [Motion](#) (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
Defendant's Pro-Per Motion Requesting the Appointment of Appellate Counsel for Direct Appeal  
[Parties Present](#)  
[Minutes](#)  
Result: Off Calendar

07/30/2012 [Motion](#)  
Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness. Request for Evidentiary Hearing Because Some Factual Matters Occurred off the Record

08/03/2012 [Response](#)  
State's Response to Defendant's Pro Per Motion to Disqualify District Court Judge Douglas Herndon From All Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness

08/08/2012 [PSI](#)

08/14/2012 **CANCELED Motion** (9:00 AM) (Judicial Officer Herndon, Douglas W.)  
Vacated - On in Error  
Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness. Request for Evidentiary Hearing Because Some Factual Matters Occurred off the Record

08/14/2012 [Affidavit](#)  
Affidavit In Answer To Defendant's Affidavit And Requet To Disqualify Judge Douglas Herndon

08/14/2012 [Reply](#)  
Defendant's Reply to State's Response to Defendant's Motion to Disqualify District Court Judge Douglas Herndon from All Further Court Proceedings In this Case for Bias Partiality and Judicial Vindictiveness

08/16/2012 [Motion to Disqualify Judge](#) (3:00 AM) (Judicial Officer Togliatti, Jennifer)  
Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness. Request for Evidentiary Hearing Because Some Factual Matters Occurred off the Record  
[Minutes](#)  
Result: Minute Order - No Hearing Held

08/22/2012 [Reply](#)  
Defendant's Reply to Judge Douglas Herndon's Affidavit in Answer to Defendant's Motion to Disqualify Judge Douglas Herndon from all Further Proceedings in this Case

09/05/2012 [Order Denying](#)  
Order Denying Defendant's Motion to Disqualify Judge Douglas Herndon

10/03/2012 [PSI - Supplemental PSI](#)

10/22/2012 [Judgment of Conviction](#)  
Judgment Of Conviction (Jury Trial)

10/24/2012 [Notice of Appeal \(criminal\)](#)  
Notice Of Appeal

11/02/2012 [Criminal Order to Statistically Close Case](#)  
Criminal Order To Statistically Close Case

11/08/2012 [Case Appeal Statement](#)  
Case Appeal Statement

11/15/2012 [Certificate of Service](#)  
Certificate of Service

02/11/2013 [Transcript of Proceedings](#)  
Reporters Transcript of Mtn to Con't Trial December 3, 2009

02/11/2013 [Transcript of Proceedings](#)  
Reporters Transcript of Hearing, October 16, 2012

02/11/2013 [Transcript of Proceedings](#)  
Reporters Transcript of Mtn for Discover May 5, 2011

02/11/2013 [Transcript of Proceedings](#)  
Reporters Transcript of Hearing, November 10, 2009

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**FINANCIAL INFORMATION**


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|            |                                     |                             |                 |
|------------|-------------------------------------|-----------------------------|-----------------|
|            | <b>Defendant</b> Slaughter, Rickie  |                             |                 |
|            | Total Financial Assessment          |                             | 364.00          |
|            | Total Payments and Credits          |                             | 189.00          |
|            | <b>Balance Due as of 10/01/2013</b> |                             | <b>175.00</b>   |
| 10/13/2005 | Transaction Assessment              |                             | 175.00          |
| 07/11/2008 | Transaction Assessment              |                             | 176.00          |
| 07/11/2008 | Conversion Payment                  | Receipt # 01444696          | (176.00)        |
| 04/19/2011 | Transaction Assessment              |                             | 7.00            |
| 04/19/2011 | Payment (Window)                    | Receipt # 2011-39736-CCCLK  | Xpedient (7.00) |
| 08/24/2012 | Transaction Assessment              |                             | 6.00            |
| 08/24/2012 | Payment (Window)                    | Receipt # 2012-106680-CCCLK | NORMEM (6.00)   |

RA 000120

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

RICKIE SLAUGHTER,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed  
Oct 10 2013 04:06 p.m.  
Tracie K. Lindeman  
Case No. ~~61991~~ 61991 Supreme Court

**RESPONDENT'S APPENDIX**

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State of Nevada

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(775) 684-1265

Counsel for Appellant

Counsel for Respondent

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on October 10, 2013. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO  
Nevada Attorney General

WILLIAM H. GAMAGE, ESQ.  
Counsel for Appellant

RYAN J. MACDONALD  
Deputy District Attorney

BY /s/ eileen davis  
Employee, District Attorney's Office

RJM/Sarah Killer/ed

  
CLERK

AINFO  
DAVID ROGER  
Clark County District Attorney  
Nevada Bar #002781  
SUSAN R. KRISKO  
Deputy District Attorney  
Nevada Bar #006024  
200 South Third Street  
Las Vegas, Nevada 89155-2212  
(702) 455-4711  
Attorney for Plaintiff

I.A. 10/5/04  
9:00 A.M.  
PD

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RICKIE LAMONT SLAUGHTER,  
#1896569

Defendant.

Case No: C204957  
Dept No: XVI

AMENDED  
INFORMATION

STATE OF NEVADA )  
COUNTY OF CLARK ) ss.

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That RICKIE LAMONT SLAUGHTER, the Defendant(s) above named, having committed the crimes of CONSPIRACY TO COMMIT KIDNAPPING (Felony – NRS 199.480, 200.320), CONSPIRACY TO COMMIT ROBBERY (Felony - NRS 200.380, 199.480), CONSPIRACY TO COMMIT MURDER (Felony - NRS 199.480), ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.330, 193.165); BATTERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.481), ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.330, 193.165); ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony

1 - NRS 205.060), BURGLARY (Felony - 205.060), FIRST DEGREE KIDNAPPING WITH  
2 USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165), and  
3 MAYHEM (Felony - NRS 200.280), on or about the 26th day of June, 2004, within the  
4 County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such  
5 cases made and provided, and against the peace and dignity of the State of Nevada,

6 COUNT 1 - CONSPIRACY TO COMMIT KIDNAPPING

7 RICKIE SLAUGHTER and an unknown co-conspirator did then and there meet with  
8 each other and between themselves, and each of them with the other, wilfully, unlawfully,  
9 and feloniously conspire and agree to commit a crime, to-wit: kidnapping, and in  
10 furtherance of said conspiracy, Defendants did commit the acts as set forth in Counts 11-16  
11 said acts being incorporated by this reference as though fully set forth herein.

12 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

13 RICKIE SLAUGHTER and an unknown co-conspirator did then and there meet with  
14 each other and between themselves, and each of them with the other, wilfully, unlawfully,  
15 and feloniously conspire and agree to commit a crime, to-wit: robbery, and in furtherance of  
16 said conspiracy, Defendants did commit the acts as set forth in Counts 7-8, said acts being  
17 incorporated by this reference as though fully set forth herein.

18 COUNT 3 - CONSPIRACY TO COMMIT MURDER

19 RICKIE SLAUGHTER and an unknown co-conspirator did meet and between  
20 themselves, and each of them with the other, willfully, unlawfully, and feloniously conspire  
21 and agree to commit a crime, to-wit: murder, and in furtherance of said conspiracy, RICKIE  
22 SLAUGHTER and/or the unknown co-conspirator did commit the acts as set forth in Counts  
23 4-5.

24 COUNT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

25 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there, without  
26 authority of law, and malice aforethought, willfully and feloniously attempt to kill IVAN  
27 YOUNG, a human being, by shooting at and into the body of the said IVAN YOUNG, with  
28 a deadly weapon, to-wit: a firearm.

1 COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

2 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there, without  
3 authority of law, and malice aforethought, willfully and feloniously attempt to kill RYAN  
4 JOHN, a human being, by stomping on the head of the said RYAN JOHN, with a deadly  
5 weapon, to-wit: his shoes.

6 COUNT 6 - BATTERY WITH USE OF A DEADLY WEAPON

7 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there  
8 wilfully, unlawfully, and feloniously use force or violence upon the person of another, to-  
9 wit: RYAN JOHN, with use of a deadly weapon, to-wit: by stomping on the head of the said  
10 RYAN JOHN with his shoes while the said RYAN JOHN was prevented from protecting  
11 himself by RICKIE SLAUGHTER and/or the unknown co-conspirator.

12 COUNT 7 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

13 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there  
14 wilfully, unlawfully and feloniously attempt to take personal property, to-wit: lawful money  
15 of the United States, from the person of IVAN YOUNG, or in his presence, by means of  
16 force or violence, or fear of injury to, and without the consent and against the will of the said  
17 IVAN YOUNG, by demanding money while directing a firearm at the said IVAN YOUNG,  
18 Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime.

19 COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON

20 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there  
21 wilfully, unlawfully and feloniously take person property, to-wit: an ATM card, from the  
22 person of RYAN JOHN, or in his presence by means of force or violence, or fear of injury  
23 to, and without the consent and against the will of the said RYAN JOHN, by pointing a  
24 firearm at the said RYAN JOHN and demanding said money, Defendants using a deadly  
25 weapon, to-wit: a firearm, during the commission of said crime, the Defendants being  
26 responsible under one or more of the following principles of criminal liability, to-wit: (1) by  
27 the Defendant and an unknown co-conspirator conspiring with each other to commit the  
28 offense of larceny and/or robbery and/or kidnapping whereby all Defendants are vicariously

liable for the foreseeable acts of the other conspirators when the acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the unknown co-conspirator directly committing the acts constituting said offense while RICKIE SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG and/or JENNIFER DENNIS and/or JERMAUN MEANS so that they could not notify police or come to the aid of RYAN JOHN, the Defendants acting in concert throughout; the Defendants counseling and encouraging each other throughout.

COUNT 9 - BURGLARY WHILE IN POSSESSION OF A FIREARM

RICKIE SLAUGHTER and an unknown co-conspirator did then and there wilfully, unlawfully, and feloniously enter, while in possession of a firearm, with intent to commit a felony, to-wit: robbery, that certain building occupied by IVAN YOUNG, located at 2612 Glory View, North Las Vegas, Clark County, Nevada.

COUNT 10 - BURGLARY

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there wilfully, unlawfully, and feloniously enter, with intent to commit a larceny, that certain building occupied by 7-11, located at 3051 E. Charleston, Las Vegas, Clark County, Nevada.

COUNT 11 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

did wilfully, unlawfully, feloniously, and without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away IVAN YOUNG, a human being, with the intent to hold or detain the said IVAN YOUNG against his will, and without his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime, the Defendants being responsible under one or more of the following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-conspirator conspiring with each other to commit the offense of larceny and/or robbery and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all Defendants are vicariously liable for the foreseeable acts of the other conspirators when the

1 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
2 unknown co-conspirator directly committing the acts constituting said offense while RICKIE  
3 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
4 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
5 and/or JENNIFER DENNIS and/or RYAN JOHN so that they could not notify police or  
6 come to the aid of IVAN YOUNG, the Defendants acting in concert throughout; the  
7 Defendants counseling and encouraging each other throughout.

8 COUNT 12 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

9 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
10 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away RYAN JOHN, a human  
11 being, with the intent to hold or detain the said RYAN JOHN against his will, and without  
12 his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm  
13 and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the  
14 commission of said crime, the Defendants being responsible under one or more of the  
15 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
16 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
17 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
18 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
19 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
20 unknown co-conspirator directly committing the acts constituting said offense while RICKIE  
21 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
22 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
23 and/or JENNIFER DENNIS and/or JERMAUN MEANS so that they could not notify police  
24 or come to the aid of RYAN JOHN, the Defendants acting in concert throughout; the  
25 Defendants counseling and encouraging each other throughout.

26 COUNT 13 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

27 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
28 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOSE POSADA, a human

1 being, with the intent to hold or detain the said JOSE POSADA against his will, and without  
2 his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm  
3 and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the  
4 commission of said crime, the Defendants being responsible under one or more of the  
5 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
6 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
7 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
8 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
9 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
10 unknown co-conspirator directly committing the acts constituting said offense while RICKIE  
11 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
12 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
13 and/or JENNIFER DENNIS and/or RYAN JOHN so that they could not notify police or  
14 come to the aid of JOSE POSADA, the Defendants acting in concert throughout; the  
15 Defendants counseling and encouraging each other throughout.

16 COUNT 14 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

17 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
18 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away AARON DENNIS, a human  
19 being, with the intent to hold or detain the said AARON DENNIS against his will, and  
20 without his consent, for the purpose of committing robbery and/or to inflict substantial  
21 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
22 the commission of said crime, the Defendants being responsible under one or more of the  
23 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
24 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
25 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
26 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
27 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
28 unknown co-conspirator directly committing the acts constituting said offense while RICKIE

1 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
2 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
3 and/or JENNIFER DENNIS and/or RYAN JOHN so that they could not notify police or  
4 come to the aid of AARON DENNIS, the Defendants acting in concert throughout; the  
5 Defendants counseling and encouraging each other throughout.

6 COUNT 15 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

7 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
8 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JERMAUN MEANS, a  
9 human being, with the intent to hold or detain the said JERMAUN MEANS against his will,  
10 and without his consent, for the purpose of committing robbery and/or to inflict substantial  
11 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
12 the commission of said crime, the Defendants being responsible under one or more of the  
13 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
14 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
15 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
16 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
17 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
18 unknown co-conspirator directly committing the acts constituting said offense while RICKIE  
19 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
20 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
21 and/or JENNIFER DENNIS and/or RYAN JOHN so that they could not notify police or  
22 come to the aid of JERMAUN MEANS, the Defendants acting in concert throughout; the  
23 Defendants counseling and encouraging each other throughout.

24 COUNT 16 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

25 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
26 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JENNIFER DENNIS, a  
27 human being, with the intent to hold or detain the said JENNIFER DENNIS against her will,  
28 and without her consent, for the purpose of committing robbery and/or to inflict substantial



1 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
2 the commission of said crime, the Defendants being responsible under one or more of the  
3 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
4 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
5 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
6 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
7 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER and/or the  
8 unknown co-conspirator directly committing the acts constituting said offense while RICKIE  
9 SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of  
10 said crime, to-wit: by securing and/or detaining and/or attempting to rob IVAN YOUNG  
11 and/or JENNIFER DENNIS and/or RYAN JOHN so that they could not notify police or  
12 come to the aid of JENNIFER DENNIS, the Defendants acting in concert throughout; the  
13 Defendants counseling and encouraging each other throughout.

14 COUNT 17 - MAYHEM

15 RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there  
16 wilfully, unlawfully, feloniously, and without authority of law render the eye of IVAN  
17 YOUNG useless, to wit: by shooting at and into the face of IVAN YOUNG with a firearm.

18  
19 DAVID ROGER  
DISTRICT ATTORNEY  
20 Nevada Bar #002781

21 BY /s/ SUSAN R. KRISKO  
22 SUSAN R. KRISKO  
23 Deputy District Attorney  
Nevada Bar #006024  
24

25 //

26 //

27 //

28 //

Names of witnesses known to the District Attorney's Office at the time of filing this  
Information are as follows:

| <u>NAME</u>                     | <u>ADDRESS</u>             |
|---------------------------------|----------------------------|
| M. HOYT                         | NLVPD 1334                 |
| A. BAILEY                       | NLVPD 1366                 |
| J. HICKMAN                      | NLVPD 1476                 |
| R. LUEVANO                      | NLVPD 1618                 |
| S. TOMS                         | NLVPD 1621                 |
| J. PRIETO                       | NLVPD 674                  |
| E. MELGAREJO                    | NLVPD 837                  |
| M. BRADY                        | NLVPD 850                  |
| IVAN YOUNG                      | 2612 GLORY VIEW, NLV, NV   |
| JENNIFER DENNIS                 | 2612 GLORY VIEW, NLV, NV   |
| JERMAUN MEANS                   | 2309 BAHAMA POINT, NLV, NV |
| RYAN JOHN                       | 9030 BARR, LV, NV          |
| JOSE POSADO                     | 2612 GLORY VIEW, NLV, NV   |
| AARON DENNIS                    | 2612 GLORY VIEW, NLV, NV   |
| DESTINEE WADDY                  | 2309 BAHAMA POINT, NLV, NV |
| TAMMY POSADO                    | 2612 GLORY VIEW, NLV, NV   |
| COR, LVMPD DISPATCH             | LVMPD                      |
| COR, NLVPD DISPATCH             | NLVPD                      |
| LINDA ERICHETTO AND/OR DESIGNEE | LVMPD                      |
| COR, UMC                        |                            |

DA#04FN0980X/lg  
NLVPD EV#0415160  
CONSP ROBB; CONSP MURD; ATT MURD WDW  
'BWDW; ATT ROBB WDW; RWDW; BURG W/FA; BURG;  
1ST DEG KIDNP WDW; MAYHEM - F  
(TK2)

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

RICKIE LAMONT SLAUGHTER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

Supreme Court No. 52385

2009 APR 24 P 2:51

District Court Case No. C204957

*[Signature]*  
CLERK OF THE COURT

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Tracie Lindeman, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows: "ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for proceedings consistent with this order."

Judgment, as quoted above, entered this 27th day of March, 2009.

IN WITNESS WHEREOF, I have subscribed my name and affixed  
the seal of the Supreme Court at my Office in Carson City,  
Nevada, this 21st day of April, 2009.

Tracie Lindeman, Supreme Court Clerk

By: \_\_\_\_\_

Deputy Clerk

*A. Ingersoll*



RA 000010

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICKIE LAMONT SLAUGHTER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52385

**FILED**

MAR 27 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY 11/11/09  
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

PROCEDURAL HISTORY

On August 31, 2005, the district court convicted appellant, pursuant to a guilty plea, of attempted murder with the use of a deadly weapon (count 1), robbery with the use of a deadly weapon (count 2), first-degree kidnapping with substantial bodily harm (count 3), and first-degree kidnapping with the use of a deadly weapon (count 4). The district court sentenced appellant to serve in the Nevada State Prison: (1) for count 1, two consecutive terms of 90 to 240 months; (2) for count 2, two consecutive terms of 72 to 180 months; (3) for count 3, life with the possibility of parole after 15 years; and (4) for count 4, two consecutive terms of life with the possibility of parole after 5 years. The district court imposed the terms between counts to run concurrently. No direct appeal was taken.

On August 7, 2006, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court. Among other things, appellant claimed that his guilty plea was not voluntarily entered because he was promised and led to believe that he would be

eligible for parole/release to the streets after serving a minimum of 15 years. The State opposed the petition. On January 29, 2007, the district court denied the petition. This court affirmed the denial of several of the claims raised in the petition, but reversed the denial of appellant's claim regarding the voluntariness of his plea and remanded the matter for an evidentiary hearing and directed that the Attorney General file a response to the underlying sentence structure/parole eligibility claim. Slaughter, Jr., v. State, Docket No. 48742 (Order Affirming in Part, Vacating in Part and Remanding, July 24, 2007).

Upon remand, the district court appointed post-conviction counsel to assist appellant, however, appellant later elected to proceed in proper person. The Attorney General filed a response regarding the underlying sentence structure/parole eligibility claim. Appellant filed a brief in the district court seeking to withdraw his guilty plea. The State opposed withdrawal of the guilty plea, but stated that in the spirit of the plea negotiations, the deadly weapon enhancements should be removed. Appellant filed a reply. After conducting an evidentiary hearing, the district court denied appellant's claim that his guilty plea was involuntarily entered, but ordered the Department of Corrections to parole appellant from sentences for the deadly weapon enhancements for counts 1, 2, and 4 at the same time as the sentences for the primary offenses for counts 1, 2, and 4 and the sentence imposed in count 3. This appeal followed.

#### FACTS AND DISCUSSION

In his petition, appellant claimed that his guilty plea was involuntary because he was not correctly informed about the minimum sentence he would be required to serve before parole eligibility to the streets. Confusion regarding the minimum sentence largely relates to the

structuring of appellant's sentences for parole purposes. Based upon our review of the record on appeal, we conclude that the district court erred in determining that the Department erred in structuring the sentences and erred in determining that the guilty plea was voluntarily entered. We further conclude that the only remedy available is for appellant to have an opportunity to withdraw the guilty plea.

A guilty plea is presumptively valid, and a petitioner carries the burden of establishing that the plea was not entered knowingly and intelligently. Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); see also Hubbard v. State, 110 Nev. 671, 675, 877 P.2d 519, 521 (1994). Further, this court will not reverse a district court's determination concerning the validity of a plea absent a clear abuse of discretion. Hubbard, 110 Nev. at 675, 877 P.2d at 521. In determining the validity of a guilty plea, this court looks to the totality of the circumstances. State v. Freese, 116 Nev. 1097, 1105, 13 P.3d 442, 448 (2000); Bryant, 102 Nev. at 271, 721 P.2d at 367.

Appellant claimed that his guilty plea was involuntary because he was promised and led to believe that he would be eligible for parole/release to the streets after serving 15 years. Pursuant to plea negotiations, notably in which appellant represented himself, appellant agreed to enter a guilty plea to the four counts set forth above, the parties: (1) agreed to argue for a minimum sentence of 15 years on count 3; (2) the defendant retained the right to argue for a maximum term of 40 years on count 3 while the State retained the right to argue for a maximum sentence of life imprisonment on count 3; and (3) the State agreed to concurrent time between counts. While acknowledging that he was not promised release on parole, appellant claimed that he was led to believe that the plea agreement was represented as providing a minimum term of

15 years collectively before being eligible for consideration for parole/release to the streets.

At the evidentiary hearing, appellant's standby counsel testified that he understood the plea negotiations to include an absolute minimum sentence of 15 years no matter how the other sentences were imposed. Susan Krisko, one of the State's attorneys at the time of the plea, testified that she believed the spirit of the negotiations contemplated appellant's being eligible for parole after 15 years, although she never discussed NRS 213.1213 or promised appellant that he would be released after 15 years. Marc DiGiacomo, another of the State's attorneys at the time of the plea, testified that they never discussed the sentence structure or provided legal advice regarding the sentence structure and disagreed that the spirit of the negotiations required a minimum term of 15 years before parole eligibility. Mr. DiGiacomo testified, however, that he believed the sentences for the counts 1, 2, and 4 ran concurrently with the 15-to-life sentence for count 3. At the conclusion of the evidentiary hearing, the district court determined that the plea was voluntarily entered—appellant bargained for 15 years before eligibility for parole/release to the streets but there was no promise only a subjective belief that he would be eligible for release after 15 years. However, the district court concluded that the Department incorrectly determined that the deadly weapon enhancements did not begin until after appellant was paroled on the 15 to life term for count 3 and directed the Department to consider appellant for parole from the deadly weapon enhancements at the same time as he was considered for parole on the sentences for the primary offenses. The district court reasoned that because the counts were imposed to run concurrently every portion of the count, the primary

offense sentences and deadly weapon enhancement sentences, should run concurrently with count 3.

### Sentence Structure

We conclude that the district court erred in determining that the Department incorrectly structured the sentences for purposes of parole eligibility. NRS 213.1213 provides that for purposes of determining parole eligibility between concurrent sentences, "eligibility for parole from any of the concurrent sentences must be based on the sentence which requires the longest period before the prisoner is eligible for parole." In the instant case, this means that the sentence for count 3, life with the possibility of parole after 15 years, is the controlling sentence for purposes of parole eligibility because it represents the longest term for parole eligibility. However, at the time appellant committed his offense, NRS 193.165 provided for an equal and consecutive enhancement sentence when a defendant used a deadly weapon during the commission of his primary offense. 1995 Nev. Stat., ch. 455, § 1, at 1431. Thus, until appellant is paroled from the sentences for the primary offenses for counts 1, 2, and 4, appellant is not eligible for parole on the deadly weapon enhancements. In examining the effect of NRS 193.165, this court has held that the deadly weapon enhancement is to be treated as a separate sentence from the primary sentence for all purposes, including parole eligibility. Nevada Dep't Prisons v. Bowen, 103 Nev. 477, 481, 745 P.2d 697, 699 (1987). This court has further recognized that there is no authority to aggregate a sentence for the purpose of parole eligibility. State v. Kimsey, 109 Nev. 519, 521, 853 P.2d 109, 111 (1993). Thus, the district court erred in determining that the Department was required to treat in the aggregate the sentences of the primary offenses and the deadly weapon enhancements for purposes of parole eligibility on counts 1, 2, and 4;



rather, the sentence structure as imposed requires appellant to serve the term of 15 years to life imprisonment for count 3 and a consecutive term for the controlling deadly weapon enhancement in the second level of the sentence structure.

#### Voluntariness of the Plea

Based upon our review of the record on appeal, we further conclude that the district court erred in determining that the guilty plea was voluntarily entered. In order to enter a voluntary and knowing guilty plea, the district court must be satisfied that the defendant has an understanding of the consequences of the guilty plea. State v. Freese, 116 Nev. 1097, 1105, 13 P.3d 442, 448 (2000). The record on appeal establishes that appellant was informed of the nature of the charges and the range of punishments for each offense. Appellant was further informed that the district court's imposition of concurrent or consecutive time between counts was a matter within the district court's discretion. However, pervading the plea negotiations, was a misapprehension regarding the minimum term for parole eligibility to the streets when examining the global effect of the plea negotiations. The testimony from appellant's standby counsel, the testimony from one of the State's attorneys, and the district court's own statements at sentencing and during the post-conviction hearings, indicates that the parties and the district court mistakenly understood that the plea negotiations provided, globally, for a minimum term of 15 years to be served before appellant was eligible for parole to the streets.<sup>1</sup> Although the district court does not

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<sup>1</sup>As discussed above, this understanding was mistaken pursuant to NRS 213.1213 and NRS 193.165.

have a duty to inform a defendant of the parole consequences of a guilty plea, because those consequences are considered to be collateral consequences, see Palmer v. State, 118 Nev. 823, 830, 59 P.3d 1192, 1196 (2002), if appellant is informed that the plea negotiations contemplate a minimum sentence for parole eligibility that information should be accurate.<sup>2</sup> See Sierra v. State, 100 Nev. 614, 616, 691 P.2d 431, 433 (1984) (recognizing that a plea may be involuntary where the defendant was misinformed about the mandatory minimum punishment because if the defendant had been correctly informed of the full range of punishments, including the minimum term which was higher than represented, the defendant may not have been willing to enter the plea); Rouse v. State, 91 Nev. 677, 679, 541 P.2d 643, 644 (1975) (recognizing that a plea may be invalid where a defendant's belief as to a potential sentence, or hope of leniency, is supported by a promise from the State or indication by the court); see also Mathis v. Warden, 86 Nev. 439, 443, 471 P.2d 233, 236 (1970) (suggesting that the district court's misrepresentation regarding the parole consequences may warrant withdrawal of the plea). Reviewing the entire record on appeal, the "spirit" of the plea negotiations contemplated a term of 15 years to be served before appellant was eligible for parole to the streets. In the instant case, because of a misunderstanding of the effect of the deadly weapon enhancements on the

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<sup>2</sup>This court is not suggesting that the State had a duty to provide legal advice to appellant, who as we noted earlier represented himself, but merely that the State provide accurate information regarding the plea negotiations. In the instant case, the record reveals that the plea negotiations concerned the minimum parole eligible term, and thus, this information was required to be accurate for a voluntary and knowing plea in the instant case.

minimum term to be served for parole eligibility to the streets, the terms of the negotiations were not fairly and accurately set forth. Thus, under the unique facts in this case, appellant demonstrated that his plea was involuntarily entered.

### Remedy

In the proceedings below, the State indicated its willingness to have the deadly weapon enhancements stricken from the judgment of conviction in order to effectuate the parties' intentions regarding the guilty plea. Generally, the district court lacks jurisdiction to suspend or modify a defendant's sentence after the defendant begins to serve it. NRS 176A.400(3); Passanisi v. State, 108 Nev. 318, 322, 831 P.2d 1371, 1373 (1992). An exception to this rule applies when the court has made a mistake in rendering a judgment that worked to the extreme detriment of the defendant; however, this exception only applies if the error concerned the defendant's criminal record. Id. at 322-23, 831 P.2d at 1373-74; see also Edwards v. State, 112 Nev. 704, 707, 918 P.2d 321, 324 (1996). This court has specifically recognized that the district court's misapprehension regarding the legal consequences of a sentence does not permit the district court to modify the sentence after the defendant has begun to serve the sentence. State v. Kimsey, 109 Nev. 519, 522, 853 P.2d 109, 111 (1993). Consequently, because appellant's guilty plea was not voluntarily entered, as discussed above, appellant must be permitted an opportunity to withdraw his guilty plea in the instant case. Therefore, we reverse the denial of this claim.

### Conclusion

Having reviewed the record on appeal and for the reasons set forth above, we conclude that oral argument and briefing are unwarranted

in this matter. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975). Accordingly, we

ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for proceedings consistent with this order.<sup>3</sup>

Parraguirre J.  
Parraguirre

Douglas J.  
Douglas

Pickering J.  
Pickering

cc: Hon. Douglas W. Herndon, District Judge  
Rickie Lamont Slaughter Jr.  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

<sup>3</sup>We have considered all proper person documents filed or received in this matter. We conclude that appellant is only entitled to the relief described herein. This order constitutes our final disposition of this appeal. Any subsequent appeal shall be docketed as a new matter.



IN THE SUPREME COURT OF THE STATE OF NEVADA

RICKIE LAMONT SLAUGHTER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

Supreme Court No. 52385

District Court Case No. C204957

**REMITTITUR**

TO: Edward A. Friedland, Clark District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.  
Receipt for Remittitur.

DATE: April 21, 2009

Tracie Lindeman, Clerk of Court

By: Deputy Clerk

*A. Ingersoll*

cc (without enclosures):

Hon. Douglas W. Herndon, District Judge  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Rickie Lamont Slaughter Jr.

**RECEIPT FOR REMITTITUR**

Received of Tracie Lindeman, Clerk of the Supreme Court of the State of Nevada, the  
REMITTITUR issued in the above-entitled cause, on APR 24 2009.

**HEATHER LOFQUIST**

**Deputy** District Court Clerk

RA 000020

09-08255

A. Hello?

Recording. From an inmate at the North Las Vegas Detention Center. To accept this free call, press 0. To refuse this free call...

Q. Hello?

A. Hello?

Q. Who is this?

A. (NeNe).

Q. What up (NeNe)?

A. Nothin' man.

Q. I don't know nothin'.

A. You cool?

Q. No. I ain't cool, cuz. I (have to deal with now) what's this you tellin' me man?

A. Huh.

Q. Y'all were so talking for a long time, cuz.

A. He kept on asking me the same questions over and over again.

Q. What's he ask?

A. Where was you...

Q. Huh?

A. He was askin' me where were you on Saturday and (unintelligible)...

Q. Yeah. I heard that.

A. Huh?

Q. I heard that part.

A. What part?

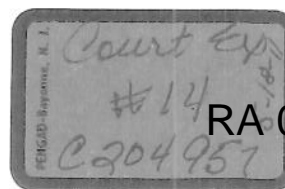
Q. What you just said.

A. Um.

Q. What else he'd say?

A. He asked me who you hung out with and (unintelligible)...

Q. Well what you told 'em?



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- A. I was like, "I don't know who he hangs out with." And I was like, "The only person I really seen him with is a guy that lives by us and I was like they play PlayStation and that's about it."
- Q. You filled out any statements?
- A. No.
- Q. Huh?
- A. No.
- Q. They recorded you?
- A. Huh?
- Q. They was recordin' you?
- A. No.
- Q. Man. What he was sayin'?
- A. Um, (unintelligible).
- Q. Huh?
- A. Just basically that.
- Q. Just what?
- A. That I'm lyin' and whole bunch - he said I'm basically lying.
- Q. Where you at?
- A. Over at my cousin's house.
- Q. Over at my sister's house? Huh?
- A. (Unintelligible).
- Q. Where?
- A. My cousin's.
- Q. Hold on, girl. I can't hear ya. What'd you say?
- A. My cousin's.
- Q. Your cousin's? Who? (Shay)?
- A. No, not (unintelligible). My cousin (Valencia).
- Q. Babe?
- A. Huh?

HOLD S1-2 7023527213 06292004 0148 1088495313

Q. I love you.

A. I love you too.

Q. When you gonna come see me? Soon as I get some visiting days. They towed your car?

A. Yeah.

Q. How you got over there? They dropped you off?

A. Yeah.

Q. Did - did they say if they found anything in the car?

A. No.

Q. What'd they tow it for?

A. Because probably it was (unintelligible) somethin'. They said somethin' that happened on Saturday.

Q. Hey?

A. Huh?

Q. I need you to help get me a lawyer. You hear me? (Unintelligible) gonna help get me a lawyer, but I need to get a lawyer 'cause I know - it ain't - it ain't no minutes on my phone though, cuz. What's the phone number over there?

A. I have no clue. (Unintelligible).

Q. Huh?

A. I don't know and they tryin' to sleep.

Q. So what? I can't - you don't want - how the fuck am I supposed to get in touch with you 'cause if they take me to the back?

A. (Unintelligible).

Q. Huh?

A. I don't know right now. 'Cause I'm not gonna be - I'm leave - I'm going home tomorrow.

Q. Home where? To your granddaddy's?

A. Yeah.

Q. Huh?



- A. Yes.
- Q. So how am I supposed to get a hold of you? Huh?
- A. Well as long as (unintelligible) call me at work.
- Q. Call you at work?
- A. Yeah.
- Q. I can't call your job from - from my thing - from the jail.
- A. As long as it's free, yes, you can.
- Q. It ain't gonna be free 'cause I probably gonna go back tonight, cuz. Cuz, hey. Them motha fuckas ask any more questions, cuz, tell 'em you ain't got nothin' else to say to them, cuz.
- A. I don't.
- Q. I love you, cuz. You was scared? You was scared?
- A. Yeah. Yeah.
- Q. I'm sorry.
- A. They got my car. I don't have a way to get around.
- Q. What you want, cuz? You want the last little - little couple hundred dollars off my books to go get the car?
- A. No.
- Q. Huh?
- A. No. It ain't - it ain't - they didn't tow it to an impound.
- Q. It ain't what?
- A. They didn't tow it to the impound.
- Q. Where they took it?
- A. Down (unintelligible) at evidence.
- Q. Hold on. Cuz, how am I supposed to get a hold of you though, cuz? You gonna go (unintelligible) to 7-Eleven and put some more minutes on the card so I can talk to you tonight? Huh? Huh?
- A. (Unintelligible). I'll try. I'll try to get over there.
- Q. To 7-Eleven? It's right down the street.

A. From where?

Q. From your cousin's house. You hear me?

A. Yeah. (Unintelligible).

Q. Yeah. I'm gonna tell you how to do it. Get a pen real quick.

A. It don't tell you? Don't it tell you?

Q. Uh, just get a pen then. All you gotta do is dial 233 and then you just enter the, uh - you know what I'm sayin'? You just follow what the card tell you. You hear me?

A. (Unintelligible)

Q. Just dial 233 and press talk.

A. 223?

Q. 233. 233. Are you gonna help (unintelligible) get me a lawyer? Huh?

A. I'll do what I can.

Q. All right. Baby?

A. Huh?

Q. Kiss my son for me. All right?

A. Yep.

Q. I can feel you always. Call him a big boy, cuz. Okay?

A. What?

Q. I always call 'em a big boy. Man. And throw him in the air for me, cuz. I just toss him up. You know how I be tossin' him up? Huh? Huh?

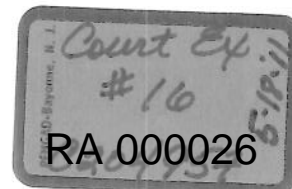
A. Yeah.

Q. This is fucked up though, cuz. But it's gonna be all right as long as I stick to the script (unintelligible), as long as I get a lawyer I'll be cool (unintelligible), cuz, (unintelligible). I don't know, cuz, a whole lotta years. But, uh, try to hang in here. I'm gonna need you - I'm gonna need your support though. You hear me?

A. Mm-hm. (Unintelligible).

Q. Do I got it?

- Q. I'm just tryin' to figure out a way I could, uh - you know what I'm sayin'?  
Where I could pull these crackas on my nigga.
- A. Yeah. It - it is a way brother. All you gotta do is take it by where you was  
jacked at that time Saturday my nigga.
- Q. I was sittin' on - I was at the house playin' my PlayStation, cuz.
- A. Yes, sir. Yes, sir. Who was there wit you brother?
- Q. I don't think nobody.
- A. That's - that's - that's the main thing you got to remember.
- Q. I think (JR) was there, cuz, but you got to holla at him. You hear me?
- A. Yes, sir. Yes, sir.
- Q. Did you hear me?
- A. Yes, sir. I heard you cuz.
- Q. Yeah, yeah.
- A. (Unintelligible).
- Q. I think (JR) was there.
- A. (Unintelligible) be on, brother, what you was doin' Saturday at that time and -  
and, you know, if we got somebody else to, uh - that can prove that. You know  
what I'm sayin'?
- Q. Yeah. Um, talk to the homie (JR) for me cuz.
- A. See you got his name and everything or - or what? Let me get it and all that  
shit.
- Q. His name's (JR). That's all I know 'em by.
- A. Yeah. You know what I'm sayin'? See, did you - see when we get that attorney  
you gonna have to...
- Recording. You have one minute left.
- Q. Well get all that for me cuz. You hear me?
- A. The name and all that shit for you?
- Q. Yeah. Give it from my...



A. Hello?

Recording. From an inmate at the North Las Vegas Detention Center. To...

A. You call back (unintelligible)? Hello?

Q. What's up?

A. Nothin'.

Q. So why you barely just put some minutes on there?

A. Because man (unintelligible) sick.

Q. Because what?

A. Because I got sick last night.

Q. What?

A. I was sick.

Q. You got sick?

A. Yes.

Q. Hey, like, a day ago you was over there?

A. What?

Q. You was at your cousin's (Valencia)'s house like a day ago?

A. Huh?

Q. Huh?

A. What?

Q. You was over there at yo cousin's house, like - like - like a day or two ago?

A. A day or two ago?

Q. Yeah.

A. No. Why?

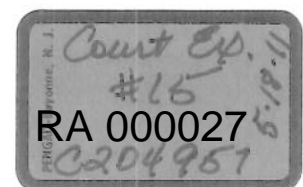
Q. Nah. 'Cause somebody said they seen you over there.

A. Who?

Q. Uh, (Jamar), uh, uncle.

A. Huh?

Q. (Jamar)'s uncle.



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A. (Unintelligible).

Q. Said you was waiting on somebody to come pick you up.

A. Who?

Q. Huh?

A. No. I wasn't over there, not no day or two ago.

Q. You went and got all the stuff out the house?

A. Yeah.

Q. All of it?

A. Well everything that - everything that I could take, yeah, I got it.

Q. How you got it?

A. Huh?

Q. How you got it?

A. (JR), uh, her and his momma let him use the car so he can come and get my stuff.

Q. You got my PlayStation 2 and all that shit was in there?

A. No. that's at, um, old dude's house. I'm gonna go get that later.

Q. What the fuck he take that for?

A. What?

Q. What he take that for?

A. Who?

Q. (JR).

A. Because he (unintelligible) last night.

Q. Why you let him take it?

A. (Unintelligible).

Q. You what?

A. (Unintelligible) phone.

Q. 'Cause he did what?

A. Because he (unintelligible). Hello?

Q. Hey?

**Rickie Slaughter**

**04-15160**

**11/17/2009**

HOLD S1-2 7023527213 06292004 1419 1088540348

A. What?

Q. What's (Shay)'s number?

A. Huh?

Q. What - what's your cousin, (Shay), number?

A. Uh, 893-0632 but she ain't there.

Q. What you say it is? 0633?

A. 02 I think. I'm not sure.

Q. 0 what?

A. 0632.

Q. Oh 0632?

A. 32.

Q. 32?

A. Yeah.

Q. 893-0632?

A. Yeah. But ain't nobody there 'cause I just called (unintelligible) over there.  
(Unintelligible).

Q. Cuz, so what else you was - you was telling the police, cuz?

A. (Unintelligible).

Q. Huh?

A. (unintelligible). What you say?

Q. What else you was tellin' the police? You told them I dropped you off at  
work?

A. Huh?

Q. You told 'em I dropped you off at work?

A. Six, seven, eight, nine, ten. (Unintelligible).

Q. Huh?

A. What?

Q. I said what else you was tellin' the police, nigga.

A. What? I can't hear you.

Q. What?

A. What?

Q. I said what else you told the motha fuckin' police, nigga.

A. All I told him was that - he kept on tryin' to say that I was a part of whatever they're talkin' about on Saturday that I...

Q. Who said that?

A. Huh?

Q. Who said that?

A. The - the, um, that dude (unintelligible).

Q. He was tryin' to say he was a part of you?

A. That I was drivin' in the car and...

Q. Nah. He was just tryin' to, uh, pick you to see if you was gonna say anything. That's why - they was gonna have to let you go regardless, cuz. So what you told 'em though?

A. He was, like - because he kept on (unintelligible) too.

Q. What?

A. 'Cause he came up here too.

Q. Mm-hm.

A. And they - and he asked them questions and they told 'em that - that (unintelligible) dropped off (unintelligible) and they asked me what...

Q. When they ask 'em that?

A. Today.

Q. Yeah.

A. And he was like, um, "Was he there to pick you up early? Was he there on time to pick you up?" I was like, "Well, I got off a few minutes early, so he was there before 7:30." You know?

Q. What'd you say? You got off what?

A. I had - I had got off a few minutes early because we had closed a few minutes early.

HOLD S1-2 7023527213 06292004 1419 1088540348

Q. You told 'em I was there before 7:30?

A. Yeah.

Q. Man, tell that nigga I was there at 7:00. Man, don't tell 'em that shit, cuz. You don't feel like - you don't - you choose your right to remain silent (unintelligible). I was there nigga at motha fuckin' 7 o'clock. I didn't do shit. I don't know what they talkin' about but, cuz, quit talkin' to that motha fucka, cuz. You hear me? Hey, you hear me?

A. Yes.

Q. They tryin' to pull me into a little bullshit, cuz, and that - nigga you talkin' to that nigga gonna get me put in prison, nigga, for the rest of my motha fuckin' life, nigga. Just quit talkin' to that nigga. You don't have to talk to him. You hear me?

A. Yeah.

Q. Nah, you ain't hearing me, cuz. I guess you ain't feelin' me, cuz.

A. What?

Q. You ain't hearin' me, cuz?

A. Yes.

Q. 'Cause cuz (unintelligible) tell 'em you don't - you choose to exercise your right to remain silent, nigga. You don't wanna - you don't know shit. You don't have to answer none of his questions, nigga. Why do you think they tell ya you got the right to have a lawyer there when he talkin' to you and shit? You hear me?

A. Yes. I ain't planning to talk to him no mo.

Q. Man, that's what your ass said last night, nigga. What else he ask you, cuz?  
Huh? Hello?

A. What?

Q. What else he ask you?

A. He just kept on askin' me stupid stuff.

Q. Like what, nigga?



**Rickie Slaughter**

**04-15160**

**11/17/2009**

HOLD S1-2 7023527213 06292004 1419 1088540348

A. Who you hang out with and what do you do during the day.

Q. And what did you tell 'em?

A. Huh?

Q. And what'd you say?

A. I said the only person I really know that you - you associate with is dude (JR).

Q. Mm-hm.

A. And I said they - they go to each other's place, play PlayStation, they go to the store together, they go (unintelligible) together. That's the only person I know.

Q. Yeah, cuz. Don't tell that nigga shit, man.

A. And then he was like well...

Q. (Unintelligible) you don't know shit about me. You hear me?

A. What?

Q. But, uh, what'd you say - what'd you say 893-0632, right? Huh?

A. (Unintelligible). Yeah.

Q. Man. So when you gonna - (unintelligible) my back, cuz. When you gonna come up here?

A. You still in holding. You know I can't come up there anyway.

Q. Nah. I'm fixin' to go to the back in a little while, cuz, sometime, uh, probably tonight. And what - what's the, uh, (unintelligible), [REDACTED]?

A. Huh?

Q. Ain't it [REDACTED]?

A. What? The phone?

Q. Huh?

A. What? Her phone number?

Q. Your social, nigga.

A. [REDACTED].

Q. [REDACTED]?

A. [REDACTED]

Q. Yeah. [REDACTED]. Hold on.

**Rickie Slaughter**

**04-15160**

**11/17/2009**

HOLD S1-2 7023527213 06292004 1419 1088540348

Recording. You have one minute left.

Q. Hello?

A. Yeah.

Q. [REDACTED] But, uh, so what's happenin', cuz? You gonna help me get a lawyer, cuz?

A. I'll see what I can do.

Q. I need you to write this number down too. I want you to give it to homie and, uh, let me know what cuz talkin' about. I want you to talk to the homie, cuz, I'm gonna give you this number. You know what I'm sayin'? And y'all gonna talk about getting me a lawyer, cuz.

A. What's the number?

Q. Huh?

A. What's the number?

Q. Uh, 352-7543.

A. Okay.

Recording. For English, press 1. ((Spanish spoken)). Please enter your pin. You have \$4.50. Please enter the number you wish to call. You have nine minutes.

A1. Hello?

Q. Hello. Can I speak to Aunt (Pam)?

A1. Hold on. Who is this?

Q. This is Rick.

A1. For real?

Q. Yeah. Who is this?

A1. What's up? (Daryl).

Q. Oh. What up wit you? Where's (Pam) at?

A1. Hold on. Hold on.

Recording. This call is subject to monitoring and recording.

A2. Hello?

Q. Hello.

A2. Hey, what's up, (Lo)?

Q. Who is this?

A2. This is (Tracy).

Q. Oh what's goin' down wit ya?

A2. Oh I'm chillen', man, maintaining anyway. How you feelin'?

Q. All right. Maintaining, trying to.

A2. Huh?

Q. Tryin' to maintain.

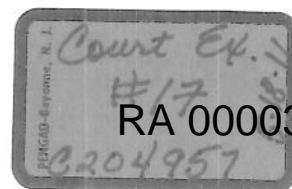
A2. Yeah. Um, who you - who you want to talk to?

Q. To (Pam).

A2. Tryin' to handle some business?

Q. Huh?

A2. You tryin' to handle some business?



C1 P2-4 7022333059 07162004 1839 1090024792

Q. Yeah. But I - I probably gonna call back anyways because the phone card only got, like, nine minutes left on it so I'm gonna, uh - I got to call back anyway.

Why? What's goin' on?

A2. Nothin'. I was just hollerin' at you man. See how you was doin', you know.

Q. All right for a person who's in jail sayin' they tryin' to give 18 to life to.

A2. I hear ya man. I know what you sayin'. Yeah. 'Cause, um, you know, I was thinking about ya. You know what I mean? When I, you know, heard what happened, you know.

Q. Is that right?

A2. But, um...

Q. How you heard that?

A2. Yeah. Huh?

Q. How'd ya heard that?

A2. Well I didn't hear all the details. You know what I'm sayin'? I heard what was - you know, I heard what happened, but, uh, you know I didn't know the details of what you just said though.

Q. Yeah. I'm tryin' - I'm tryin' to see...

A2. Yeah. I'm just...

Q. ...if Aunt (Pam) will help me out and help me get a lawyer because I really need it. You know what I'm sayin'?

A2. Yeah.

Q. 'Cause if I don't get one I'm about as good as hung right here. You know what I'm sayin'?

((Crosstalk))

A2. They got - what? They got - what they sayin', uh, (unintelligible)? What they sayin'? They got evidence or they got a witness or what?

Q. Uh, well...

A2. I mean did they tell you anything?

Q. Yeah. They - uh, yeah, yeah, yeah.

C1 P2-4 7022333059 07162004 1839 1090024792

A2. Huh?

Q. A little somethin', but they gonna give me my discovery on Monday but they done told me a little somethin'. You know what I'm sayin'?

A2. Hold on a minute. Okay. Um, so you tryin' to get a lawyer to what, plea bargain down or somethin'?

Q. Nah. A lawyer...

A2. Or what?

Q. ...because I might go to trial.

A2. You tryin' to get off or...

Q. I might get a trial or I might...

A2. Right.

Q. Because you know what I'm sayin'? If they don't offer me no deal better than this 18 to life, I'm gonna go to trial over it. But if - but if it ain't, uh, if I don't go to trial, I'll just - you know what I'm sayin'? I might cop out a deal if they come with somethin' all right. If it ain't over, like, eight, nine years, something like that.

A2. Mm-hm. Yeah.

Q. You hear me?

A2. Okay. Hold on. Let me let you talk to your auntie. All right?

Q. Yeah.

A2. Hold on. I'm gonna let you talk to (Pam).

A3. Hello?

Q. Hello.

A3. Hey.

Q. What up mama?

A3. Oh nothin'.

Q. What down with ya?

A3. I got to talk to your girl last night.

Q. Is that right? Yeah.

**Rickie Slaughter**

**04-15160**

**11/17/2009**

C1 P2-4 7022333059 07162004 1839 1090024792

A3. Yes.

Q. Tell her to quit talkin' to that - to that detective man.

A3. I can't hardly hear ya.

Q. Tell her to quit talkin' to that detective.

A3. (Unintelligible) your girl?

Q. (Unintelligible). You know what I'm sayin'? She gonna 'cause a nigga problems if - if they get the - you know what I'm sayin'? Tryin' to make her break down or whatever. Tell her just - just leave them the fuck alone.

A3. Oh yeah. She - she got out yesterday.

Q. Yeah. I know. She told me, uh, her granddaddy bailed her out, like, \$2200.

A3. Yeah. I think last night - (Keisha)'s baby came home too.

Q. (Keisha)'s baby what?

A3. Everything happened yesterday. Yeah.

Q. Is that right?

A3. She came home and (Keisha)'s babies came home.

Q. Mm-hm.

A3. So everything happened.

Q. It ain't no bad thing. It's a beautiful thing.

A3. Mm-hm. I can't hardly hear you though, Rickie baby.

Q. All right. Look...

A3. See - Mm-hm.

Q. Uh, hang up the phone. I'm fixin' to get on a different phone and call you right back.

A3. All right.

Q. All right.

A3. Bye.

Q. Make sure you hang up.

A3. Okay. Bye.

Q. All right.

**Rickie Slaughter**

**04-15160**

**11/17/2009**

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A3. All right.

1 INST

2  
3 FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

4 MAY 20 2011

5  
6 DISTRICT COURT BY Linda Denman  
CLARK COUNTY, NEVADA LINDA DENMAN, DEPUTY

7  
8 THE STATE OF NEVADA, )

9 Plaintiff, )

CASE NO: C204957

10 -vs- )

DEPT NO: 3

11 RICKIE SLAUGHTER, )

12 Defendant. )

13 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. I)

14 MEMBERS OF THE JURY:

15 It is now my duty as judge to instruct you in the law that applies to this case. It is  
16 your duty as jurors to follow these instructions and to apply the rules of law to the facts as  
17 you find them from the evidence.

18 You must not be concerned with the wisdom of any rule of law stated in these  
19 instructions. Regardless of any opinion you may have as to what the law ought to be, it  
20 would be a violation of your oath to base a verdict upon any other view of the law than that  
21 given in the instructions of the Court.

22 04C204957  
INST  
Instructions to the Jury  
1425746



RA 000039

48



INSTRUCTION NO. 2

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

RA 000040

An Third Amended Information is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in an Third Amended Information that on or about the 26th day of June, 2004, the Defendant committed the offenses of **CONSPIRACY TO COMMIT KIDNAPPING (Felony - NRS 199.480, 200.320), CONSPIRACY TO COMMIT ROBBERY (Felony - NRS 200.380, 199.480), ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.330, 193.165); BATTERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.481), ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.330, 193.165); ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165); BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060), BURGLARY (Felony - 205.060), and FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165), on or about the 26th day of June, 2004, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,**

COUNT 1 - CONSPIRACY TO COMMIT KIDNAPPING

RICKIE SLAUGHTER and an unknown co-conspirator did then and there meet with each other and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: kidnapping, and in furtherance of said conspiracy, Defendants did commit the acts as set forth in Counts 9-14 said acts being incorporated by this reference as though fully set forth herein.

COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

RICKIE SLAUGHTER and an unknown co-conspirator did then and there meet with each other and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: robbery, and in furtherance of said conspiracy, Defendants did commit the acts as set forth in Counts 5-6, said acts being

incorporated by this reference as though fully set forth herein.

COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there, without authority of law, and malice aforethought, willfully and feloniously attempt to kill IVAN YOUNG, a human being, by shooting at and into the body and/or causing a bullet to strike the face of the said IVAN YOUNG, with a deadly weapon, to-wit: a firearm.

COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there wilfully, unlawfully, and feloniously use force or violence upon the person of another, to-wit: RYAN JOHN, with use of a deadly weapon, to-wit: by stomping on the head of the said RYAN JOHN with his shoes while the said RYAN JOHN was prevented from protecting himself by RICKIE SLAUGHTER and/or the unknown co-conspirator.

COUNT 5 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there wilfully, unlawfully and feloniously attempt to take personal property, to-wit: lawful money of the United States, from the person of IVAN YOUNG, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of the said IVAN YOUNG, by demanding money while pointing a firearm at the said IVAN YOUNG, Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime.

COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there wilfully, unlawfully and feloniously take person property, to-wit: an ATM card, from the person of RYAN JOHN, or in his presence by means of force or violence, or fear of injury to, and without the consent and against the will of the said RYAN JOHN, by pointing a firearm at the said RYAN JOHN and demanding said money, Defendants using a deadly weapon, to-wit: a firearm, during the commission of said crime, the Defendants being responsible under one or more of the following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-conspirator conspiring with each other to commit the

offense of larceny and/or robbery and/or kidnapping whereby all Defendants are vicariously liable for the foreseeable acts of the other conspirators when the acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by securing and/or detaining and/or robbing the said RYAN JOHN, with the use of a deadly weapon, the Defendants acting in concert throughout; the Defendants counseling and encouraging each other throughout.

COUNT 7 - BURGLARY WHILE IN POSSESSION OF A FIREARM

RICKIE SLAUGHTER and an unknown co-conspirator did then and there wilfully, unlawfully, and feloniously enter, while in possession of a firearm, with intent to commit a felony, to-wit: robbery, that certain building occupied by IVAN YOUNG, located at 2612 Glory View, North Las Vegas, Clark County, Nevada.

COUNT 8 - BURGLARY

RICKIE SLAUGHTER and/or an unknown co-conspirator did then and there wilfully, unlawfully, and feloniously enter, with intent to commit a larceny, that certain building occupied by 7-11, located at 3051 E. Charleston, Las Vegas, Clark County, Nevada.

COUNT 9 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

did wilfully, unlawfully, feloniously, and without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away IVAN YOUNG, a human being, with the intent to hold or detain the said IVAN YOUNG against his will, and without his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime, said kidnapping resulting in substantial bodily harm to the said IVAN YOUNG, the Defendants being responsible under one or more of the following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-conspirator conspiring with each other to commit the offense of larceny and/or robbery and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all Defendants are vicariously liable for the foreseeable acts of the other conspirators when the acts were in

1 furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly committing the  
2 acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the unknown co-  
3 conspirator aiding or abetting in the commission of said crime, to-wit: by securing and/or  
4 detaining and/or attempting to rob and/or inflict substantial bodily harm to IVAN YOUNG,  
5 the Defendants acting in concert throughout; the Defendants counseling and encouraging  
6 each other throughout.

7 COUNT 10 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

8 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
9 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away RYAN JOHN, a human  
10 being, with the intent to hold or detain the said RYAN JOHN against his will, and without  
11 his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm  
12 and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the  
13 commission of said crime, the Defendants being responsible under one or more of the  
14 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
15 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
16 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
17 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
18 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly  
19 committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the  
20 unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by  
21 securing and/or detaining and/or robbing RYAN JOHN, the Defendants acting in concert  
22 throughout; the Defendants counseling and encouraging each other throughout.

23 COUNT 11 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

24 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
25 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOSE POSADA, a human  
26 being, with the intent to hold or detain the said JOSE POSADA against his will, and without  
27 his consent, for the purpose of committing robbery and/or to inflict substantial bodily harm  
28 and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during the

1 commission of said crime, the Defendants being responsible under one or more of the  
2 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
3 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
4 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
5 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
6 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly  
7 committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the  
8 unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by  
9 securing and/or detaining JOSE POSADA for the purpose of committing a robbery and/or  
10 inflicting substantial bodily harm and/or kill, the Defendants acting in concert throughout;  
11 the Defendants counseling and encouraging each other throughout.

12 COUNT 12 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

13 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
14 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away AARON DENNIS, a human  
15 being, with the intent to hold or detain the said AARON DENNIS against his will, and  
16 without his consent, for the purpose of committing robbery and/or to inflict substantial  
17 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
18 the commission of said crime, the Defendants being responsible under one or more of the  
19 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
20 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
21 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
22 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
23 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly  
24 committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the  
25 unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by  
26 securing and/or detaining AARON DENNIS for the purpose of committing a robbery and/or  
27 inflicting substantial bodily harm and/or kill, the Defendants acting in concert throughout;  
28 the Defendants counseling and encouraging each other throughout.

1 COUNT 13 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

2 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
3 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JERMAUN MEANS, a  
4 human being, with the intent to hold or detain the said JERMAUN MEANS against his will,  
5 and without his consent, for the purpose of committing robbery and/or to inflict substantial  
6 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
7 the commission of said crime, the Defendants being responsible under one or more of the  
8 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
9 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
10 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
11 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
12 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly  
13 committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the  
14 unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by  
15 securing and/or detaining and/or robbing JERMAUN MEANS, the Defendants acting in  
16 concert throughout; the Defendants counseling and encouraging each other throughout.

17 COUNT 14 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

18 did wilfully, unlawfully, feloniously, and without authority of law, seize, confine,  
19 inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JENNIFER DENNIS, a  
20 human being, with the intent to hold or detain the said JENNIFER DENNIS against her will,  
21 and without her consent, for the purpose of committing robbery and/or to inflict substantial  
22 bodily harm and/or to kill, said Defendant using a deadly weapon, to-wit: a firearm, during  
23 the commission of said crime, the Defendants being responsible under one or more of the  
24 following principles of criminal liability, to-wit: (1) by the Defendant and an unknown co-  
25 conspirator conspiring with each other to commit the offense of larceny and/or robbery  
26 and/or kidnapping and/or to inflict substantial bodily harm and/or kill whereby all  
27 Defendants are vicariously liable for the foreseeable acts of the other conspirators when the  
28 acts were in furtherance of the conspiracy; and/or (2) RICKIE SLAUGHTER directly

1 committing the acts constituting said offense and/or 3) RICKIE SLAUGHTER and/or the  
2 unknown co-conspirator aiding or abetting in the commission of said crime, to-wit: by  
3 securing and/or detaining and/or attempting to rob JENNIFER DENNIS, the Defendants  
4 acting in concert throughout; the Defendants counseling and encouraging each other  
5 throughout.

6 It is the duty of the jury to apply the rules of law contained in these instructions to the  
7 facts of the case and determine whether or not the Defendant is guilty of one or more of the  
8 offenses charged.

9 Each charge and the evidence pertaining to it should be considered separately. The  
10 fact that you may find a defendant guilty or not guilty as to one of the offenses charged  
11 should not control your verdict as to any other offense charged.



1  
2 A conspiracy is an agreement between two or more persons for an unlawful purpose.  
3 To be guilty of conspiracy, a defendant must intend to commit, or to aid in the commission  
4 of, the specific crime agreed to. The crime is the agreement to do something unlawful; it  
5 does not matter whether it was successful or not.

6 A person who knowingly does any act to further the object of a conspiracy, or  
7 otherwise participates therein, is criminally liable as a conspirator. However, mere  
8 knowledge or approval of, or acquiescence in, the object and purpose of a conspiracy  
9 without an agreement to cooperate in achieving such object or purpose does not make one a  
10 party to conspiracy. Conspiracy is seldom susceptible of direct proof and is usually  
11 established by inference from the conduct of the parties. In particular, a conspiracy may be  
12 supported by a coordinated series of acts, in furtherance of the underlying offense, sufficient  
13 to infer the existence of an agreement.

14 A conspiracy to commit a crime does not end upon the completion of the crime. The  
15 conspiracy continues until the co-conspirators have successfully gotten away and concealed  
16 the crime.  
17  
18  
19  
20  
21  
22  
23  
24  
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28

It is not necessary in proving a conspiracy to show a meeting of the alleged conspirators or the making of an express or formal agreement. The formation and existence of a conspiracy may be inferred from all circumstances tending to show the common intent and may be proved in the same way as any other fact may be proved, either by direct testimony of the fact or by circumstantial evidence, or by both direct and circumstantial evidence.

Each member of a criminal conspiracy is liable for each act and bound by each declaration of every other member of the conspiracy if the act or the declaration is in furtherance of the object of the conspiracy.

The act of one conspirator pursuant to or in furtherance of the common design of the conspiracy is the act of all conspirators. Every conspirator is legally responsible for a specific intent crime of a co-conspirator that so long as the specific intent crime was intended by the Defendant. A conspirator is also legally responsible for a general intent crime that follows as one of the probable and natural consequence of the object of the conspiracy even if it was not intended as part of the original plan and even if he was not present at the time of the commission of such act.

INSTRUCTION NO. 7

Evidence that a person was in the company or associated with one or more other persons alleged or proven to have been members of a conspiracy is not, in itself, sufficient to prove that such person was a member of the alleged conspiracy. However, you are instructed that presence, companionship, and conduct before, during and after the offense are circumstances from which one's participation in the criminal intent may be inferred.

RA 000051

Where two or more persons are accused of committing a crime together, their guilt may be established without proof that each personally did every act constituting the offense charged.

All persons concerned in the commission of a crime who either directly and actively commit the act constituting the offense or who knowingly and with criminal intent aid and abet in its commission or, whether present or not, who advise and encourage its commission, with the intent that the crime be committed, are regarded by the law as principals in the crime thus committed and are equally guilty thereof.

A person aids and abets the commission of a crime if he knowingly and with criminal intent aids, promotes, encourages or instigates by act or advice, or by act and advice, the commission of such crime with the intention that the crime be committed.

The State is not required to prove precisely which defendant actually committed the crime and which defendant aided and abetted.

INSTRUCTION NO. 9

Evidence of participation in a conspiracy may, in itself, be sufficient evidence of aiding and abetting an act in furtherance of the conspiracy to subject the participant to criminal liability as a principal.

RA 000053

Where several parties join together in a common design to commit any lawful act, each is criminally responsible for the reasonably foreseeable general intent crimes committed <sup>in</sup> furtherance of the common design. In contemplation of law, as it relates to general intent crimes, the act of one is the act of all. Robbery and Battery are general intent crimes.

Additionally, a co-conspirator is guilty of the offenses he specifically intended to be committed. Attempt Murder, Burglary, and First Degree Kidnapping are specific intent crimes.

INSTRUCTION NO. 11

Attempted murder is the performance of an act or acts which tend, but fail, to kill a human being, when such acts are done with express malice, namely, with the deliberate intention unlawfully to kill.

It is not necessary to prove the elements of premeditation and deliberation in order to prove attempted murder.

RA 000055



If the State proves a defendant guilty of the charged offense beyond a reasonable doubt the jury shall convict the defendant of that offense. However, if the jury is not convinced of the defendant's guilt of the charged offense, they may return a verdict of guilty on an offense, which was not charged, the commission of which is necessarily included in the offense charged, if the evidence is sufficient to establish the defendant's guilt of such offense beyond a reasonable doubt.

In this case the defendant is accused in a Third Amended Information alleging a charge of Attempted Murder which necessarily includes the crime of Battery with a Deadly Weapon.

You are instructed that if you find that the State has established that the defendant has committed Attempted Murder you shall select Attempted Murder as your verdict. You may find the defendant guilty of Battery with a Deadly Weapon if:

(1) You have not found, beyond a reasonable doubt, that the defendant is guilty of Attempted Murder, and

(2) All twelve of you are convinced beyond a reasonable doubt the defendant is guilty of the crime of Battery with a Deadly Weapon.

INSTRUCTION NO. 13

A Battery With a Deadly Weapon is any willful and unlawful use of force or violence upon the person of another with the use of a deadly weapon.

RA 000057

INSTRUCTION NO. 14

An act done with intent to commit a crime, and tending but failing to accomplish it, is  
an attempt to commit that crime.

RA 000058