

06-C-228752-C		(Continuation	Page	5)		
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0155	05/01/08	MOT /ALL PENDING MOTIONS 5-1-08	AL		05/01/08	
0156	05/01/08	JURY/TRIAL BY JURY (VK 5-12-08)	0001	VC	05/12/08	
0157	05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0004	VC	05/12/08	
0158	05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0003	VC	05/20/08	
0159	04/30/08	NOTC/NOTICE OF HABITUAL CRIMINALITY	MP			
0160	05/01/08	IND /AMENDED (GRAND JURY) INDICTMENT	MP			
0161	04/30/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY THE DISTRICT ATTORNEYS	0001 0001			Y
OFFICE AND SANDRA DIGIACOMO AS PROSECUTOR DUE TO CONFLICT ON INTEREST						
0162	05/01/08	ORDR/ORDER AMENDING INDICTMENT	AL		05/01/08	
0163	05/03/08	MOT /DEFT'S MTN TO SUPPRESS TELEPHONE RECORDINGS/93	0001 0001	DN	05/12/08	
0164	05/03/08	MOT /DEFT'S MTN TO DISQUALIFY DA'S OFFICE & SANDRA DIGIACOMO AS PROSECUTOR /94	0001 0001	DN	05/12/08	
0165	05/03/08	MOT /DEFT'S MTN IN LIMINE RE: ROP DETECTIVES/95	0001 0001	GP	05/12/08	
0166	05/03/08	MOT /DEFT'S MTN TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS/96	0001 0001		05/12/08	
0167	05/02/08	ORDR/SECOND ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001 0001		05/02/08	
0168	05/06/08	MOT /DEFTS MTN TO SUPPRESS /97	0003	MH	05/12/08	
0169	05/06/08	MOT /DEFTS MTN TO DISMISS POSSESSION OF STOLEN PROPERTY/98	0003 0003	MH	05/12/08	
0170	05/05/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP			
0171	05/07/08	MOT /DEFT'S MTN FOR PRODUCTION OF DISCOVERY (HEARD 5-12-08)	0003 0003	VC	05/19/08	
0172	05/07/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0173	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF RECORDED TEL CALLS (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0174	05/07/08	MOT /DEFT'S MTN TO SUPPRESS /102	0001	DN	05/12/08	
0175	05/07/08	MOT /DEFT'S JOINDER IN MTNS IN LIMINE/103	0001	MH	05/12/08	
0176	05/07/08	MOT /DEFT'S MTN TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 /104	0003 0003	GP	05/12/08	
0177	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY /105	0003 0003	MH	05/12/08	
0178	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EVID /106	0003 0003	GP	05/12/08	
0179	05/08/08	MOT /DEFT'S MTN TO DISMISS /107	0004	DN	05/12/08	
0180	05/08/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE ANY TESTIMONY RE PRIOR ARRESTS/108	0004 0004	GR	05/12/08	
0181	05/08/08	MOT /DEFT'S MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS/109	0004 0004	DN	05/12/08	
0182	05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT DAIMON MONROE'S MOTIONS/110	0004 0004	GR	05/12/08	
0183	05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT BRYAN FERGASON'S MOTIONS/111	0004 0004	GR	05/12/08	
0184	05/08/08	MOT /DEFT'S MTN TO SUPPRESS /112	0004	DN	05/12/08	
0185	05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0186	05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0187	05/07/08	CRTF/CERTIFICATE OF SERVICE	0001		05/07/08	

(Continued to page 6)

06-C-228752-C		(Continuation Page 6)	
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR OC SCH/PER C
0188	05/08/08	OPPS/OPPOSITION TO MOTION IN LIMINE TO EXCLUDE PRECLUDE EVIDENCE ATTRIBUTED TO CO DEFENDANTS FROM BEING ADMITTED DURING TRIAL AGAINST EHE DEFENDANT BRYAN FERGASON	0003 0003 Y
0189	05/07/08	ROC /RECEIPT OF COPY	0003 05/07/08
0190	05/08/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES	0003 0003 Y
0191	05/08/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	0004 0004
0192	05/07/08	ROC /RECEIPT OF COPY	0003 05/07/08
0193	05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0003 05/12/08 Y
TELEPHONE CALLS			
0194	05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO SUPPRESS	0003 05/12/08
0195	05/09/08	OPPS/OPPOSITION TO DEFT MONROES MTN TO SUPPRESS TELEPHONE RECORDINGS	0001 05/12/08
0196	05/09/08	OPPS/OPPOSITION TO DEFT HOLMES MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0004 05/12/08 Y
TELEPHONE CALLS			
0197	05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO STRIKE LANGUAGE IN COUNT ONE	0003 05/12/08 Y
AND COUNT THIRTEEN			
0198	05/12/08	MOT /ALL PENDING MOTIONS 5-12-08	AL BW 05/12/08
0199	05/09/08	OPPS/STATES OPPOSITION TO DEFTS MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO	0001 0001 Y
SEARCH WARRANTS			
0200	05/12/08	JURY/TRIAL BY JURY	0001 MH 05/20/08
0201	05/12/08	TRB /TRIAL BEGINS	0001
0202	05/09/08	OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO DISMISS CONSPIRACY TO COMMIT	0004 0004 Y
BURGLARY AND/OR STOLEN PROPERTY CHARGES			
0203	05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE	0003 0003
0204	05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EXPERT	0003 0003 Y
TESTIMONY			
0205	05/09/08	OPPS/OPPOSITION TO DEFTS MOTION IN LIMINE RE ROP DETECTIVES	0001 0001
0206	05/12/08	BNCH/BENCH WARRANT ISSUED	0004 QU 05/12/08
0207	05/12/08	JLST/DISTRICT COURT JURY LIST	0001
0208	05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004 12/05/08
0209	05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004 12/05/08
0210	05/15/08	HEAR/SHOW CAUSE HEARING	0004C MH 12/05/08
0211	05/13/08	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0001
0212	05/19/08	JURY/TRIAL BY JURY	0003 MH 05/29/08
0213	05/20/08	SENT/SENTENCING	0001 GR 10/01/08
0214	05/19/08	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0001 05/19/08
0215	05/20/08	TRE /TRIAL ENDS	0001
0216	05/21/08	TRB /TRIAL BEGINS	0003

(Continued to page 7)

06-C-228752-C		(Continuation Page 7)			
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER C
0217	05/21/08	NWEW/DEFENDANTS WITNESS LIST	0003		
0218	05/20/08	ACJL/AMENDED CRIMINAL JURY LIST	0001		
0219	05/21/08	ROC /RECEIPT OF COPY	0003		05/21/08
0220	05/20/08	INST/INSTRUCTIONS TO THE JURY	0001		
0221	05/20/08	JMNT/VERDICT	0001		05/22/08
0222	05/21/08	JLST/DISTRICT COURT JURY LIST	0003		
0223	05/21/08	IND /THIRD AMENDED (GRAND JURY) INDICTMENT	0003		
0224	05/21/08	IND /FOURTH AMENDED (GRAND JURY) INDICTMENT	0004		
0225	05/29/08	SENT/SENTENCING	0003	GR	10/01/08
0226	05/29/08	TRE /TRIAL ENDS	0003		
0227	05/28/08	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0003		
0228	05/28/08	MEMO/BENCH MEMORANDUM	0003		
0229	05/29/08	INST/INSTRUCTIONS TO THE JURY (INSTRUCTION NO I)	0003		05/29/08
0230	05/29/08	JLST/AMENDED DISTRICT COURT JURY LIST	0003		
0231	06/03/08	MOT /SULLIVAN'S MTN TO WITHDRAW AS COUNSEL	0004	GR	06/16/08
0232	06/03/08	ROC /RECEIPT OF COPY	0004		06/03/08
0233	05/29/08	JMNT/VERDICT (COUNTS 1,2 AND 4)	0003		06/06/08
0234	05/29/08	JMNT/VERDICT (COUNT 3)	S		06/06/08
0235	06/05/08	ORDR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003		06/05/08 Y
ON COURT APPOINTED CASE FIRST INTERIM BILLING					
0236	06/16/08	BNCH/NO BAIL BENCH WARRANT ISSUED	0004	QU	05/12/08
0237	06/16/08	ORDR/ORDER OF INTENT TO FORFEIT	0004		05/12/08
0238	06/16/08	ORDR/ORDER TO WITHDRAW AS ATTORNEY OF RECORD	0004		06/16/08
0239	06/17/08	NOTC/NOTICE OF ENTRY OF ORDER	0004		06/16/08
0240	07/11/08	QUAS/DEFT'S MTN TO QUASH BENCH WARRANT/123	0004	DN	07/15/08
0241	07/15/08	CALC/CALENDAR CALL (VJ 11-10-08)	0004	VC	11/13/08
0242	07/15/08	JURY/TRIAL BY JURY (VJ 11-10-08)	0004	VC	11/17/08
0243	07/16/08	SENT/SENTENCING	0002	GR	09/26/08
0244	08/04/08	MOT /STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD	AL	GP	08/07/08
0245	08/13/08	ORDR/ORDER	AL		
0246	08/19/08	MOT /STATES MTN FOR RELEASE OF PROPERTY/128	AL	GR	08/21/08
0247	08/19/08	ORDR/ORDER FOR PRODUCTION OF INMATE	0003		10/01/08
0248	08/23/08	ORDR/ORDER	AL		08/23/08
0249	09/17/08	NOEV/NOTICE OF EXHIBITS IN THE VAULT			05/29/08
0250	09/22/08	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			05/20/08
0251	09/26/08	OCAL/STATUS CHECK: COMPLIANCE	0002		03/31/09
0252	10/01/08	MOT /ALL PENDING MOTIONS 10-1-08	AL		10/01/08
0253	10/01/08	NOEV/NOTICE OF EXHIBITS IN THE VAULT			10/01/08
0254	09/30/08	ROC /RECEIPT OF COPY	0003		09/30/08
0255	09/30/08	MEMO/SENTENCING MEMORANDUM	0003		
0256	10/03/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0002		10/06/08
0257	10/01/08	SRCC/AS TO DEFENDANT #1) CTS 1-14 CONCURRENT WITH EACH OTHER, CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1-14.			Y
0258	10/01/08	SRCC/AS TO DEFENDANT #3) CTS 1,2 AND 4-14 CONCURRENT WITH EACH OTHER CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1,2 AND 4-14.			Y
0259	11/04/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		11/05/08

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06-C-228752-C		(Continuation Page 8)		
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0260	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001	11/05/08
0261	11/04/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0003	11/05/08
0262	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0003	11/05/08
0263	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES WRONGS	0004	SH 11/13/08 Y
OR BAD ACTS				
0264	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION IN LIMINE	0004	SH 11/13/08
0265	11/07/08	ARRN/ENTRY OF PLEA	0004	MH 11/10/08
0266	11/10/08	SENT/SENTENCING	0004	GR 12/30/08
0267	11/03/08	MOT /STATE'S MTN TO ADMIT EVIDENCE (VJ 11-12-08)	0004	VC 11/13/08
0268	11/07/08	NWEW/SUPPLEMENTAL NOTICE OF WITNESSES	0004	
0269	11/03/08	MOT /STATE'S MTN IN LIMINE /134	AL	11/13/08
0270	11/10/08	IND /(GRAND JURY) FIFTH AMENDED INDICTMENT	0004	
0271	11/10/08	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0004	
0272	11/14/08	ORDR/ORDER OF APPOINTMENT	0001	HG 11/06/07
0273	11/19/08	NOAS/NOTICE OF APPEAL (SC 52788)	0001	AP 11/19/08
0274	11/25/08	BNCH/BENCH WARRANT RETURN	0004	MH 12/01/08
0275	11/25/08	CASO/CASE (RE)OPENED		11/25/08
0276	12/04/08	MOT /STATES MTN FOR RELEASE OF EVIDENCE/136	0001	OC 12/18/08
0277	12/04/08	NOAS/NOTICE OF APPEAL (SC 52877)	0003	AP 12/04/08
0278	12/04/08	STAT/CASE APPEAL STATEMENT	0003	
0279	12/04/08	REQT/REQUEST FOR ROUGH DRAFT TRANSCRIPT	0003	
0280	12/19/08	ORDR/ORDER APPOINTING COUNSEL	0003	
0281	12/28/08	ASSG/Reassign Case From Judge Bell To Judge Hardcastle		
0282	01/05/09	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0004	01/06/09
0283	01/05/09	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0004	01/06/09
0284	01/05/09	JMNT/JUDGMENT OF CONVICTION/RESTITUTION	0004	01/06/09
0285	01/20/09	TRAN/REPORTER'S TRANSCRIPT TRIAL BY JURY DAY 2 VOLUME I	0003	05/22/08
0286	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK - VERIFY TRIAL DATES	0001	
0287	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATES MTN TO AMEND INDICTMENT -	0001	Y
DEFT HOLMES MTN TO SEVER DEFT FERGASONS MTN TO SEVER				
0288	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - VOLUME 1	0003	
0289	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 3 - VOLUME I	0003	
0290	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 5 - VOLUME I	0003	
0291	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATES MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND OR AUCTION BY THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT	AL	Y
0292	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATES MOTION FOR RELEASE OF	AL	Y
PROPERTY				
0293	01/20/09	TRAN/REPORTER'S TRANSCRIPT - TRIAL BY JURY - DAY 7 - VOLUME I	0001	
0294	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 6 - VOLUME I	0001	

(Continued to page 9)

06-C-228752-C		(Continuation Page 9)	
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR OC SCH/PER C
0295	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 2 - VOLUME I	0001
0296	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK - VERIFY TRIAL DATES	0001
0297	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 1 - VOLUME I	0003
0298	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 5 - VOLUME I	0001
0299	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 4 - VOLUME I	0001
0300	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - SENTENCING	AL
0301	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 1 - VOLUME I	0001
0302	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 4 - VOLUME I	0003
0303	01/20/09	TRAN/REPORTER'S PARTIAL TRANSCRIPT - TRIAL BY JURY - DAY 3 - VOLUME I	0001
0304	01/20/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY INDICTMENT	AL
0305	02/05/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - CALENDAR CALL - HEARD 03-06-07	AL
0306	02/05/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - PETITION FOR WRIT OF HABEAS CORPUS -	0003
HEARD 11-08-07			
0307	02/05/09	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - ALL PENDING MOTIONS ARRAIGNMENT	AL
MOTION TO WITHDRAW			
0308	02/13/09	MOT /DEFT'S PRO PER MTN FOR RETURN OF SEIZED PROPERTY/137	0003
0309	02/26/09	CASO/CASE (RE)OPENED	0003
0310	02/26/09	HEAR/STATES REQUEST STATUS CHECK: CORRECTED JOC	0003
0311	02/26/09	TRAN/REPORTER'S TRANSCRIPT OF SENTENCING	0004
0312	02/27/09	OPPS/STATES OPPOSITION TO DEFTS MTN FOR RETURN OF SEIZED PROPERTY	0003
0313	03/04/09	MOT /ALL PENDING MOTIONS (3-03-09)	0003
0314	03/17/09	MOT /DEFT'S MTN TO WITHDRAW GUILTY PLEA /140	0004
0315	03/17/09	ROC /RECEIPT OF COPY	0004
0316	03/27/09	ROC /RECEIPT OF COPY	0004
0317	03/30/09	CRTF/CERTIFICATE OF SERVICE BY FACSIMILE	0004
0318	03/31/09	MOT /ALL PENDING MOTIONS 3/31/09	AL
0319	03/27/09	OPPS/OPPOSITION TO DEFTS MOTION TO WITHDRAW GUILTY PLEA	0004
0320	03/30/09	RPLY/REPLY TO STATES OPPOSITION TO MTN TO WITHDRAW GUILTY PLEA	0004
0321	04/01/09	ORDR/ORDER DENYING MTN FOR RETURN OF SEIZED PROPERTY	0003
0322	04/06/09	JMNT/AMENDED JUDGMENT OF CONVICTION	0003
0323	04/17/09	ORDR/ORDER DENYING DEFENDANTS MOTION TO WITHDRAW GUILTY PLEA	0004

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E. J. [Signature]
CLERK OF THE COURT

1 **ORDR**
2 **DAVID ROGER**
3 **Clark County District Attorney**
4 **Nevada Bar #002781**
5 **SANDRA K. DIGIACOMO**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #006204**
8 **200 Lewis Avenue**
9 **Las Vegas, NV 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 **ROBERT HOLMES,**
16 **#0876216**

17 Defendant.

Case No. C228752
Dept No. IV

18 ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA

19 DATE OF HEARING: 4/2/09
20 TIME OF HEARING: 9:00 A.M.

21 THIS MATTER having come on for hearing before the above entitled Court on the
22 2nd day of April, 2009, the Defendant being present, REPRESENTED BY JOSEPH
23 SCISCENTO, ESQ., the Plaintiff being represented by DAVID ROGER, District Attorney,
24 through SANDRA K. DIGIACOMO, Chief Deputy District Attorney, and the Court having
25 heard the arguments of counsel and good cause appearing therefor,

26 ///

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CLERK OF THE COURT

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IT IS HEREBY ORDERED that the Defendant's Motion To Withdraw Guilty Plea,
shall be, and it is DENIED.

DATED this 16th day of April, 2009.


DISTRICT JUDGE

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781


SANDRA K. DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006204

dd

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Holmes, Robert

12/13/06 01:30 PM 00 GRAND JURY INDICTMENT

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Sandra Anderson, Relief Clerk
Paula Walsh, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
006204	Digiacoimo, Sandra	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

12/20/06 10:30 AM 00 ALL PENDING MOTIONS (12/20/06)

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sharry Frascarelli, Court Clerk
Tia Everett/te, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
0003 D	Fergason, Bryan	Y
0004 D	Holmes, Robert	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 001

01/04/07 09:30 AM 00 ALL PENDING MOTIONS (1/4/07)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

01/05/07 02:00 PM 00 SOURCE HEARING

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

Mr. Sullivan advised the balance of the bond is \$137,000.00 which is being posted at this time. Deft. sworn and testified. Further, Mr. Sullivan bond is arranged through Bail Bonds Unlimited who has posted an additional \$35,000.00 bond on Deft's other charges. Additionally, bond company is willing to accept and pay the bond while Deft. makes payments on the remainder balance. Colloquy. Mr. Sullivan stated \$7,500.00 is currently being posted by the bond company for the bond in the amount of \$137,000.00. Deft. advised he put up one of three homes for collateral as well and advised the money is coming from a equity line of credit. Court noted documents have been provided as to the equity line and stated it does not indicate any dates of withdrawal of the money. Mr. Sullivan argued there is plenty of equity in the home. Deft. stated he bought home five years ago

CONTINUED ON PAGE: 003

PRINT DATE: 05/19/09

PAGE: 002

MINUTES DATE: 01/05/07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 002

and has two equity lines of credit. One from one home and one from another. Further colloquy. Ms. DiGiacomo stated Deft. accepted \$145,000.00 of settlement money on November 17, 2006, which \$70,000.00 was returned two weeks later. However, agreement with Deft. that he would pay back \$75,000.00 in three months to the Metropolitan Police Department (Metro) and the FBI. Ms. DiGiacomo advised Deft. Trevarthen was withdrawing the money from their accounts Friday before source hearing and all was traced except for the \$145,000.00 which Deft. Trevarthen stated she gave to Deft. Holmes. Deft. Trevarthen told Metro she attempted to get money back and Deft's Holmes refused to give money back. Further, the State is concerned as to where the \$75,000.00 as counsel is not sure what happened to it at this point. Mr. Sullivan argued Deft. Holmes never admitted to taking the money. Further, equity lines where opened prior to all of this. Mr. Sullivan further argued Deft. was advised all of his homes and property would be seized and counsel advised Deft. to give what ever money had to Metro and the FBI. Additionally, Mr. Sullivan argued Deft. has provided sufficient proof as to where money is coming from. Court stated she is concerned as to where the money will be coming from as to paying payments towards the balance of the bond. Deft. advised he father is also helping to pay the bond company as well. Mr. Sullivan stated Deft. works full time at the Horseshoe and argued he has legitimate means to pay. Court further stated it appears Deft. can post the bond. Further, Deft. can come in and prove the source of the money as to the payments to the bond company. Mr. Sullivan also advised Deft. has ownership of two vehicles. Colloquy. Ms. DiGiacomo advised Deft. also owns a 27 foot cargo truck and a Suburban. COURT ORDERED, Deft. RELEASED ON BOND once posted and matter set for status check for Deft. to provide paper trail of where money is coming from. Colloquy regarding the \$13,000.00 already posted in Justice Court.

BOND

2/8/07 9:30 AM STATUS CHECK: BAIL BOND

CONTINUED ON PAGE: 004

PRINT DATE: 05/19/09

PAGE: 003

MINUTES DATE: 01/05/07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 003

02/08/07 09:30 AM 00 STATUS CHECK: BAIL BONDS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Teri Braegelman, Court Clerk
Tina Hurd/th, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	009089 Krusey, Amanda K.	Y
	0004 D Holmes, Robert	Y

No appearance by Deft's counsel Sean Sullivan. Court advised they were supposed to have a source hearing today. As Mr. Sullivan is not present, COURT ORDERED, matter OFF CALENDAR.

CUSTODY

02/20/07 09:30 AM 00 ALL PENDING MOTIONS 2-20-07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	0001 D1 Monroe, Daimon	N
	008006 Burke, Susan D.	Y
	0002 D Trevarthen, Tonya	N
	007797 Lord, Jonathan J.	Y
	0003 D Fergason, Bryan	N
	008435 Dustin, Cynthia L.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CONTINUED ON PAGE: 005

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 004

03/06/07 11:00 AM 00 CALENDAR CALL

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 005

09/25/07 09:30 AM 01 DEFT'S MTN TO CONTINUE TRIAL/45

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	N
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

Court advised the matter should be continued to have all Defts. present. Colloquy. Ms. Dustin advised Deft. Ferguson will be joining in with Deft. Holmes's motion. Mr. Lord requested Deft. Trevarthen's sentencing date be set after trial date is set. COURT ORDERED, matter CONTINUED; Petition for Writ of Habeas Corpus VACATED at this time.

BOND

10/02/07 9:30 AM STATUS CHECK: TRIAL SETTING (FERGUSON & MONROE)

CONTINUED TO: 10/02/07 09:30 AM 02

CONTINUED ON PAGE: 007

PRINT DATE: 05/19/09

PAGE: 006

MINUTES DATE: 09/25/07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 006

10/02/07 09:30 AM 00 ALL PENDING MOTIONS 10/02/07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
005056	Luzaich, Elissa	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
007479	Parris, John P.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CONTINUED ON PAGE: 008

PRINT DATE: 05/19/09

PAGE: 007

MINUTES DATE: 10/02/07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 007

11/08/07 11:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Tia Everett/te, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Fergason, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

01/23/08 09:00 AM 00 MINUTE ORDER RE: (RECUSAL)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk

PARTIES: NO PARTIES PRESENT

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 008

01/24/08 09:00 AM 00 MINUTE ORDER RE: REASSIGNMENT TO DEPT.
VII

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo, Court Clerk

PARTIES: NO PARTIES PRESENT

See MINUTES for Defendant 0001: Monroe, Daimon

01/30/08 08:30 AM 00 ALL PENDING MOTIONS 1/30/08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 009

02/05/08 08:30 AM 00 ALL PENDING MOTIONS 2-5-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

05/01/08 08:30 AM 00 ALL PENDING MOTIONS 5-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Sharon Coffman/sc..Dana Cooper, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
001190	Owens, Christopher J.	Y
0001 D1	Monroe, Daimon	N
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 010

05/12/08 08:30 AM 00 ALL PENDING MOTIONS 5-12-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

06/16/08 08:30 AM 00 SULLIVAN'S MTN TO WITHDRAW AS COUNSEL

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
009911	Small, Shelly L.	Y
0004 D	Holmes, Robert	N
001600	Kelly, Kevin M.	Y

COURT ORDERED, motion GRANTED. Order signed in open court.

B.W. (BOND)

CONTINUED ON PAGE: 012

PRINT DATE: 05/19/09

PAGE: 011

MINUTES DATE: 06/16/08

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 011

07/15/08 08:30 AM 00 DEFT'S MTN TO QUASH BENCH WARRANT/123

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Mr. Kennedy CONFIRMED as counsel. Motion argued and submitted. COURT ORDERED, motion DENIED; DEFT. HOLMES REMANDED TO CUSTODY, TO BE HELD WITHOUT BAIL pending trial. Colloquy regarding a trial date. COURT ORDERED, matter set for trial on November 17 and will be first up. Court advised, if for some reason Mr. Kennedy cannot try the case, he must make the decision whether to withdraw by the end of this month.

CUSTODY

11-13-08 8:30 AM CALENDAR CALL

11-17-08 9:30 AM JURY TRIAL

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 012

08/07/08 08:30 AM 00 STATE'S MTN FOR RELEASE OF EVIDENCE TO
VICTIMS AND/OR AUCTION BY LVMPD

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

08/21/08 08:30 AM 00 STATES MTN FOR RELEASE OF PROPERTY/128

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

See MINUTES for Defendant 0001: Monroe, Daimon

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CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 013

11/10/08 08:30 AM 00 ENTRY OF PLEA

HEARD BY: Jackie Glass, Judge; Dept. 5

OFFICERS: Sandra Jeter, Court Clerk
Rachelle Hamilton, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006204 Digiacomo, Sandra	Y
	0004 D Holmes, Robert	Y
	005032 Kennedy, Kirk T.	Y

Judge Glass stated this is an add to the calendar and she agreed to hear the matter for Judge Bell. Counsel advised the matter has negotiated and NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. HOLMES EXAMINED and PLED GUILTY to the FIFTH AMENDED INDICTMENT FILED IN OPEN COURT CHARGING COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR COMMIT BURGLARY (GM) and COUNTS 2 and 3 - POSSESSION OF STOLEN PROPERTY (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY (HOLMES)

12/30/08 8:30 AM SENTENCING - DEPT. VII

12/01/08 08:30 AM 00 BENCH WARRANT RETURN

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Nora Pena, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	009219 Watson, Michael J.	Y
	0004 D Holmes, Robert	Y

COURT ORDERED, Sentence date STANDS and BOND, if any, EXONERATED.

CUSTODY (COC)

CONTINUED ON PAGE: 015

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 014

12/05/08 09:05 AM 00 SHOW CAUSE HEARING

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo/dt, Court Clerk
Janet Deaver, Relief Clerk
Jjill Jacoby, Reporter/Recorder

PARTIES: STATE OF NEVADA
000795 Van De Pol, Karen L.

N
Y

As Deft. was picked up and bond exonerated, COURT ORDERED, matter OFF
CALENDAR.

12/30/08 08:30 AM 00 SENTENCING

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra

0004 D Holmes, Robert
005032 Kennedy, Kirk T.

Y
Y

Y
Y

DEFT. HOLMES ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN
PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNTS 2 & 3 - POSSESSION OF
STOLEN PROPERTY (F). Matter argued and submitted. COURT ORDERED, in
addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA
Analysis fee including testing to determine genetic markers, Deft. SENTENCED
as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center
(CCDC);

Count 2 - to a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE
HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC),
CONCURRENT with Count 1;

Count 3 - to a MINIMUM of TWENTY FOUR (24) MONTHS and a MAXIMUM of ONE
HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC),
CONSECUTIVE to Count 2.

169 DAYS credit for time served. Deft. to PAY \$4,892.45 RESTITUTION.
BOND, if any, EXONERATED.

CONTINUED ON PAGE: 016

PRINT DATE: 05/19/09

PAGE: 015

MINUTES DATE: 12/30/08

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Holmes, Robert

CONTINUED FROM PAGE: 015

03/31/09 09:00 AM 00 ALL PENDING MOTIONS 3/31/09

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo, Court Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
007135	Pesci, Giancarlo	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0004 D	Holmes, Robert	Y
004380	Sciscento, Joseph S.	Y

See MINUTES for Defendant 0002: Trevarthen, Tonya

04/02/09 09:00 AM 01 DEFT'S MTN TO WITHDRAW GUILTY PLEA /140

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo, Court Clerk
Lara Corcoran, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0004 D	Holmes, Robert	Y
004380	Sciscento, Joseph S.	Y

Arguments by counsel. COURT stated findings and ORDERED, motion DENIED.

CUSTODY (COC)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Monroe, Daimon

12/13/06 01:30 PM 00 GRAND JURY INDICTMENT

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Sandra Anderson, Relief Clerk
Paula Walsh, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
006204	Digiacomo, Sandra	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Mary Jane Burkhalter, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 06AGJ101A/B/C/D to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C228752, Department XII. Mr. Jorgenson requested warrants for all Defts. Arguments by Ms. Digiacomo regarding bail amounts. Opposing argument on behalf of Deft. Holmes by Mr. Sullivan.

As to Deft. MONROE: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$500,000.00 BOND. Matter set for initial arraignment.

As to Deft. TREVARTEN: State requested a summons be issued and sent. COURT SO ORDERED. Matter set for initial arraignment.

As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND. Matter set for initial arraignment.

As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND. FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment.

Exhibit(s) 1-187 lodged with Clerk of District Court.

CUSTODY (MONROE/FREGASON)

B.W. (HOLMES/TREVARTHEN)

12-20-06 10:30 AM INITIAL ARRAIGNMENT (MONROE/FREGASON/HOLMES)

12-27-06 10:30 AM INITIAL ARRAIGNMENT (TREVARTHEN)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 001

12/20/06 10:30 AM 00 ALL PENDING MOTIONS (12/20/06)

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sharry Frascarelli, Court Clerk
Tia Everett/te, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT (MONROE, HOLMES, FERGUSON)...BENCH WARRANT RETURN (MONROE, FERGUSON)...QUASH BENCH WARRANT & RELEASE ON OWN RECOGNIZANCE OR BAIL REDUCTION (HOLMES)

Ms. Digiaco stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment.

1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)

CONTINUED ON PAGE: 003

MINUTES DATE: 12/20/06

PRINT DATE: 05/19/09

PAGE: 002

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 002

01/04/07 09:30 AM 00 ALL PENDING MOTIONS (1/4/07)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT CONTINUED (ALL)

Mr. DiGiacomo advised as to Deft. Holmes he was indicted with bail being set at \$150,000.00 by Judge Hardcastle. Further, Deft. originally posted \$13,000.00 at the Justice Court level prior to the Grand Jury Indictment and was ordered transferred from the initial case to this case. Hearing Master Williams gave Deft. additional time to post the remaining balance of the \$137,500.00 which is to be posted today.

Ms. Dustin advised matter originated in Justice Court 7 and then went in front of the Grand Jury. Further, Ms. Dustin stated police investigation lead to Deft. Ferguson's assets to be seized and frozen. Additionally, Ms. Dustin stated she was appointed by Justice of the Peace Bennett-Heron and requested this Court do the same. Court stated once appointed at Justice Court level, counsel is appointed at District Court level and instructed counsel to file the appropriate documents.

Mr. Lasso requested to withdraw as to Deft. Monroe. Court stated counsel is not permitted to withdraw at this time until after Deft. has been arraigned and advised counsel he needs to file the appropriate motion. CONFERENCE AT BENCH.

Colloquy regarding receipt of Grand Jury Transcripts. COURT ORDERED, Grand Jury Transcripts to be produced and filed forthwith. Further Court FINDS good cause has been shown and ORDERED, counsel has 21 days from the filing of the transcript to file writs.

Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and

CONTINUED ON PAGE: 004

PRINT DATE: 05/19/09

PAGE: 003

MINUTES DATE: 01/04/07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 003

argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted.

AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel.

DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel.

DEFT. FERGASON ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.

DEFT. HOLMES ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE.

Mr. DiGiacomo INVOKED THE 60-DAY RULE on behalf of the State. COURT ORDERED, matter set for trial.

CUSTODY (MONROE, FERGASON, HOLMES)...NIC (TREVARTHEN)

1/11/07 9:30 AM ARRAIGNMENT CONTINUED...CONFIRMATION OF COUNSEL (LANGFORD) (DEFT. MONROE)

1/11/07 9:30 AM CONFIRMATION OF COUNSEL (FIGLER) (DEFT. TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (ALL)

3/13/07 1:30 PM JURY TRIAL (ALL)

CLERK'S NOTE:

Chuck with Mr. Langford's office advised of appointment and court date.

Gabby with Mr. Figler's office advised of appointment and court date.

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 004

Clark County Detention Center advised by this Court's Judicial Executive Assistant that Deft. Holmes is not to be released on bond until this Court has a Source Hearing.

01/11/07 09:30 AM 00 ALL PENDING MOTIONS (1/11/06); DEFTS'
MONROE & TREVARTHEN

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevvarthen, Tonya	N
004264	Figler, Dayvid J.	Y

DEFT. MONROE:

Ms. Burke CONFIRMED as counsel on behalf of Robert Langford, Esq. DEFT. MONROE ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

DEFT. TREVARTHEN:

CONFERENCE AT BENCH. COURT ORDERED, matter SET for confirmation of counsel.

CUSTODY (MONROE)...NIC (TREVARTHEN)

1/18/07 9:30 AM CONFIRMATION OF COUNSEL (LORD) (TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (MONROE)

3/13/07 1:30 PM JURY TRIAL (MONROE)

CLERK'S NOTE: Ms. Burke appeared on February 13, 2007 advising that she was the attorney appearing for Deft. Monroe on this date and not Ms. Winckler. Minute order corrected to reflect Ms. Burke's appearance./kb 2-13-07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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02/13/07 09:30 AM 00 DEFT'S MTN FOR EXTENSION OF TIME TO FILE
PTN FOR WRIT OF HABEAS CORPUS/30

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y

Ms. Burke requested to file the petition within 15 days from today or by February 28, 2007. Ms. DiGiacomo advised the Court that this case will not be ready to proceed to trial on March 6, 2007 and requested to place this matter on for status check along with the co-deft's to address this issue. Colloquy between Court and counsel regarding the trial and petition. Ms. Burke stated that she will be able to come to court on February 20, 2007 to address the trial setting and will be able to advise Ms. DiGiacomo if a petition is going to be filed. COURT ORDERED, Motion GRANTED; Petition to be filed by February 28, 2007 and matter set for argument; FURTHER ORDERED, matter set for status check on February 20, 2007 to address the trial setting and for Ms. Burke to advise if a petition is going to be filed.

CUSTODY

2/20/07 9:30 AM STATUS CHECK: PETITION/TRIAL

3/06/07 9:30 AM ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

CONTINUED ON PAGE: 007

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 006

02/20/07 09:30 AM 00 ALL PENDING MOTIONS 2-20-07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
0001 D1	Monroe, Daimon	N
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y

PETITION FOR WRIT OF HABEAS CORPUS (FERGASON & HOLMES)...STATUS CHECK:
PETITION/TRIAL (MONROE)

Ms. Burke stated that she received a call continuing the motions but based on the last hearing, was supposed to advise the State as to whether or not a writ is going to be filed. Mr. Burke advised the Court that a writ will be filed and is due February 28, 2007 with a hearing date of March 6, 2007 along with the other writs that have been filed. Court noted Ms. Burke's representations regarding filing of the writ and ORDERED, all Writ's will be heard on March 6, 2007 at 11:00 am.

CUSTODY (MONROE)

NIC (FERGASON & HOLMES)

3/06/07 11:00 AM DEFTS PETITION'S FOR WRIT OF HABEAS CORPUS (MONROE,
FERGASON & HOLMES)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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03/06/07 11:00 AM 00 CALENDAR CALL

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacom, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

State's Return to Writ of Habeas Corpus FILED IN OPEN COURT. Ms. DiGiacomo advised the Court that the State's Return has been filed in open court. Colloquy between Court and Deft. Hoyt regarding waiving speedy trial rights and the filing of the Writ. Ms. Burke stated that she had gone over all the prerequisites with the deft. regarding this issue; further, would be ineffective if proceeded to trial next week. Ms. DiGiacomo stated that Deft. Hoyt is looking at the large habitual criminal treatment. Court advised the Deft. that based on those facts, this trial can not proceed next week. Ms. Dustin advised the Court that this has been explained to her client, Deft. Ferguson, and the deft. understands. Ms. Sullivan stated that based on the multiple charges, there is no possibility of this case proceeding to trial on this stack. Ms. Burke again stated that she has retained an investigator and this has been explained to her client, Deft. Hoyt, but the deft. is frustrated by being in custody. Ms. DiGiacomo advised the Court that this will be a 3-4 week trial. COURT ORDERED, Trial VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the Court.

RECALLED: Ms. DiGiacomo, Mr. Lord and Deft. Trevarthen present. Mr. Lord stated this matter is negotiated with regards to his client. Second Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State will have no opposition to probation but have the right to argue the terms of probation. DEFT. TREVARTHEN ARRAIGNED AND PLED GUILTY to COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNT 2 - POSSESSION OF STOLEN PROPERTY (F). Ms. DiGiacomo requested a status check regarding sentencing be set prior to referring this matter to Parole and Probation. COURT ACCEPTED plea and ORDERED, matter set for status check regarding sentencing. Court stated it will allow the deft. to

CRIMINAL COURT MINUTES

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travel back to Texas but deft. will have to remain trouble free.

CUSTODY (MONROE)

NIC (TREVARTHEN, FERGASON & HOLMES)

10/02/07 9:30 AM CALENDAR CALL (MONROE, FERGASON & HOLMES)

10/09/07 1:30 PM JURY TRIAL (MONROE, FERGASON & HOLMES)

11/08/07 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

05/29/07 09:30 AM 00 SUSAN D BURKE'S MTN TO WITHDRAW AS
ATTORNEY OF RECORD /43

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES: STATE OF NEVADA
009089 Krusey, Amanda K.
0001 D1 Monroe, Daimon
008006 Burke, Susan D.
005984 Hart, Marty

Y
Y
Y
Y
Y

Ms. Burke advised there was no opposition to her motion and stated Mr. Hart has taken over Deft's other case in Department XX and requested that he be appointed in this matter. Statement by Mr. Hart. COURT ORDERED, motion GRANTED and Marty Hart, Esq., APPOINTED. Further, Ms. Burke advised she has provided discovery to Mr. Hart.

CUSTODY

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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10/02/07 09:30 AM 00 ALL PENDING MOTIONS 10/02/07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
005056	Luzaich, Elissa	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
007479	Parris, John P.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

DEFT HOLMES' MOTION TO CONTINUE TRIAL...STATUS CHECK: TRIAL SETTING (MONROE & FERGASON)...CALENDAR CALL (MONROE, FERGASON, HOLMES)

All counsel advise they have agreed to continue trial. Ms. DiGiacomo advised counsel has selected March 18, 2008, as new trial date, but noted status check for Deft. Trevarthen will need to be moved until after trial because she is testifying. Court asked counsel if a special setting would be required for writs. Conference at the Bench. COURT ORDERED, trial date VACATED and RE-SET; status check CONTINUED; Writs of Habeas Corpus SET.

11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES)

03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES)

03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES)

04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

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PRINT DATE: 05/19/09

PAGE: 010

MINUTES DATE: 10/02/07

CRIMINAL COURT MINUTES

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STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 010

11/08/07 11:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Tia Everett/te, Relief Clerk
Thelma Stapley, Reporter/RecorderPARTIES: STATE OF NEVADA
006955 Di Giacomo, Marc P.

0001 D1 Monroe, Daimon

005984 Hart, Marty

0003 D Fergason, Bryan

008435 Dustin, Cynthia L.

0004 D Holmes, Robert

004768 Sullivan, Sean P.

Y

Y

Y

Y

Y

Y

N

Y

Mr. Sullivan requested Defendant Holmes presence be waived as he has gainful employment. COURT SO ORDERED. Ms. Dustin, Mr. Hart, and Mr. Sullivan argued the only witness who can substantiate any of the claims is Tonya Trevarthen who is also a co-defendant in this case. Additionally, counsel argued there was insufficient evidence presented to the Grand Jury as there were taped phone conversations presented to the Grand Jury; however, only excerpts were played and not the entire tape; therefore counts 1 and 2, 5 through 14, 16 through 23, 25 and 27 should be dismissed as they are not properly supported. Mr. DiGiacomo opposed by arguing you can not question how a jury deliberates as they were presented the evidence and all exhibits were admitted and sent back with the jury at the time of deliberation to allow them the opportunity to relisten to any of the phone conversations they chose to. COURT FURTHER ORDERED, Petitions DENIED and Trial Date STANDS. Colloquy regarding trial date. FURTHER ORDERED, matter set for status check.

CUSTODY (MONROE)...CUSTODY (FERGASON)...BOND (HOLMES)

1/17/08 9:30 AM STATUS CHECK: STATUS OF TRIAL

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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01/23/08 09:00 AM 00 MINUTE ORDER RE: (RECUSAL)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk

PARTIES: NO PARTIES PRESENT

The court hereby recuses from the above-entitled case due to the appearance of impropriety. This court has been named as a victim in Justice Court case No.: 08F01002X. Per the Chief Judge, Kathy Hardcastle, this case is hereby reassigned to department 4 for further proceedings consistent with this minute order.

Any dates previously set by this court are VACATED.

01/24/08 09:00 AM 00 MINUTE ORDER RE: REASSIGNMENT TO DEPT.
VII

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo, Court Clerk

PARTIES: NO PARTIES PRESENT

Due to previous Court's recusal, and Per Order of the Chief Judge, due to the appearance of impropriety, this case is hereby TRANSFERRED to Dept. 7 for further proceedings.

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Marty Hart, Jonathan Lord, Cynthia Dustin and Sean Sullivan.

CRIMINAL COURT MINUTES

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CONTINUED FROM PAGE: 012

01/30/08 08:30 AM 00 ALL PENDING MOTIONS 1/30/08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

STATUS CHECK: VERIFY TRIAL DATES (MONROE)...STATUS CHECK: VERIFY TRIAL
DATES (FERGASON)...STATUS CHECK: VERIFY TRIAL DATES (HOLMES)

Court advised this case was reassigned to this Department because another Judge recused. Court further advised Ms. Dustin informed the current trial date does not work for her. Colloquy between Court and counsel regarding possible trial dates. Mr. Sullivan requested matter be continued one (1) week to allow him time to review the State's file which may give him a better insight as to when the trial should be set. COURT ORDERED, matter CONTINUED. Mr. Sullivan requested Defendant Holmes' presence be waived on the continuance date for employment reasons and, COURT SO ORDERED.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

2/5/08 8:30 AM ALL PENDING MOTIONS

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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02/05/08 08:30 AM 00 ALL PENDING MOTIONS 2-5-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Deft. Holmes' presence WAIVED. Colloquy regarding the trial date. COURT ORDERED, trial date VACATED AND RESET to May 12.

CUSTODY (COC - MONROE & FERGASON)...BOND (HOLMES)

5-1-08 8:30 AM CALENDAR CALL

5-12-08 9:30 AM JURY TRIAL

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CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 014

05/01/08 08:30 AM 00 ALL PENDING MOTIONS 5-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Sharon Coffman/sc..Dana Cooper, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
001190 Owens, Christopher J.

0001 D1 Monroe, Daimon
005984 Hart, Marty

0003 D Fergason, Bryan
008435 Dustin, Cynthia L.

0004 D Holmes, Robert
004768 Sullivan, Sean P.

Y
Y
Y

N
Y

Y
Y

Y
Y

STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER

COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT.

Ms. Dustin advised her client is joining in all the motions.

COURT ORDERED, Motion to Disqualify the District Attorney is DENIED.

COURT FURTHER ORDERED, Defendant Holmes' Motion to Sever is DENIED; Defendant Fergason's Motion to Sever is GRANTED.

Conference at the Bench regarding motions to be filed. Judge noted he will be away and is unable to hear them.

Argument by Ms. Dustin as to the Amended Indictment. Court noted there are the same number of counts and the same number of charges; only property was added.

Argument by Mr. Sullivan as to the large amount of discovery and the short time he has to review it. Ms. DiaGiacomo advised it consists of multiple copies and is all financial. Court noted there should be enough time for review before trial.

Colloquy as to witnesses (80 - 100) and scheduling. COURT ORDERED, TRIAL DATE STANDS; FURTHER ORDERED, the Fergason trial shall immediately follow this one.

CRIMINAL COURT MINUTES

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Further discussion as to Motions to be filed. Court noted these will be heard the morning of trial.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

5/12/08 9:30 A.M. TRIAL BY JURY (MONROE & HOLMES)

5/20/08 9:30 A.M. TRIAL BY JURY (FERGASON)

05/12/08 08:30 AM 00 ALL PENDING MOTIONS 5-12-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

9:50 A.M.--Deft. Holmes not present. Court advised he will hear the motions and, if Deft. Holmes is not present when jury selection starts, he will issue a bench warrant.

DEFT. MONROE'S JOINDER TO MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. DAIMON MONROE'S MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. BRYAN FERGASON'S MOTIONS...Ms. Dustin joined in Mr. Hart's motions. COURT ORDERED, the joinders are GRANTED and any rulings on the motions will be as to all Defts.

DEFT. MONROE'S MOTION IN LIMINE RE: ROP DETECTIVES...Court stated he does not see there is much prejudice on this. On the other hand, he does not see any relevance to the flyers and does not see it is necessarily inferable they have prior convictions. Mr. Hart argued it is more than a slight inference of a history. Ms. Dustin argued Deft. Ferguson never got out of custody so they could not have been following him. Further arguments by

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PRINT DATE: 05/19/09

PAGE: 016

MINUTES DATE: 05/12/08

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

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counsel. COURT ORDERED, motion to exclude reference to repeat offenders is DENIED; the evidence regarding the flyers is marginally relevant, however, the prejudicial effect outweighs the probative value and the flyers are EXCLUDED.

DEFT. MONROE'S MOTION TO DISQUALIFY DISTRICT ATTORNEY'S OFFICE AND SANDRA DiGIACOMO AS PROSECUTOR...COURT ORDERED, motion DENIED as there is no impropriety.

DEFT. MONROE'S MOTION TO SUPPRESS TELEPHONE RECORDINGS...Court advised he needs to see the transcripts of these phone calls and advised Bruton trumps conspiracy. They would be admissible against the person on the phone but specific content is not admissible regarding past crimes without a Petrocelli Hearing and regarding a third person that is not on the phone. As to the case in Department 5, Court advised the Jury is not going to know they were convicted there. Arguments by counsel. Court advised the arrest and the burglary are part and parcel of the conspiracy and is material and relevant and that led to the search warrant.

DEFT. MONROE'S MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS...Mr. Hart argued it was a very general warrant. Court advised, given the information the police had and observations they made, he believes the search warrant was reasonably specific and does NOT find it was over broad. COURT ORDERED, motion DENIED.

DEFT. MONROE'S MOTION TO SUPPRESS...DEFT. FERGASON'S MOTION TO SUPPRESS...Ms. Dustin argued unreasonable detention. COURT ORDERED, motions DENIED. Court stated he believes it is pretty clear that foul play was afoot and it started with a Terry stop and moved to probable cause.

DEFT. FERGASON'S MOTION TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 OF AMENDED INDICTMENT...Court stated he believes Ms. Dustin is not correct as to Count 1 but is correct as to Count 13. There is no way to know what items the Jury would be convinced of in Count 13. Ms. Dustin argued the Oncu Crystal Palace language added to Count 1 is substantive and was not brought in before the Grand Jury. Ms. DiGiacomo argued it is a different standard before the Grand Jury and was basic information. COURT ORDERED, as to Count 1, motion DENIED, however, that language is STRICKEN from Count 13; State to amend the Indictment to strike the new language that was added.

DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY OR EVIDENCE OF VALUE FOR THE PROPERTY AT ISSUE...COURT ORDERED, motion GRANTED as to the expert. Court advised the people can clearly value their own property and ORDERED, motion to preclude the owners from testifying as to the value of their own property is DENIED.

DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE THAT THE DEFT. COMMITTED BURGLARY IN THE INSTANT CASE...Arguments by counsel regarding any burglaries before that time period. COURT ORDERED, motion GRANTED.

CRIMINAL COURT MINUTES

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DEFT. FERGASON'S MOTION FOR PRODUCTION OF DISCOVERY (set for May 19)...Ms. Dustin advised this issue resolved yesterday. COURT ORDERED, motion WITHDRAWN and hearing date VACATED.

DEFT. FERGASON'S MOTION IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE OF CO-DEFT'S RESIDENCE (set for May 19)...COURT ORDERED, motion DENIED. Court advised, if the State convinces the Jury of a conspiracy, the act of one is the act of all.

DEFT'S FERGASON'S MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES ...DEFT. HOLMES' MOTION TO DISMISS CONSPIRACY TO COMMIT BURGLARY AND/OR POSSESSION OF STOLEN PROPERTY CHARGES...Court advised there really is not a motion to dismiss in this jurisdiction, it is really a Writ of Habeas Corpus and is procedurally barred. Ms. Dustin stated she believes some of the Possession of Stolen Property charges are stale by the statute of limitations. Court advised possession is the date it is recovered by the police. Arguments by counsel. Court FINDS the motions are procedurally barred and FINDS a Jury could convict or acquit. COURT ORDERED, motions DENIED.

DEFT. FERGASON'S MOTION TO BAR RECORDED PHONE CALLS (set for May 19)... DEFT. HOLMES' MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS...COURT ORDERED, the calls may come in if they are in furtherance of a conspiracy. Ms. Dustin argued the conspiracy ended when Deft. Ferguson was taken into custody. Court advised it may or may not have been over, however, the conspiracy could still be going on today. COURT ORDERED, Deft. Ferguson's motion DENIED for both substantive and procedural reasons. COURT FURTHER ORDERED, Deft. Holmes' motion DENIED for the same reasons.

DEFT. HOLMES' MOTION IN LIMINE TO EXCLUDE ANY TESTIMONY REGARDING DEFT. HOLMES' PRIOR ARRESTS AND/OR CRIMINAL HISTORY AS WELL AS ANY CIRCUMSTANCES SURROUNDING THOSE EVENTS...COURT ORDERED, motion GRANTED, however, they may come in if Deft. Holmes testifies; non-Felonies and arrests that did not amount to a conviction may NOT come in.

DEFT. HOLMES' MOTION TO SUPPRESS...COURT ORDERED, motion DENIED. Court advised he sees no problems with these, assuming the Jury believes the officers.

10:36 A.M.--Deft. Holmes still not present. Mr. Sullivan advised Deft's wife indicated they had a fight and he took off. Court stated he believes Deft. Holmes took off but not for that reason. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL, for Deft. Holmes. Court advised, if Deft. Holmes is picked up in the next week, he will be tried with Deft. Ferguson. Mr. Sullivan may file a motion to withdraw. Mr. Sullivan advised he spoke with Deft. Holmes last night and advised Deft. has been compliant with his appearances up to now. Court advised Deft. Holmes has generally not been here at the prior hearings and Mr. Sullivan has represented he had good contact. Hearing concluded.

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vs Monroe, Daimon

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CUSTODY (COC - MONROE & FERGASON)...B.W. (BOND - HOLMES)

05/12/08 09:30 AM 00 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomio, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

11:02 A.M.--Colloquy regarding Deft's last name. Court advised he will have to mention both Monroe and Hoyt due to the publicity generated by the other case. Counsel acknowledged. 11:07 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 12:24 p.m.--Fourteen (14) jurors selected. Jury was NOT sworn. Court thanked and excused the remaining venire. Court advised the Jury of scheduling and procedure. Court advised the Jury will be given the oath of service tomorrow morning before trail gets started. 12:33 p.m.--Jury admonished and excused for the day due to other matters that need to be resolved to make the trial run smoother, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding what needs to be done regarding exhibits as there are approximately 1000. 12:36 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/13/08 09:30 AM 01

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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05/13/08 09:30 AM 01 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	DiGiacomo, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/14/08 09:30 AM 02

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 020

05/14/08 09:30 AM 02 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:56 A.M.--OUTSIDE THE PRESENCE OF THE JURY, upon inquiry by Ms. DiGiacomo, COURT ORDERED, the State may explain what ROP stands for (Repeat Offenders Program). Court further advised he is going to instruct the Jury on the value issue. 9:57 a.m.--Jury present. Court instructed the Jury regarding value. Further testimony and exhibits presented. (See worksheets.) 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding jury instructions and victim-witnesses. Court adjourned for lunch.

12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening.

CUSTODY (COC)

CONTINUED TO: 05/15/08 09:45 AM 03

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 021

05/15/08 09:45 AM 03 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/RecorderPARTIES: STATE OF NEVADA
006204 Digiacomo, Sandra
009911 Small, Shelly L.

0001 D1 Monroe, Daimon
009466 Tramel, Michaela EY
Y
Y

Y
Y

10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule.
10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning.

10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day.

CUSTODY (COC)

CONTINUED TO: 05/16/08 09:15 AM 04

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 022

05/16/08 09:15 AM 04 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
 Carole D'Aloia (1:05 PM - 5:10 PM), Relief Clerk
 Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoia, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart argued they keep hearing "Repeat Offender Program" and argued further he does not know why there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch

1:05 PM Jury Trial Continues (Carole D'Aloia, Relief Clerk)

Witness testimony and exhibits admitted continue (see worksheet). At the hour of 5:10 PM, Court admonished the jury for the weekend, instructed them to return Monday at 9:30 AM and, ORDERED, matter CONTINUED.

CUSTODY (COC)

CONTINUED TO: 05/19/08 09:30 AM 05

CONTINUED ON PAGE: 024

PRINT DATE: 05/19/09

PAGE: 023

MINUTES DATE: 05/16/08

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 023

05/19/08 09:30 AM 05 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:44 A.M.--Jury present. Further testimony and exhibits presented. (See worksheets.) 11:46 a.m.--Court stated he understands the State has one long witness, one short witness and two that need to be recalled that will not be here until after lunch. Jury admonished and excused for lunch, to return at 12:45 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. DiGiacomo moved to amend the Indictment to correct a typo in Count 1. COURT ORDERED, GRANTED. Jury Instructions settled on the record. 12:01 p.m.--Court adjourned for lunch.

1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 2:48 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart stated he believes the comment regarding posting bail previously brings in prior bad acts. Court advised it could be for anything or even for someone else and he believes it is innocuous. Mr. Hart stated he believes the next call is whether Deft. Monroe could do it and that it was not as much fun without Ferguson. Ms. DiGiacomo advised the conspiracy is ongoing at this point and it is in furtherance of the conspiracy. COURT ORDERED, objection OVERRULED. 3:00 p.m.--Jury present. Further testimony and exhibits presented. 5:14 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning.

CUSTODY (COC)

CONTINUED TO: 05/20/08 09:30 AM 06

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Monroe, Daimon

CONTINUED FROM PAGE: 024

05/20/08 09:30 AM 06 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:38 A.M.--Court reconvened with all present as before. Court advised the Jury of the day's schedule. Further testimony and exhibits presented. (See worksheets.) State and defense rested. Court instructed the Jury. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected two alternates by random drawing: Alternate #1 - Juror #3-Natalia Salman and Alternate #2 - Juror #6-Thurman Arnold. 11:53 a.m.--Jury retired to deliberate.

1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow:

GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM);

GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F);

GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F).

Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.

CUSTODY (COC)

8-26-08 8:30 AM SENTENCING

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 025

08/07/08 08:30 AM 00 STATE'S MTN FOR RELEASE OF EVIDENCE TO
VICTIMS AND/OR AUCTION BY LVMPD

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacomo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Following arguments by counsel, COURT ORDERED, motion GRANTED to the extent that property belonging to the named victims in the Indictment who testified as the trials of Defendants Monroe and Ferguson be released to said victims. Court advised it received notice from the Division of Parole and Probation (P&P) indicating it needs additional time to complete the Presentence Investigation Reports for Defendants Monroe and Ferguson and, ORDERED, sentencing dates CONTINUED.

CUSTODY (MONROE)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CUSTODY (HOLMES)

CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Monroe, Daimon

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08/21/08 08:30 AM 00 STATES MTN FOR RELEASE OF PROPERTY/128

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Mr. Kennedy advised he has no objection to the State's motion. Court noted the objections of Mr. Hart and Ms. Dustin and, ORDERED, motion GRANTED, Ms. DiGiacomo to prepare and submit appropriate Order.

CUSTODY (MONROE AND HOLMES)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CRIMINAL COURT MINUTES

06-C-228752-C

STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 027

10/01/08 08:30 AM 00 ALL PENDING MOTIONS 10-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y

DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;
Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 11 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

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MINUTES DATE: 10/01/08

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 1-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

DEFT. FERGASON ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2, 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (F) and COUNTS 4, 7, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE. Certified copies of five prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Fergason to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;

Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

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CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

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CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 030

At request of counsel, COURT ORDERED, Mr. Hart and Ms. Dustin APPOINTED on appeal.

12/18/08 08:30 AM 00 STATES MTN FOR RELEASE OF EVIDENCE/136

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003649	Kephart, William D.	Y
0001 D1	Monroe, Daimon	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y

Ms. Dustin advised this case is before the Supreme Court on appeal so she does not believe the Court has jurisdiction and the proper venue would be through the forfeiture case and not here where it is on appeal. Court stated he believes, as a general proposition, Ms. Dustin is right. Mr. Kephart advised he will accept those representations. COURT ORDERED, motion OFF CALENDAR.

CUSTODY (COC - MONROE & HOLMES)...NIC (TREVARTHEN)...NDC (FERGUSON)

05/19/09
CASE NO. 06-C-228752-C

E X H I B I T S

11:28 AM
CASE STATUS: CLOSED

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	PG	/GRAND JURY EXHIBITS (189)		/	03/01/07	V
0002	P1	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/14/08	V
0003	P2	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/16/08	V
0004	P3	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/13/08	V
0005	P4-19	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0006	P20	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0007	P21	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0008	P22	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0009	P23	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0010	P24	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0011	P25	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0012	P26	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0013	P27	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0014	P28	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0015	P29	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0016	P30	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0017	P31	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/09	V
0018	P32-35	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0019	P36	/LARGE COLOR PHOTOGRAPH		AD/OB	05/16/08	V
0020	P37-40	/LARGE COLOR PHOTOGRAPH		AD/NO	05/16/08	V
0021	P41-52	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0022	P53-54	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0023	P55	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0024	P56	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0025	P57	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0026	P58-61	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0027	P62-67	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0028	P68-74	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0029	P75-77	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0030	P78-90	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0031	P91-17/1)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0032	P172-1/78)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0033	P179	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0034	P180-2/10)	LARGE COLOR PHOTOGRAPH		AD/OB	05/14/08	V
0035	P211	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0036	P212	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0037	P213	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0038	P214	/4 SMALL COLOR PHOTOGRAPHS		AD/NO	05/14/08	V
0039	P215-2/18)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0040	P219	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0041	P220-2/21)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0042	P222	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0043	P223-2/29)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0044	P230	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0045	P231-2/33)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0046	P234	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0047	P235	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0048	P236-2/43)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0049	P244	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0050	P245	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0051	P250	/LARGE COLOR PHTOGRAPH		AD/NO	05/19/08	V
0052	P251-5/75)	PHOTO ADMITTED DATES 5/13-20		AD/NO	05/20/08	V

05/19/09
CASE NO. 06-C-228752-C

E X H I B I T S

11:28 AM
CASE STATUS: CLOSED

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0053	P576	/EVENT HISTORY REPORT (ANKEE CRYSTAL PALA		AD/NO	05/13/08	V
0054	P577	/EVENT HISTORY RPT (LUST FOR KIDS DNTSRY		AD/NO	05/13/08	V
0055	P578-8/71)	PHOTOS ADM 5/13-20		AD/NO	05/20/08	V
0056	P872	/SELF STORAGE RETAN AGREEMENT (DUPLICATE)		/	99/99/99	V
0057	P873	/COPY OF NV DRIVER'S LICENSE		/	99/99/99	V
0058	P874	/SELF STORAGE RENTAL AGREEMENT		AD/NO	05/14/08	V
0059	P875-9/73)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0060	P974	/SMOKE RANCH JONES RENTAL AGREEMENT		AD/NO	05/14/08	V
0061	P975-9/84)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0062	P985-9/88)	PHOTOS NOT ADMITTED		/	99/99/99	V
0063	P989-1/033)	PHOTOS ADMITTED 5/13-20		AD/NO	05/19/08	V
0064	P1034-/1035)	RED ROCK SELF STORAGE RECEIPTS		AD/NO	05/16/08	V
0065	P1036-/1088)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0066	P1089	/STORAGE WEST RENTAL AGREEMENT		AD/NO	05/14/08	V
0067	P1090	/LARGE B & w PHOTOS OF RENTAL PAPERWORK		AD/NO	05/14/08	V
0068	P1091-/1128)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0069	P1129	/BINDER		AD/OB	05/16/08	V
0070	P1130-/1155)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0071	P1156-/1180)	PHOTOS		/	99/99/99	V
0072	P1181	/CALL LOG		AD/NO	05/19/08	V
0073	P1181A/CD	CALLS (1-12)		AD/NO	05/19/08	V
0074	P1181B/CD	CALLS (12A-19)		AD/OB	05/19/08	V
0075	P1181C/CD	CALLS (20-25)		AD/OB	05/19/08	V
0076	PCT1	/QUESTION FROM JUROR #10		/	05/14/08	V
0077	PCT2	/QUESTION FROM #1		/	05/14/08	V
0078	PCT3	/QUESTION FROM #4		/	05/19/08	V
0079	PCT4	/QUESTION FROM #?		/	05/19/08	V
0080	P	/*NEXT*TRAIL SEE LIST, SAME EXHIBITS USED		/	99/99/99	V
0081	P-	/******NEW EXHIBITS ADDED*****		/	99/99/99	
0082	DA	/ACTIVITY REPORT UNIT 247		AD/NO	05/22/08	V
0083	DB	/ACTIVITY REPORT UNIT 253		AD/NO	05/22/08	V
0084	PCT-1	/QUESTION FROM JUROR #7		/	05/23/08	V
0085	PCT-2	/QUESTION FROM JUROR #4		/	05/27/08	V
0086	PCT-3	/QUESTION FROM JUROR #4		/	05/27/08	V
0087	PCT-4	/QUESTION FROM JUROR #7		/	05/27/08	V
0088	PCT-5	/QUESTION FROM JUROR #3		/	05/27/08	V
0089	PCT-6	/QUESTION FROM JUROR #4		/	05/27/08	V
0090	PCT-7	/QUESTION FROM JUROR #10		/	05/28/08	V
0091	P-1-3	/CERT COPY OF JOC'S (MONROE)		AD/NO	10/01/08	V
0092	P-4-8	/CERT COPY OF JOC'S (FERGASON)		AD/NO	10/01/08	V



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



Joseph S. Sciscento
330 S. Third St., Sste. #860
Las Vegas, NV 89101

DATE: May 19, 2009
CASE: C228752

RE CASE: STATE OF NEVADA vs. ROBERT HOLMES

NOTICE OF APPEAL FILED: May 18, 2009

RULE 3(e) DOCUMENTS **NOT** TRANSMITTED/MISSING:

- **Notice of Entry of Order**

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

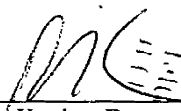
NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW GUILTY
PLEA; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,	)	
	)	
Plaintiff(s),	)	Case No: C228752
	)	Dept No: IV
vs.	)	
	)	
ROBERT HOLMES,	)	
	)	
Defendant(s),	)	

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 21 day of May 2009.

Edward A. Friedland, Clerk of the Court



Melissa Kaylor, Deputy Clerk

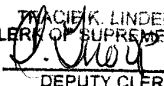
IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT HOLMES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53848

FILED

MAY 07 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant Robert Holmes' post-conviction motion to withdraw his guilty plea. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

Holmes claims that the district court abused its discretion by failing to conduct an evidentiary hearing and denying his motion to withdraw his plea, which was based on a claim that counsel was ineffective for failing to investigate or prepare for trial, informing him that there were no defenses to the charges, and informing him that if he went to trial he would receive more time than he would if he pleaded guilty. We presume that the district court correctly assessed the validity of a plea on a motion to withdraw the plea and will not reverse its decision absent an abuse of discretion. Molina v. State, 120 Nev. 185, 191, 87 P.3d 533, 538 (2004). When reviewing the district court's resolution of an ineffective-assistance claim, we give deference to the court's factual findings if supported by substantial evidence and not clearly erroneous but review the court's application of the law to those facts de novo. Lader v. Warden, 121 Nev. 682, 686, 120 P.3d 1164, 1166 (2005).

Holmes failed to meet his burden to establish that counsel was deficient when advising him to enter a guilty plea, and his claims were not supported by sufficient factual allegations such that an evidentiary hearing was warranted. See Strickland v. Washington, 466 U.S. 668, 687-88 (1984) (establishing two-part test for ineffective assistance of counsel); Warden v. Lyons, 100 Nev. 430, 432-33, 683 P.2d 504, 505 (1984) (adopting test in Strickland); Means v. State, 120 Nev. 1001, 103 P.3d 25 (2004) (burden of proving ineffective assistance is on defendant); Hargrove v. State, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984) (defendant not entitled to evidentiary hearing on claims not supported by specific factual allegations). Further, Holmes' subjective reliance on counsel's advice regarding a potential sentence was not sufficient to invalidate the plea. See Rouse v. State, 91 Nev. 677, 679, 541 P.2d 643, 644 (1975). Therefore, we conclude that the district court did not abuse its discretion, and we

ORDER the judgment of the district court AFFIRMED.

Jan Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Kathy A. Hardcastle, District Judge
James J. Ruggeroli
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAIMON MONROE A/K/A DAIMON
DEVI HOYT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52788

FILED

JUL 30 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER AFFIRMING IN PART, REVERSING IN PART AND
REMANDING

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of conspiracy to possess stolen property and/or to commit burglary and 26 counts of possession of stolen property. Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge.

Appellant Daimon Monroe and accomplice Bryan Fergason were arrested for burglarizing Anku Crystal Palace. Officers subsequently executed search warrants on Monroe's home and storage units rented by Fergason, Monroe, and Monroe's girlfriend, Tonya Trevarthen. They also searched Fergason and Trevarthen's bank accounts and safety deposit boxes. The searches revealed large quantities of stolen property.

On appeal, Monroe argues that (1) his pre-arrest detention was illegal, (2) the search warrants violated his Fourth Amendment rights because they were not supported by probable cause and lacked particularity, and (3) there is insufficient evidence relating to the value of the stolen items to support his conviction.¹ While we conclude that count

¹Monroe also argues that (1) the district court erred by allowing the State to amend the indictment shortly before trial, which resulted in the
continued on next page . . .

11 of Monroe's conviction must be reversed because there is insufficient evidence of value to support his conviction of possession of stolen property with a value of \$2,500 or more (a category B felony), we affirm Monroe's conviction in all other respects.

Pre-arrest detention

Monroe contends that his initial arrest was unlawful because it occurred as the result of an unreasonable search or seizure. See U.S. Const. amend. IV; Brown v. Texas, 443 U.S. 47, 50 (1979); Mapp v. Ohio, 367 U.S. 643 (1961). From this premise he reasons that, since his arrest was unlawful, the evidence seized as the result of his arrest should have been suppressed, and that the district court abused its discretion in not doing so. See Steagald v. United States, 451 U.S. 204, 215-16 (1981). We disagree.

NRS 171.123 governs investigative stops, and states, in relevant part:

(1) Any peace officer may detain any person whom the officer encounters under circumstances which reasonably indicate that the person has committed, is committing or is about to commit a crime.

...

(3) The officer may detain the person pursuant to this section only to ascertain [his] identity and the

... continued

admission of inadmissible bad acts evidence; and (2) his sentencing under Nevada's large habitual felon statute constitutes cruel and unusual punishment. We have considered these arguments and conclude that they lack merit.

suspicious circumstances surrounding [his] presence abroad. . . .

(4) A person must not be detained longer than is reasonably necessary to effect the purposes of this section, and in no event longer than 60 minutes.

Investigative stops are also governed as a matter of constitutional law by Terry v. Ohio, 392 U.S. 1 (1968), and its progeny. See State v. Lisenbee, 116 Nev. 1124, 1127-28, 13 P.3d 947, 949 (2000). Any stop by an officer must be “‘justified at its inception, and . . . reasonably related in scope to the circumstances which justified the interference in the first place.’” Hiibel v. Sixth Judicial Dist. Court of Nev., Humboldt Cty., 542 U.S. 177, 185 (2004) (alteration in original) (quoting United States v. Sharpe, 470 U.S. 675, 682 (1985) (quoting Terry, 392 U.S. at 20)). “The ‘reasonable, articulable suspicion’ necessary for a Terry stop is more than an ‘inchoate and unparticularized suspicion or ‘hunch.’” Rather, there must be some objective justification for detaining a person.” Lisenbee, 116 Nev. at 1128, 13 P.3d at 949 (quoting Terry, 392 U.S. at 27).

The police initially stopped Monroe and Ferguson for suspicion of burglary of a nearby dentist’s office. Monroe claims that the detention became unlawful once police learned that the dentist’s office showed no signs of forced entry or missing property. This argument, however, ignores the fact that the detaining officers were aware of the suspected burglary at Anku Crystal Palace and were awaiting the arrival of another investigative unit. Under these circumstances, the officers were justified in detaining Monroe and Ferguson until the officers responding to Anku Crystal Palace had investigated there and reported back their findings. The suspected break-ins were similar (entry through the front door), their locations were close to one another, and the timing would have enabled

Monroe and Ferguson to have burglarized Anku Crystal Palace before burglarizing the dentist's office.

Accordingly, we conclude that Monroe's arrest did not result from an unreasonable search or seizure and thus reject his argument that the district court abused its discretion by not suppressing the evidence seized as the result of his arrest.

Search warrants

Monroe contends that the search warrants violated his Fourth Amendment rights because they were not based on probable cause and lacked particularity. We disagree.

The burden of proving that a search warrant is invalid is on the defendant by a preponderance of the evidence, see U.S. v. Richardson, 943 F.2d 547, 548 (5th Cir. 1991), and this court will pay great deference to a lower court's finding of probable cause. See Illinois v. Gates, 462 U.S. 213, 236 (1983).

All search warrants must be based on probable cause. See U.S. Const. amend. IV; Mapp v. Ohio, 367 U.S. 643, 646 n.4 (1961); Keese v. State, 110 Nev. 997, 1002, 879 P.2d 63, 66-67 (1994). "Probable cause" requires . . . trustworthy facts and circumstances which would cause a person of reasonable caution to believe that it is more likely than not that the specific items to be searched for are: [subject to] seiz[ure] and will be found in the place to be searched." Keese, 110 Nev. at 1002, 879 P.2d at 66.

Additionally, all search warrants must describe the items to be seized with particularity. See U.S. Const. amend. IV. While the descriptions must be specific enough to allow the person conducting the search to reasonably identify the things authorized to be seized, a search

warrant that describes generic categories of items will not be deemed invalid if a more specific description of an item is not possible. See United States v. Spilotro, 800 F.2d 959, 963 (9th Cir. 1986).

Here, we conclude that the phone calls between Monroe and his accomplices, the ensuing investigation, and Monroe's extensive criminal history sufficiently established probable cause for the issuance of the warrants. Throughout a series of recorded jailhouse phone calls, Monroe repeatedly referenced burglary tools, alluded to future burglaries he wished to commit, and expressed concern about the police searching his house and finding the stolen property. Additionally, detectives discovered that Monroe had rented a storage unit under a fake name. Finally, Monroe had a long record of prior felony convictions, many of which were for burglaries.

We also conclude that the warrants at issue described the items to be seized with sufficient particularity. The warrants authorized the seizure of "[b]urglary tools[.]" "[i]tems of property that are used to make burglary tools[.]" "[i]tems of property . . . which contain specific identifiable descriptions and/or serial numbers" that would allow officers to confirm the items as stolen, and "[a]rticles of personal property which would tend to establish the identity of persons in control of said premises" Moreover, the search warrants provided examples of each type of item to be seized.

Accordingly, we conclude that the district court did not err in refusing to suppress the evidence gathered as a result of the searches of Monroe's property.²

Sufficiency of the evidence

Monroe contends that the State failed to introduce sufficient evidence of value to support his conviction of 26 counts of possession of stolen property. With the exception of count 11, as discussed below, we conclude that the evidence was sufficient to support Monroe's convictions.

The record indicates that the State did not introduce sufficient evidence of value to support Monroe's conviction of count 11. In count 11, Monroe was charged with possession of stolen property with a value over \$2,500—a category B felony per NRS 205.275(2)(c). However, testimony at trial established that the stolen property was worth only \$2,310, which does not meet the \$2,500 threshold required for conviction of category B felony possession of stolen property.³

²Because we reject Monroe's argument that the searches violated his Fourth Amendment rights, we similarly reject his dependant argument that there is insufficient evidence to support his convictions if the evidence from the searches is disallowed.

³Monroe argues that the State improperly based the value of the stolen property on testimony from the property owners rather than experts. Monroe's argument, however, ignores the general rule "that an owner, because of his ownership, is presumed to have special knowledge of the property and may testify as to its value." City of Elko v. Zillich, 100 Nev. 366, 371, 683 P.2d 5, 8 (1984) (holding that a real property owner's testimony as to the value of his property is admissible).

Moreover, NRS 205.275(6) states that "the value of the property involved shall be deemed to be the highest value attributable to the property by any reasonable standard." This court has defined that
continued on next page . . .

Accordingly, we

ORDER the judgment of the district court AFFIRMED IN PART AND REVERSED IN PART and REMAND this matter for entry of an amended judgment of conviction consistent with this order.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Eighth Judicial District Court Dept. 7, District Judge
Law Offices of Martin Hart, LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

... continued

standard as “the fair market value of the property at the time and place it was stolen . . . [but] where such market value cannot be reasonably determined other evidence of value may be received such as replacement cost or purchase price.” Bain v. Sheriff, 88 Nev. 699, 701, 504 P.2d 695, 696 (1972) (citations, emphasis, and internal quotation marks omitted). Accordingly, Monroe’s challenge to the value testimony fails.

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Location : District Court Civil/Criminal [Help](#)

REGISTER OF ACTIONS

CASE No. 06C228752-1

The State of Nevada vs Daimon Monroe

§
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Case Type: **Felony/Gross Misdemeanor**
Date Filed: **12/13/2006**
Location: **Department 20**
Cross-Reference Case Number: **C228752**
Defendant's Scope ID #: **715429**
Lower Court Case Number: **06GJ00101**
Supreme Court No.: **52788**
59871
65827

RELATED CASE INFORMATION

Related Cases

06C228752-2 (Multi-Defendant Case)
06C228752-3 (Multi-Defendant Case)
06C228752-4 (Multi-Defendant Case)

PARTY INFORMATION

Defendant **Monroe, Daimon** *Also Known*
As Hoyt , Daimon D *Also Known*
As Hoyt , Damon *Also Known*
As Monroe , Daimon *Also Known*
As Monroe , Damon

Lead Attorneys
Michael H Schwarz
Retained
702-598-3909(W)

Plaintiff **State of Nevada**

Steven B Wolfson
702-671-2700(W)

CHARGE INFORMATION

Charges: Monroe, Daimon	Statute	Level	Date
1. CONSPIRACY TO COMMIT A CRIME	199.480	Gross Misdemeanor	01/01/1900
1. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Gross Misdemeanor	01/01/1900
1. BURGLARY.	205.060	Gross Misdemeanor	01/01/1900
2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
3. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
4. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
5. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
6. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
7. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
8. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
9. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
10. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
11. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
12. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
13. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
14. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900

15.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
16.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
17.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
18.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
19.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
20.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
21.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
22.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
23.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
24.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
25.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
26.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
27.RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	Felony	01/01/1900
30.HABITUAL CRIMINAL	207.010	Felony	01/01/1900

EVENTS & ORDERS OF THE COURT

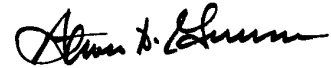
09/08/2010 **Minute Order** (9:30 AM) (Judicial Officer Hardcastle, Kathy)

Minutes

09/08/2010 9:30 AM

- MINUTE ORDER - SUPREME COURT RULING Pursuant to the Supreme Court Order from July 20, 2010, COURT ORDERD, Count 11 of Possession of Stolen Property is VACATED and the remaining counts are AFFIRMED. Clerk's office to prepare an Amended Judgment of Conviction. NDC

[Return to Register of Actions](#)



CLERK OF THE COURT

RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff,

vs.

U.S. CURRENCY \$281,656.73,

Defendant.

CASE NO. A537416

DEPT. NO. VIII

BEFORE THE HONORABLE DOUGLAS E. SMITH, DISTRICT COURT JUDGE
TUESDAY, NOVEMBER 13, 2012

TRANSCRIPT OF PROCEEDINGS
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND TO
STRIKE PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

APPEARANCES:

For the Plaintiff: THOMAS J. MOREO, ESQ.

For Defendant Daimon Monroe: PRO SE

For Defendant Bryan M. Fergason: PRO SE

For Defendant Robert Holmes, III: PRO SE

RECORDED BY: JILL JACOBY, COURT RECORDER

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TUESDAY, NOVEMBER 13, 2012, 8:10 A.M.

THE COURT: Las Vegas Metropolitan Police Department versus U.S.
Currency, 281,656.73.

I've read both motions. Defendants have anything they want to add to
their written motions?

MR. MONROE: Yeah, I got my -- I got that appeal going still. They haven't
sent it back or anything, so I don't know necessarily how the jurisdiction works on
that.

THE COURT: There's -- tell me what you filed.

MR. MONROE: There was -- I filed an appeal on a denial of an opposition
that I filed, and the Supreme Court has that right now.

THE COURT: On this case?

MR. MONROE: Yes.

THE COURT: Well, then I don't have jurisdiction.

MR. MONROE: Yeah, I believe the jurisdiction -- and I got to present this to
the Court for pro per status. It's -- the Supreme Court case number is 61616.

THE COURT: Okay.

MR. MONROE: Can I give this to you, sir? That, yeah, that's still pending.

THE COURT: Well, since you're here, do you have anything you want to add
to these -- the written motions for summary judgment?

MR. MONROE: Well, I mean, pretty much it's kind of self-explanatory. The
problem is, Your Honor, is that --

THE COURT: It's very -- it's very clear. But --

MR. MONROE: You do understand, yeah, it's just -- I want you to understand

1 that that's, not to make mockery of the Court or -- or some kind of delusion like
2 Peter Pan came to my cell and told me that. I mean, this really happened, and there
3 wasn't a search warrant when the money was taken. The search warrants were
4 actually backdated by Stewart Bell. The reason why I know this and have evidence
5 to that is that the FBI. and Officer Greg Naglick from Intel in CCDC came and
6 discussed it with me. They have e-mails of Bell, Sandra DiGiacomo,
7 Brad Nickells [sic] and some other officers talking about the -- them backdating the
8 search warrants.

9 The problem is then, is just getting the evidence, like the computer
10 entries. You know, when a cop comes to your home and kicks your door through,
11 they have to serve you a search warrant, have you sign it, show you know the scope
12 of the search. They never presented me a warrant because there was no warrant
13 there, and so I asked to see it. The problem was at that time, they called Sandra
14 DiGiacomo to my house and took me to jail. I had hired Al Lasso. Al Lasso asked
15 to see the warrant and was denied and then a big ole thing happened from there to
16 where they froze his bank account and got him off my case.

17 So if I could get the computer entries to the warrant, if I could show you
18 there was no pictures of any warrants left at any of the scenes, and I was never
19 presented with a warrant, I think that causes some -- some concern at least to give it
20 a chance to go to discovery so I could prove that side of it. Because without it, I
21 mean, if there's no warrant, the money should never be before this court. It should
22 have never been taken. In fact, nobody should even be in jail here. And there is
23 no -- there was no warrant, those warrants were signed and backdated ten months
24 after the search by Stewart Bell, Sandra DiGiacomo, and Brad Nickells [sic] and that
25 is not an assumption, that's a actual fact, and that's provable. I could have Officer

1 Greg Naglick come and testify. Stacey Roundtree would come testify. I could have
2 Jennifer Schwartz come testify. It's a big mess right now.

3 THE COURT: Greg who?

4 MR. MONROE: Excuse me?

5 THE COURT: Greg who?

6 MR. MONROE: Greg Naglick from Intel. He retired in -- he came to see me
7 the last day in two thousand -- well, I want to say November 2010, 2011. I mean, I
8 was being briefed a little bit as this was going on. But once the FBI got involved and
9 started investigating the DA's office and Stewart Bell --

10 THE COURT: And who in the FBI talked to you?

11 MR. MONROE: I had a Special Agent Martinez.

12 THE COURT: How did they get involved?

13 MR. MONROE: What had happened was, see, I always knew something was
14 wrong with the search warrant. They had started sending the inmates wearing wires
15 and all this weirdo stuff. And started stacking these cases on me that didn't make
16 sense, that I didn't do. But no one really --

17 THE COURT: How did the FBI get involved?

18 MR. MONROE: Because I wrote them. And I directed them to talk to Naglick
19 and to Stacey and to everybody else.

20 THE COURT: Well, I don't even know -- last I heard Stacey --

21 MR. MONROE: She did. Yeah, she's in Texas. She's in Texas right now.

22 THE COURT: -- Roundtree is on the streets somewhere.

23 MR. MONROE: Yeah, she's in Texas. She just contacted Mr. Holmes's
24 father I think sometime in May.

25 THE COURT: All right. Is there anything else you want to add to this motion?

1 MR. MONROE: No, I just -- I hope the Court will allow it to go to discovery so
2 I'd have a chance.

3 THE COURT: Well, it has to go the Supreme Court. I just want to know if you
4 have anything to add.

5 MR. MONROE: No, I very much appreciate your time, Your Honor.

6 THE COURT: All right.

7 MR. MONROE: Thank you very much.

8 MR. HOLMES: I wanted to add that the -- that the statement -- on these -- it's
9 time-barred under this --

10 THE COURT: All right.

11 MR. HOLMES: -- reconsideration.

12 THE COURT: Hold on while you're arguing. The Supreme Court, we just ran
13 it up, the Supreme Court's dismissed all three appeals. Go ahead.

14 MR. HOLMES: Okay.

15 MR. MONROE: Not on the 616 case, that's still pending. I have criminal
16 cases.

17 THE COURT: Hold on. Let him talk. Just look up.

18 That appeal is Number 60547.

19 MR. MONROE: Yeah, that's not it.

20 THE COURT: 61616.

21 MR. MONROE: That's the property case.

22 THE COURT: 61616.

23 All right, go ahead, sir.

24 MR. HOLMES: Yeah, I just wanted to bring to --

25 THE COURT: Identify yourself though, you need --

1 MR. HOLMES: My names is Robert Holmes, III.

2 THE COURT: And you need to identify yourself that spoke. I'm sorry.

3 MR. MONROE: I'm sorry. Mr. Monroe.

4 THE COURT: All right.

5 MR. HOLMES: Yeah, I just wanted to bring to the Court's attention that you --

6 that this case was dismissed in October 2009. And now I think you, the Honorable

7 Judge, you had dismissed this in '09. And the State did a reconsideration motion.

8 THE COURT: Well, we closed it because there was no movement on it.

9 MR. HOLMES: Right.

10 THE COURT: It was just an administrative thing that we do. If either party

11 wants to open it up, we reopen it. But sometimes people don't go forward with civil

12 cases. This is just civil.

13 MR. HOLMES: Right. But it would --

14 THE COURT: And it's a procedure that happens constantly.

15 MR. HOLMES: But wouldn't after the time -- after the time that you had

16 considered the order when it -- doesn't the time starts from the order? Under the

17 statute of limitations on that, under the -- the six months start running when you --

18 when you -- when they enter your order and when you denied it and dismissed this

19 case --

20 THE COURT: I have to --

21 MR. HOLMES: -- there was a order that was signed.

22 THE COURT: I have to look. That wasn't necessarily --

23 MR. HOLMES: I got the --

24 THE COURT: -- in this, but.

25 MR. HOLMES: I got the -- we got the orders here -- I got the order here that

1 you had signed it, October the 29th, and they -- they did a reconsideration motion
2 two thousand -- on November 2011. And under the statute and the Court Rule of --
3 Court Rule 2.24, it states that any written notice or order must be -- after the time is
4 enlarged, has a ten-day period to even file a reconsideration.

5 THE COURT: Okay.

6 MR. HOLMES: And so they never -- they never filed a timely reconsideration.

7 THE COURT: Well, there wasn't a time to enlarge. I think you're confused --

8 MR. HOLMES: Yeah, yeah, I mean, I'm sorry about that.

9 THE COURT: You're a little confused with that, but that's okay.

10 MR. HOLMES: It was -- it's, you know, right here --

11 THE COURT: I will look at the timing.

12 MR. HOLMES: Yeah, it was -- it says -- it says, must -- under the 60(b) -- or
13 it's 59 or 50(b), must file a motion such relief within ten days after service of written
14 notice of order or judgment and unless the time is shortened or enlarged by a order,
15 which there was never -- it was never enlarged or anything.

16 At that time, the State had a opportunity to file a notice of appeal. At
17 that time, the -- after the judgment was entered, they had ten days after the
18 judgment, even 30 days to file a notice of appeal up to the Supreme Court, which
19 they never did these things.

20 THE COURT: Okay. Thank you.

21 MR. HOLMES: All right.

22 THE COURT: Hold on.

23 MR. FERGASON: I'm Mr. Fergason.

24 THE COURT: Yes.

25 MR. FERGASON: I just want to say, on my motion, I never got a response.

1 So I don't -- I don't even know what their response was. If I could, I would like the
2 paperwork on whatever they responded to.

3 THE COURT: All right.

4 MR. FERGASON: That's all.

5 THE COURT: Thank you.

6 MR. MOREO: Where do you want me to start?

7 THE COURT: Let's start with -- I'm sorry, I missed your name, the gentleman
8 in the middle.

9 MR. MONROE: That's Monroe.

10 MR. MOREO: I'll start as to Mr. Monroe, Your Honor.

11 THE COURT: Okay.

12 MR. MOREO: At least, he keeps talking about the faulty search warrant, but
13 that issue's been resolved at the criminal trial on a number of -- number of times --

14 MR. MONROE: That's not true.

15 MR. MOREO: -- went up to the Supreme Court. It has been resolved.

16 But what Mr. Monroe doesn't understand and forgets to tell the Court is
17 that the money that was seized in this case was not seized personally from him. If
18 Mr. Monroe can remember, he paid this money to Al Lasso, he paid this money to
19 John Lloyd, and -- and he paid this money to Joel Mann who were his attorneys at
20 the time. They were the ones that gave this money up to the police. He was no
21 longer in possessory possession of that money. His attorneys were in possession of
22 that money. They accepted that for the legal fees. They were the ones that gave up
23 that money, not Mr. Monroe.

24 As to Mr. Holmes, the \$70,000 that was Mr. Holmes', that money was in
25 the possession of Sean Sullivan who Mr. Holmes retained. Sean Sullivan gave up

1 that money. That was in his possession at that time. He gave up that money to the
2 police, not Mr. Holmes. That money was never, at this time, in the possessory
3 possession of Mr. Holmes, that's in the possession of Mr. Sullivan.

4 As to Mr. Fergason, that money was traced back to the time when that
5 money was placed in his account, but Tonya Trevarthen testified that all of the
6 money that went in all of these accounts was a direct result of them selling the
7 stolen property, putting that money into the accounts and then that money was
8 seized from those accounts. So in all of these cases, Your Honor, the money wasn't
9 in possession of Mr. Monroe, the money wasn't in possession of Mr. Holmes, and
10 the money for Mr. Fergason was a direct result of the proceeds from the illegal
11 activity that they were all found guilty of, and that's why we're here today. And so --

12 MR. HOLMES: That's not true.

13 THE COURT: Did the State file a response to Fergason?

14 MR. MOREO: Did we file a response?

15 THE COURT: Yeah.

16 MR. MOREO: No.

17 THE LAW CLERK: I don't see one in here.

18 THE COURT: And you don't show one for Mr. Fergason?

19 THE LAW CLERK: I know that he -- in the packet --

20 THE CLERK: He filed an opposition, but there's no response.

21 THE LAW CLERK: He filed an opposition.

22 THE COURT: And Mr. Fergason, are you referring to your opposition?

23 MR. FERGASON: Yeah, they never -- they never answered it.

24 THE COURT: Well, that's not a Complaint. That's a -- an opposition.

25 MR. FERGASON: So they're not supposed to -- to answer? The last judge

1 said they had -- they had, like, two weeks to respond to the 23rd.

2 THE COURT: No, you're opposing their motion for summary judgment.

3 MR. FERGASON: Yeah.

4 THE COURT: They don't have to respond to that. They can argue against
5 that.

6 MR. FERGASON: So they're not arguing against it?

7 THE COURT: Yes, they were -- just argued against it that the money was the
8 proceeds from stolen property, selling stolen property that a -- was it Teresa?

9 MR. MOREO: Yes, Your Honor.

10 THE COURT: Teresa had told them. I don't know who Teresa is.

11 And Mr. Holmes, the money was paid to Sean Sullivan --

12 MR. HOLMES: It was --

13 THE COURT: -- and taken from Sean Sullivan.

14 MR. HOLMES: It was -- it was -- it was -- it was -- I got the paperwork, it
15 was --

16 THE COURT: This is kind of odd that you guys both told me that they seized
17 the money, but it's in attorneys' accounts.

18 MR. HOLMES: No, no.

19 MR. MONROE: That's not necessarily true.

20 MR. HOLMES: That's not true. They -- right here, I got paperwork to show,
21 even on court transcripts -- transcripts that he told me, he say: I advised
22 Mr. Holmes to bring me \$70,000. I advised him to go to his accounts and give me
23 \$70,000 due to they was going to seize my homes. And they're claiming and
24 alleging that they're with the FBI.

25 Come to find out, all my paperwork says ICE, it wasn't the FBI. But

1 they tricked me into giving them my money, you know what I'm saying? And I
2 precisely told Sean, I say: Sean, you want me to give you \$70,000?

3 He said: Yeah, because if you don't, they're going to seize all your
4 properties, all four of your homes, all your cars, all your houses, everything.

5 THE COURT: This is an important fact that you didn't tell me that he gave it
6 to the -- to attorneys.

7 MR. HOLMES: In my -- in my -- in my -- in my paperwork, it's in there.

8 THE COURT: All right.

9 MR. HOLMES: In my paperwork, yeah, all my paperwork, I --

10 THE COURT: I'll cover it -- I'll reread it again.

11 MR. HOLMES: Yeah, yeah.

12 MR. MONROE: Yeah, I mean, it'll be interesting to me if Al Lasso gave that
13 money back to them because I believe they froze his account to take that money.
14 But there was fourteen or fifteen thousand dollars at my house cash that was mine
15 that I don't believe he brought up.

16 And also \$26,000 in a bank account that they took that -- that my
17 lawyers didn't have. And none of this money was given, like he's saying, willingly, I
18 mean, there was -- there was threats about --

19 THE COURT: I'm sure there was threats to the attorneys.

20 MR. MONROE: Yeah, there's no question about that, but see, he brings up
21 an important fact. He says that this is all stemmed from illegal gains. And that's
22 why I'm saying it's important that we be able to prove that there wasn't a search
23 warrant at the time of the search. Because he's bringing up the criminal case to
24 take this money, why can't I bring up the criminal case to try to get my money back?
25 If there wasn't a search warrant, a valid search warrant, and there wasn't, Your

1 Honor, then that money should have never been taken.

2 THE COURT: All right. I'll have to review the criminal stuff. I can't make a
3 ruling anyway if the Supreme Court still has it.

4 MR. MONROE: Yeah, there is a Supreme Court.

5 THE COURT: I'm going to check 61616.

6 MR. MONROE: Yeah, they -- what they had did is they gave me 15 days a
7 while ago because I had to file a pro per status, so I -- I filed for a motion to
8 extension of time, 60 days, and told them that -- what was going on, that this
9 stemmed from a criminal case and I had to represent myself, but I would get one to
10 the Court. I think the Court -- I think I gave it to you. And so I asked for an
11 extension that was, like, I don't know, five days ago.

12 MR. HOLMES: And I'll tell you -- and I'll tell you, explain something else too.
13 When Sean Sullivan advised me to give him this money, I had met -- we met back at
14 the office with Mr. Kelly, and he asked Sean, he said, Why did you give -- have our
15 client give you this money to take to -- take up there -- because we met -- we met
16 on -- we met on -- we met on Charleston right by the Federal Building. And he had
17 me give him \$70,000 cash. I'm like, and he said the only reason -- he said: You got
18 to give it to me because your homes and stuff are going to get seized.

19 And so Mr. Kelly told him, he said: I don't understand why you had him
20 do these things. They have a lot of procedure they have to go through to even
21 establish this money as being -- this money to being stolen or anything, you know
22 what I'm saying?

23 THE COURT: Okay.

24 MR. HOLMES: So, you know, they caught Tonya in -- in -- in Texas with
25 money and when I was -- went to my sentencing, they was trying to get another

1 75,000 that they alleged, that they're claiming. And I -- and my argument is what
2 differentiate -- how do you differentiate the money that -- because obviously, Mr. Bell
3 stated that Mr. Holmes voluntarily gave the money, Tanya got caught in Texas. But
4 if the DA, District Attorney office is stating that none of my attorney money that I paid
5 my attorneys was -- was illegal, was stolen money because I showed proof that I
6 worked on my jobs and all that. What would be -- how -- how would you -- how
7 would you determine that you saying that this money would be stolen compared to
8 the money that I paid my attorneys?

9 My money -- my attorneys never had -- none of their monies was ever
10 seized, taken. I had Kirk Kennedy, Sean Sullivan, and I had Joe Sciscento, and
11 none of their money was ever taken out of their accounts or even seized. That
12 \$70,000 was only given to Sean due to the fact that they was going to seize upon
13 my homes. And so, you know, that's -- that's --

14 THE COURT: But you gave the \$70,000 to him and --

15 MR. HOLMES: He told me, he said: Look, they going to seize your houses --

16 THE COURT: Okay. Don't tell me what he said. You voluntarily gave that to
17 him?

18 MR. HOLMES: I -- me, personally. Yes. Yes, Your Honor. Yes.

19 THE COURT: Okay. That's all I need to know there.

20 All right, I will look at that, we're going to research 61616. I have all the
21 information. I will make a determination from the written pleadings. Thank you.

22 ...

23 ...

24 ...

25 ...

1 MR. MONROE: Thank you, Your Honor.

2 MR. HOLMES: Thank you.

3 THE COURT: Thank you.

4 [Proceeding concluded at 8:27a.m.]

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21 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-
22 video recording of this proceeding in the above-entitled case.

23

24

25



SARA RICHARDSON
Court Recorder/Transcriber

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

2 ROBERT HOLMES, III,

3 Appellant,

Case No.: 62274 Electronically Filed
Feb 08 2016 09:43 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

4 vs.

5 LAS VEGAS METROPOLITAN
6 POLICE DEPARTMENT,

7 Respondent.

8
9
10 **RESPONDENT'S APPENDIX**
11 **(Volume 1, Bates Nos. 1-141)**12
13 **Marquis Aurbach Coffing**

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19 Las Vegas Metropolitan Police Department

INDEX TO RESPONDENT'S APPENDIX

Document Description		Location
[Monroe's] Notice of Appeal in District Court Case No. C228752 and Docketed as Supreme Court Case No. 52788 (filed 11/20/08)		Vol. 1, Bates Nos. 1–2
	Exhibits to [Monroe's] Notice of Appeal in District Court Case No. C228752 and Docketed as Supreme Court Case No. 52788	
	Docket Index	Vol. 1, Bates Nos. 3–10
	Judgment of Conviction (filed 11/04/08)	Vol. 1, Bates Nos. 11–17
	Criminal Court Minutes	Vol. 1, Bates Nos. 18–44
	Exhibit List	Vol. 1, Bates Nos. 45–46
	Notice of Deficiency (dated 11/20/08)	Vol. 1, Bates No. 47
	Certification of Copy (dated 11/20/08)	Vol. 1, Bates No. 48
	Receipt for Documents (dated 11/20/08)	Vol. 1, Bates No. 49
[Holmes'] Notice of Appeal in District Court Case No. C228752 and Docketed as Supreme Court Case No. 53848 (filed 05/18/09)		Vol. 1, Bates Nos. 50–51
	Exhibits to [Holmes'] Notice of Appeal in District Court Case No. C228752 and Docketed as Supreme Court Case No. 53848	
	[Holmes'] Case Appeal Statement	Vol. 1, Bates Nos. 52–54
	Docket Index	Vol. 1, Bates Nos. 55–63

Document Description		Location
	Exhibits to [Holmes'] Notice of Appeal in District Court Case No. C228752 and Docketed as Supreme Court Case No. 53848 (cont.)	
	Order Denying Defendant's Motion to Withdraw Guilty Plea (filed 04/17/09)	Vol. 1, Bates Nos. 64–65
	Criminal Court Minutes	Vol. 1, Bates Nos. 66–112
	Exhibit List	Vol. 1, Bates Nos. 113–114
	Notice of Deficiency (dated 05/19/09)	Vol. 1, Bates No. 115
	Certification of Copy (dated 05/21/09)	Vol. 1, Bates No. 116
Order of Affirmance in Holmes' Supreme Court Case No. 53848 (filed 05/07/10)		Vol. 1, Bates Nos. 117–119
Order Affirming in Part, Reversing in Part and Remanding in Monroe's Supreme Court Case No. 52788 (filed 07/30/10)		Vol. 1, Bates Nos. 120–125
Minute Order [Vacating Count 11 as Against Monroe] in District Court Case No. C228752 (filed 09/08/10)		Vol. 1, Bates Nos. 126–127
Transcript of November 13, 2012 Hearing on Plaintiff's Motion for Summary Judgment in District Court Case No. A537416 (filed 01/17/14)		Vol. 1, Bates Nos. 128–141

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8 Attorney for Appellant

FILED

Nov 19 4 37 PM '08

E. J. [Signature]
CLERK OF THE COURT

FILED

IN THE EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

DAIMON MONORE,
aka DAIMON DEVI HOYT
#0715429

Defendant.

No. 52788

CASE NO.: C-228752
DEPT NO.: V 11

NOV 20 2008

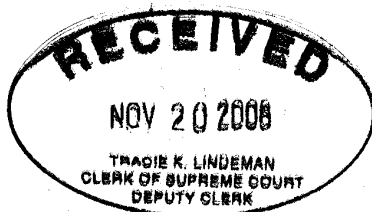
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

NOTICE OF APPEAL

Notice is hereby given that defendant above-named, hereby appeals to the Supreme Court of Nevada from the Judgment of Conviction filed November 4, 2008.

DATED this 13 day of November, 2008.

[Signature]
MARTIN HART ESQ.
Nevada Bar No. 5984
THE LAW OFFICES OF MARTIN HART, LLC
229 South Las Vegas Boulevard South, Suite 200
Las Vegas, Nevada 89101
(702) 380-4278
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CERTIFICATE OF SERVICE

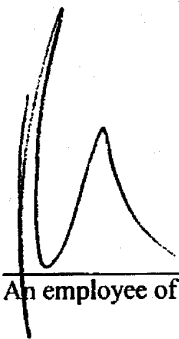
I hereby certify that a true and accurate copy of the foregoing Notice of Appeal was served
this 19 day of November, 2008, on the following persons by First Class United
States Mail, postage prepaid:

DAVID ROGER
Clark County District Attorney
Appellate Division
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CATHERINE CORTEZ MASTO
Nevada Attorney General
100 N. Carson St.
Carson City, NV 89701-4717

and by personal service on:

DAIMON MONORE,
aka DAIMON DEVI HOYT
#0715429
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89101



An employee of The Law Offices of Martin Hart, LLC

DATE: 11/20/08
CASE NO. 06-C-228752-C

I N D E X

TIME 8:47 AM
JUDGE: Bell, Stewart L.

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

0001 D1 Daimon Monroe

005984 Hart, Marty
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0002 D Tonya Trevarthen

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0003 D Bryan Fergason

008435 Dustin, Cynthia L.
NO. 1 8th Judicial District Court
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Las Vegas, NV 89101

0004 D Robert Holmes

005032 Kennedy, Kirk T.
NO. 1 Kirk L. Kennedy
2881 S. Valley View Blvd. Ste
Las Vegas, NV 89102

NO. FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001 12/13/06	IND / (GRAND JURY) INDICTMENT Fee \$0.00				
0002 12/13/06	ARRN/INITIAL ARRAIGNMENT	0001		12/20/06	
0003 12/13/06	ARRN/INITIAL ARRAIGNMENT	0003		12/20/06	
0004 12/13/06	ARRN/INITIAL ARRAIGNMENT	0004		12/20/06	
0005 12/13/06	ARRN/INITIAL ARRAIGNMENT	0002		12/27/06	
0006 12/13/06	HEAR/GRAND JURY INDICTMENT	AL		12/13/06	
0007 12/13/06	BNCH/BENCH WARRANT ISSUED	0001	QU	12/13/06	
0008 12/13/06	ORDR/ORDER OF INTENT TO FORFEIT	0001		12/13/06	
0009 12/13/06	ORDR/NOTICE AND ORDER TO TRANSFER BAIL	0004		12/13/06	
0010 12/13/06	WARR/INDICTMENT WARRANT	0001		12/13/06	
0011 12/13/06	WARR/INDICTMENT WARRANT	0004		12/13/06	
0012 12/13/06	WARR/INDICTMENT WARRANT	0003		12/13/06	
0013 12/18/06	QUAS/DEFT'S QUASH BENCH WARRANT & FOR OR RELEASE OR BAIL REDUCTION/8	0004		12/20/06	
0014 12/15/06	IND / AMENDED (GRAND JURY) INDICTMENT	AL			
0015 12/19/06	BNCH/BENCH WARRANT ISSUED	0003	QU	12/13/06	
0016 12/19/06	ORDR/ORDER OF INTENT TO FORFEIT	0003		12/13/06	
0017 12/19/06	BNCH/BENCH WARRANT ISSUED	0004	QU	12/13/06	
0018 12/19/06	ORDR/ORDER OF INTENT TO FORFEIT	0004		12/13/06	
0019 12/19/06	BNCH/BENCH WARRANT RETURN /13	0001	MC	12/20/06	
0020 12/19/06	BNCH/BENCH WARRANT RETURN /14	0003	MC	12/20/06	
0021 12/18/06	ROC /RECEIPT OF COPY	0004		12/18/06	
0022 12/20/06	ARRN/ARRAIGNMENT CONTINUED (DEFTS' MONROE; FERGASON & HOLMES)	AL		01/04/07	
0025 12/22/06	MOT /ALL PENDING MOTIONS (12/20/06)	AL		12/20/06	
0026 12/27/06	ARRN/ARRAIGNMENT CONTINUED (DEFT. TREVARTEN)	0002		01/04/07	
0027 12/28/06	ORDR/STIPULATION AND ORDER	0002		12/28/06	
0028 01/04/07	MOT /ALL PENDING MOTIONS (1/4/07)	AL		01/04/07	
0029 01/05/07	ARRN/ARRAIGNMENT CONTINUED	0001	MH	01/11/07	
0030 01/05/07	HEAR/CONFIRMATION OF COUNSEL (LANGFORD)	0001	CM	01/11/07	

(Continued to page 2)

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0031	01/05/07	HEAR/CONFIRMATION OF COUNSEL (FIGLER)	0002	MH 01/11/07
0032	01/05/07	CALC/CALENDAR CALL	AL	03/06/07
0033	01/05/07	JURY/TRIAL BY JURY (VJ 3/06/07)	AL	VC 03/13/07
0034	01/05/07	OCAL/STATUS CHECK: BAIL BONDS	0004	OC 02/08/07
0035	01/05/07	NOTC/NOTICE OF ENTRY OF ORDER	0002	12/28/06
0036	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1	AL	11/28/06
0037	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 2	AL	11/28/06
0038	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 3	AL	12/12/06
0039	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 4	AL	12/13/06
0040	01/08/07	BOND/BOND - #DS250-148813 - \$137,000.00	0004	
0041	01/11/07	MOT /ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN	AL	01/11/07
0042	01/12/07	HEAR/CONFIRMATION OF COUNSEL (LORD)	0002	CM 01/18/07
0043	01/22/07	CBOR/CRIMINAL BINDOVER RECEIPT	0004	01/22/07
0044	01/22/07	BOND/BOND - #DS50-134729 - \$13,000.00	0001	
0045	01/24/07	NOTC/NOTICE OF RECEIPT OF BOND TRANSFER	0004C	
0046	01/05/07	HEAR/SOURCE HEARING	0004	01/05/07
0047	01/31/07	MOT /DEFT'S MTN FOR EXTENSION OF TIME TO FILE PTN FOR WRIT OF HABEAS CORPUS/30	0001	GR 02/13/07
0048	01/31/07	ORDR/ORDER OF HOURLY APPOINTMENT	0001	01/31/07
0049	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0004	VC 03/06/07
0050	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0003	VC 03/06/07
0051	02/01/07	ORDR/ORDER	0003	02/01/07
0052	02/05/07	CERT/CERTIFICATE OF MAILING	0004	02/02/07
0053	02/06/07	ORDR/ORDER APPOINTING COUNSEL	0002	02/06/07
0054	02/07/07	ORDR/ORDER APPOINTING COUNSEL	0003	02/07/07
0055	02/08/07	REQT/EX PARTE MOTION FOR EMPLOYMENT AND PAYMENT OF INVESTIGATOR	0001	
0056	02/14/07	OCAL/STATUS CHECK: PETITION/TRIAL	0001	02/20/07
0057	02/14/07	ARGU/ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0001	VC 03/06/07
0058	02/14/07	ORDR/ORDER	0001	02/14/07
0059	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0004	
0060	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0003	
0061	02/15/07	ROC /RECEIPT OF COPY	0004	02/15/07
0062	02/20/07	MOT /ALL PENDING MOTIONS 2-20-07	AL	02/20/07
0063	02/28/07	EXPR/EX PARTE ORDER APPOINTING INVESTIGATOR	0003	02/28/07
0064	02/28/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001	
0065	03/01/07	NOEV/NOTICE OF EXHIBITS IN THE VAULT		03/01/07
0066	02/28/07	REQT/EX PARTE MOTION TO APPOINT INVESTIGATOR	0003	
0067	03/06/07	CALC/CALENDAR CALL	0001	10/02/07
0068	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0001	VC 10/09/07
0069	03/06/07	CALC/CALENDAR CALL	0003	10/02/07
0070	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0003	VC 10/09/07
0071	03/06/07	CALC/CALENDAR CALL	0004	MH 10/02/07
0072	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0004	VC 10/09/07

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0073	03/06/07	OCAL/STATUS CHECK: SENTENCING	0002		04/24/08	
0074	03/06/07	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0002			
0075	03/06/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0001			
0076	03/06/07	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0002			
0077	03/19/07	AGRE/AGREEMENT TO TESTIFY	0002			
0078	04/17/07	ORDR/STIPULATION AND ORDER EXTENDING TIME	0001		04/17/07	
0079	04/26/07	ROP /RECEIPT OF EXHIBITS	0001		04/26/07	
0080	05/07/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001			
0081	05/09/07	ROC /RECEIPT OF COPY	0003		05/09/07	
0082	05/09/07	ROC /RECEIPT OF COPY	0001		05/09/07	
0083	05/14/07	MOT /SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43	0001	GR	05/29/07	
0084	05/14/07	ROC /RECEIPT OF COPY	0004		05/10/07	
0085	05/21/07	ORDR/ORDER FOR PRODUCTION OF INMATE	0003	SH	10/02/07	
0086	06/06/07	APPL/EX PARTE APPLICATION FOR AUTHORIZATION OF FEES IN THE STATUTORY AMOUNT	0001			Y
AUTHORIZED BY NRS 7.125 AND 7.145						
0087	07/03/07	ORDR/ORDER	0001		07/03/07	
0088	08/08/07	ROC /RECEIPT OF COPY	0002		08/08/07	
0089	08/08/07	ROC /RECEIPT OF COPY	0004		08/08/07	
0090	09/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. MONROE) VJ 09-25-07	0001	VC	09/28/07	
0091	09/01/07	ORDR/ORDER SETTING HEARING DATE	MP	SH	09/28/07	
0092	09/13/07	MOT /DEFT'S MTN TO CONTINUE TRIAL/45	0004	GR	10/02/07	
0093	09/13/07	ROC /RECEIPT OF COPY	0004		09/13/07	
0094	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. FERGUSON) VJ 09-25-07	0003	VC	09/28/07	
0095	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. HOLMES) VJ 09-25-07	0004	VC	09/28/07	
0096	09/18/07	REQT/AMENDED NOTICE OF MOTION ON DEFENDANTS MOTION TO CONTINUE TRIAL	0004		09/25/07	
0097	09/19/07	ROC /RECEIPT OF COPY	0004		09/19/07	
0098	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0001	MH	10/02/07	
0099	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0003	MH	10/02/07	
0100	10/02/07	PET /PTN FOR WRIT OF HABEAS CORPUS	AL	DN	11/08/07	
0101	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0001	VC	03/11/08	
0102	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0001	VC	03/18/08	
0103	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0003	VC	03/11/08	
0104	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0003	VC	03/18/08	
0105	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0004	VC	03/11/08	
0106	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0004	VC	03/18/08	
0107	10/02/07	MOT /ALL PENDING MOTIONS 10/02/07	AL		10/02/07	
0108	10/04/07	APPL/EX PARTE APPLICATION FOR EXCESSIVE INVESTIGATOR FEES	0001			
0109	10/16/07	ORDR/ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001		10/16/07	
0110	10/19/07	ORDR/AMENDED ORDER APPOINTING COUNSEL AND ALLOWING INTERIM BILLING	0003		10/19/07	
0111	11/06/07	EXPR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003		11/06/07	Y
ON COURT APPOINTED CASE FIRST INTERIM BILLING						
0112	11/06/07	SUPP/SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS	0003			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0113	11/06/07	ROC /RECEIPT OF COPY	0003		11/06/07	
0114	11/06/07	REQT/EX PARTE MOTION TO ALLOW FEES IN EXCESS OF STATORY MAXIMUM FOR ATTORNEY ON	0003 0003			Y
COURT APPOINTED CASE						
0115	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0001	VC	03/13/08	
0116	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0001	VC	03/25/08	
0117	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0003	VC	03/13/08	
0118	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0003	VC	03/25/08	
0119	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0004	VC	03/13/08	
0120	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0004	VC	03/25/08	
0121	12/10/07	ORDR/TRIAL ORDER	MP		12/10/07	
0122	01/23/08	OCAL/MINUTE ORDER RE: (RECUSAL)			01/23/08	
0123	01/23/08	ASSG/REASSIGNMENT OF JUDGE Leavitt TO JUDGE Hardcastle				
0124	01/23/08	NDR /NOTICE OF DEPARTMENT REASSIGNMENT 008435007797005984FC			01/23/08	Y
005984007797008435						
0125	01/24/08	OCAL/MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII			01/24/08	
0126	01/24/08	ASSG/REASSIGNMENT OF JUDGE Hardcastle TO JUDGE Bell				
0127	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0001	VC	03/25/08	
0128	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0001	VC	03/13/08	
0129	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0003	VC	03/25/08	
0130	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0003	VC	03/13/08	
0131	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0004	VC	03/25/08	
0132	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0004	VC	03/13/08	
0133	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0001		02/05/08	
0134	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0003		02/05/08	
0135	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0004		02/05/08	
0136	01/30/08	MOT /ALL PENDING MOTIONS 1/30/08	AL		01/30/08	
0137	02/05/08	MOT /ALL PENDING MOTIONS 2-5-08	AL		02/05/08	
0138	02/05/08	CALC/CALENDAR CALL	0001		05/01/08	
0139	02/05/08	JURY/TRIAL BY JURY (VK 5-1-08)	0001	VC	05/12/08	
0140	02/05/08	CALC/CALENDAR CALL	0003		05/01/08	
0141	02/05/08	JURY/TRIAL BY JURY (VJ 5-1-08)	0003	VC	05/12/08	
0142	02/05/08	CALC/CALENDAR CALL	0004		05/01/08	
0143	02/05/08	JURY/TRIAL BY JURY (VK 5-1-08)	0004	VC	05/12/08	
0144	04/24/08	MOT /DEFT'S MTN TO SEVER /83	0004	DN	05/01/08	
0145	04/25/08	MOT /DEFT'S MTN TO SEVER /84	0003	GR	05/01/08	
0146	04/24/08	OCAL/STATUS CHECK: SENTENCING	0002		07/16/08	
0147	04/23/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP			
0148	04/25/08	ROC /RECEIPT OF COPY	0004		04/24/08	
0149	04/25/08	ROC /RECEIPT OF COPY	0003		04/25/08	
0150	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT /86	0001		05/01/08	
0151	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT	0003		05/01/08	
0152	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT	0004		05/01/08	
0153	04/28/08	OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO SEVER	0004 0004			
0154	04/28/08	OPPS/OPPOSITION TO DEFENDANT FERGUSONS MOTION TO SEVER	0003 0003			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0155	05/01/08	MOT /ALL PENDING MOTIONS 5-1-08	AL		05/01/08	
0156	05/01/08	JURY/TRIAL BY JURY (VK 5-12-08)	0001	VC	05/12/08	
0157	05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0004	VC	05/12/08	
0158	05/01/08	JURY/TRIAL BY JURY (VJ 5-12-08)	0003	VC	05/20/08	
0159	04/30/08	NOTC/NOTICE OF HABITUAL CRIMINALITY	MP			
0160	05/01/08	IND /AMENDED (GRAND JURY) INDICTMENT	MP			
0161	04/30/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY THE DISTRICT ATTORNEYS	0001 0001			Y
OFFICE AND SANDRA DIGIACOMO AS PROSECUTOR DUE TO CONFLICT ON INTEREST						
0162	05/01/08	ORDR/ORDER AMENDING INDICTMENT	AL		05/01/08	
0163	05/03/08	MOT /DEFT'S MTN TO SUPPRESS TELEPHONE RECORDINGS/93	0001 0001	DN	05/12/08	
0164	05/03/08	MOT /DEFT'S MTN TO DISQUALIFY DA'S OFFICE & SANDRA DIGIACOMO AS PROSECUTOR /94	0001 0001	DN	05/12/08	
0165	05/03/08	MOT /DEFT'S MTN IN LIMINE RE: ROP DETECTIVES/95	0001 0001	GP	05/12/08	
0166	05/03/08	MOT /DEFT'S MTN TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS/96	0001 0001		05/12/08	
0167	05/02/08	ORDR/SECOND ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001 0001		05/02/08	
0168	05/06/08	MOT /DEFTS MTN TO SUPPRESS /97	0003	MH	05/12/08	
0169	05/06/08	MOT /DEFTS MTN TO DISMISS POSSESSION OF STOLEN PROPERTY/98	0003 0003	MH	05/12/08	
0170	05/05/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP			
0171	05/07/08	MOT /DEFT'S MTN FOR PRODUCTION OF DISCOVERY (HEARD 5-12-08)	0003 0003	VC	05/19/08	
0172	05/07/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0173	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF RECORDED TEL CALLS (DENIED 5-12-08)	0003 0003	VC	05/19/08	
0174	05/07/08	MOT /DEFT'S MTN TO SUPPRESS /102	0001	DN	05/12/08	
0175	05/07/08	MOT /DEFT'S JOINDER IN MTNS IN LIMINE/103	0001	MH	05/12/08	
0176	05/07/08	MOT /DEFT'S MTN TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 /104	0003 0003	GP	05/12/08	
0177	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY /105	0003 0003	MH	05/12/08	
0178	05/07/08	MOT /DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EVID /106	0003 0003	GP	05/12/08	
0179	05/08/08	MOT /DEFT'S MTN TO DISMISS /107	0004	DN	05/12/08	
0180	05/08/08	MOT /DEFT'S MTN IN LIMINE TO EXCLUDE ANY TESTIMONY RE PRIOR ARRESTS/108	0004 0004	GR	05/12/08	
0181	05/08/08	MOT /DEFT'S MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS/109	0004 0004	DN	05/12/08	
0182	05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT DAIMON MONROE'S MOTIONS/110	0004 0004	GR	05/12/08	
0183	05/08/08	MOT /DEFT'S MTN TO JOIN CO DEFT BRYAN FERGASON'S MOTIONS/111	0004 0004	GR	05/12/08	
0184	05/08/08	MOT /DEFT'S MTN TO SUPPRESS /112	0004	DN	05/12/08	
0185	05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0186	05/07/08	ROC /RECEIPT OF COPY	0003		05/07/08	
0187	05/07/08	CRTF/CERTIFICATE OF SERVICE	0001		05/07/08	

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NO. FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0188 05/08/08	OPPS/OPPOSITION TO MOTION IN LIMINE TO EXCLUDE PRECLUDE EVIDENCE ATTRIBUTED TO CO DEFENDANTS FROM BEING ADMITTED DURING TRIAL AGAINST EHE DEFENDANT BRYAN FERGASON	0003 0003	Y
0189 05/07/08	ROC /RECEIPT OF COPY	0003	05/07/08
0190 05/08/08	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES	0003 0003	Y
0191 05/08/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	0004 0004	
0192 05/07/08	ROC /RECEIPT OF COPY	0003	05/07/08
0193 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0003 0003	05/12/08 Y
TELEPHONE CALLS			
0194 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO SUPPRESS	0003 0003	05/12/08
0195 05/09/08	OPPS/OPPOSITION TO DEFT MONROES MTN TO SUPPRESS TELEPHONE RECORDINGS	0001 0001	05/12/08
0196 05/09/08	OPPS/OPPOSITION TO DEFT HOLMES MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED	0004 0004	05/12/08 Y
TELEPHONE CALLS			
0197 05/09/08	OPPS/OPPOSITION TO DEFT FERGASONS MTN TO STRIKE LANGUAGE IN COUNT ONE	0003 0003	05/12/08 Y
AND COUNT THIRTEEN			
0198 05/12/08	MOT /ALL PENDING MOTIONS 5-12-08	AL	BW 05/12/08
0199 05/09/08	OPPS/STATES OPPOSITION TO DEFTS MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO	0001 0001	Y
SEARCH WARRANTS			
0200 05/12/08	JURY/TRIAL BY JURY	0001	MH 05/20/08
0201 05/12/08	TRB /TRIAL BEGINS	0001	
0202 05/09/08	OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO DISMISS CONSPIRACY TO COMMIT	0004 0004	Y
BURGLARY AND/OR STOLEN PROPERTY CHARGES			
0203 05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE	0003 0003	
0204 05/09/08	OPPS/OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO BAR ADMISSION OF EXPERT	0003 0003	Y
TESTIMONY			
0205 05/09/08	OPPS/OPPOSITION TO DEFTS MOTION IN LIMINE RE ROP DETECTIVES	0001 0001	
0206 05/12/08	BNCH/BENCH WARRANT ISSUED	0004	05/12/08
0207 05/12/08	JLST/DISTRICT COURT JURY LIST	0001	
0208 05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004	12/05/08
0209 05/15/08	NOIB/NOTICE OF INTENT TO FORFEIT	0004	12/05/08
0210 05/15/08	HEAR/SHOW CAUSE HEARING	0004C	12/05/08
0211 05/13/08	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0001	
0212 05/19/08	JURY/TRIAL BY JURY	0003	MH 05/29/08
0213 05/20/08	SENT/SENTENCING	0001	GR 10/01/08
0214 05/19/08	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0001 0001	05/19/08
0215 05/20/08	TRE /TRIAL ENDS	0001	
0216 05/21/08	TRB /TRIAL BEGINS	0003	

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NO. FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER C
0217	05/21/08 NNEW/DEFENDANTS WITNESS LIST	0003		
0218	05/20/08 ACJL/AMENDED CRIMINAL JURY LIST	0001		
0219	05/21/08 ROC /RECEIPT OF COPY	0003		05/21/08
0220	05/20/08 INST/INSTRUCTIONS TO THE JURY	0001		
0221	05/20/08 JMNT/VERDICT	0001		05/22/08
0222	05/21/08 JLST/DISTRICT COURT JURY LIST	0003		
0223	05/21/08 IND /THIRD AMENDED (GRAND JURY) INDICTMENT	0003		
0224	05/21/08 IND /FOURTH AMENDED (GRAND JURY) INDICTMENT	0004		
0225	05/29/08 SENT/SENTENCING	0003		GR 10/01/08
0226	05/29/08 TRE /TRIAL ENDS	0003		
0227	05/28/08 PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	0003		
0228	05/28/08 MEMO/BENCH MEMORANDUM	0003		
0229	05/29/08 INST/INSTRUCTIONS TO THE JURY (INSTRUCTION NO 1)	0003		05/29/08
0230	05/29/08 JLST/AMENDED DISTRICT COURT JURY LIST	0003		
0231	06/03/08 MOT /SULLIVAN'S MTN TO WITHDRAW AS COUNSEL	0004		GR 06/16/08
0232	06/03/08 ROC /RECEIPT OF COPY	0004		06/03/08
0233	05/29/08 JMNT/VERDICT (COUNTS 1,2 AND 4)	0003		06/06/08
0234	05/29/08 JMNT/VERDICT (COUNT 3)	S		06/06/08
0235	06/05/08 ORDR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003		06/05/08 Y
ON COURT APPOINTED CASE FIRST INTERIM BILLING				
0236	06/16/08 BNCH/NO BAIL BENCH WARRANT ISSUED	0004		05/12/08
0237	06/16/08 ORDR/ORDER OF INTENT TO FORFEIT	0004		05/12/08
0238	06/16/08 ORDR/ORDER TO WITHDRAW AS ATTORNEY OF RECORD	0004		06/16/08
0239	06/17/08 NOTC/NOTICE OF ENTRY OF ORDER	0004		06/16/08
0240	07/11/08 QUAS/DEFT'S MTN TO QUASH BENCH WARRANT/123	0004		DN 07/15/08
0241	07/15/08 CALC/CALENDAR CALL (VJ 11-10-08)	0004		VC 11/13/08
0242	07/15/08 JURY/TRIAL BY JURY (VJ 11-10-08)	0004		VC 11/17/08
0243	07/16/08 SENT/SENTENCING	0002		GR 09/26/08
0244	08/04/08 MOT /STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD	AL		GP 08/07/08
0245	08/13/08 ORDR/ORDER	AL		
0246	08/19/08 MOT /STATES MTN FOR RELEASE OF PROPERTY/128	AL		GR 08/21/08
0247	08/19/08 ORDR/ORDER FOR PRODUCTION OF INMATE	0003		10/01/08
0248	08/23/08 ORDR/ORDER	AL		08/23/08
0249	09/17/08 NOEV/NOTICE OF EXHIBITS IN THE VAULT			05/29/08
0250	09/22/08 NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			05/20/08
0251	09/26/08 OCAL/STATUS CHECK: COMPLIANCE	0002		03/31/09
0252	10/01/08 MOT /ALL PENDING MOTIONS 10-1-08	AL		10/01/08
0253	10/01/08 NOEV/NOTICE OF EXHIBITS IN THE VAULT			10/01/08
0254	09/30/08 ROC /RECEIPT OF COPY	0003		09/30/08
0255	09/30/08 MEMO/SENTENCING MEMORANDUM	0003		
0256	10/03/08 JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0002		10/06/08
0257	10/01/08 SRCC/AS TO DEFENDANT #1) CTS 1-14 CONCURRENT WITH EACH OTHER, CTS 15-27 CONCURRENT			Y
WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1-14.				
0258	10/01/08 SRCC/AS TO DEFENDANT #3) CTS 1,2 AND 4-14 CONCURRENT WITH EACH OTHER CTS 15-27			Y
CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1,2 AND 4-14.				
0259	11/04/08 JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		11/05/08

(Continued to page 8)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0260	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001		11/05/08	
0261	11/04/08	JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0003		11/05/08	
0262	11/04/08	JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0003		11/05/08	
0263	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES WRONGS	0004	SH	11/13/08	Y
OR BAD ACTS						
0264	11/03/08	REQT/STATES NOTICE OF MOTION AND MOTION IN LIMINE	0004	SH	11/13/08	
0265	11/07/08	ARRN/ENTRY OF PLEA	0004		11/10/08	
0266	11/10/08	SENT/SENTENCING	0004		12/30/08	
0267	11/03/08	MOT /STATE'S MTN TO ADMIT EVIDENCE (VJ 11-12-08)	0004	VC	11/13/08	
0268	11/07/08	NWEW/SUPPLEMENTAL NOTICE OF WITNESSES	0004			
0269	11/03/08	MOT /STATE'S MTN IN LIMINE /134	AL		11/13/08	
0270	11/10/08	IND /(GRAND JURY) FIFTH AMENDED INDICTMENT	0004			
0271	11/10/08	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0004			
0272	11/14/08	ORDR/ORDER OF APPOINTMENT	0001	HG	11/06/07	

JOC

ORIGINAL

2007-4 P 2:50

DISTRICT COURT
CLARK COUNTY, NEVADA

CLERK OF THE COURT

THE STATE OF NEVADA,

Plaintiff,

-vs-

DAIMON MONROE
aka Daimon Devi Hoyt
#0715429

Defendant.

CASE NO. C228752

DEPT. NO. VII

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (Gross Misdemeanor) in violation of NRS 205.275, 199.480; COUNT 2 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 3 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 4 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 5 – POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275, of COUNT 6 –

1 POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation of NRS
2 205.275; COUNT 7 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
3 violation of NRS 205.275; COUNT 8 – POSSESSION OF STOLEN PROPERTY
4 (Category B Felony) in violation of NRS 205.275; COUNT 9 – POSSESSION OF
5 STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 10 –
6 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
7 205.275; COUNT 11 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
8 violation of NRS 205.275; COUNT 12 – POSSESSION OF STOLEN PROPERTY
9 (Category C Felony) in violation of NRS 205.275; COUNT 13 – POSSESSION OF
10 STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 14 –
11 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
12 205.275; COUNT 15 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
13 violation of NRS 205.275; COUNT 16 – POSSESSION OF STOLEN PROPERTY
14 (Category B Felony) in violation of NRS 205.275; COUNT 17 – POSSESSION OF
15 STOLEN PROPERTY (Category B Felony) in violation of NRS 205.275; COUNT 18 –
16 POSSESSION OF STOLEN PROPERTY (Category C Felony) in violation of NRS
17 205.275, COUNT 19 – POSSESSION OF STOLEN PROPERTY (Category C Felony) in
18 violation of NRS 205.275, COUNT 20 – POSSESSION OF STOLEN PROPERTY
19 (Category C Felony) in violation of NRS 205.275, COUNT 21 – POSSESSION OF
20 STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275, COUNT 22 –
21 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
22 205.275; COUNT 23 – POSSESSION OF STOLEN PROPERTY (Category B Felony) in
23 violation of NRS 205.275; COUNT 24 – POSSESSION OF STOLEN PROPERTY

1 (Category B Felony) in violation of NRS 205.275; COUNT 25 – POSSESSION OF
2 STOLEN PROPERTY (Category C Felony) in violation of NRS 205.275; COUNT 26 –
3 POSSESSION OF STOLEN PROPERTY (Category B Felony) in violation of NRS
4 205.275; COUNT 27 – POSSESSION OF STOLEN PROPERTY (Category C Felony) in
5 violation of NRS 205.275, and the matter having been tried before a jury and the
6 Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO
7 POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (Gross
8 Misdemeanor) in violation of NRS 205.275, 199.480; COUNT 2 – POSSESSION OF
9 STOLEN PROPERTY VALUE OVER \$2,500.00 (Category B Felony) in violation of NRS
10 205.275, 207.010; COUNT 3 – POSSESSION OF STOLEN PROPERTY VALUE OVER
11 \$2,500.00 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 4 –
12 POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (Category B Felony)
13 in violation of NRS 205.275, 207.010; COUNT 5 – POSSESSION OF STOLEN
14 PROPERTY VALUE OVER \$250.00 (Category C Felony) in violation of NRS 205.275,
15 207.010, of COUNT 6 – POSSESSION OF STOLEN PROPERTY VALUE OVER
16 \$250.00 (Category C Felony) in violation of NRS 205.275, 207.010; COUNT 7 –
17 POSSESSION OF STOLEN PROPERTY OVER \$2,500.00 (Category B Felony) in
18 violation of NRS 205.275, 207.010; COUNT 8 – POSSESSION OF STOLEN
19 PROPERTY VALUE OVER \$2,500.00 (Category B Felony) in violation of NRS 205.275,
20 207.010; COUNT 9 – POSSESSION OF STOLEN PROPERTY VALUE OVER
21 \$2,500.00 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 10 –
22 POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (Category B Felony)
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1 in violation of NRS 205.275, 207.010; COUNT 11 – POSSESSION OF STOLEN
2 PROPERTY VALUE OVER \$2,500.00 (Category B Felony) in violation of NRS 205.275,
3 207.010; COUNT 12 – POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR
4 MORE (Category C Felony) in violation of NRS 205.275, 207.010; COUNT 13 –
5 POSSESSION OF STOLEN PROPERTY OVER \$2,500.00 (Category B Felony) in
6 violation of NRS 205.275, 207.010; COUNT 14 – POSSESSION OF STOLEN
7 PROPERTY OVER \$2,500.00 (Category B Felony) in violation of NRS 205.275,
8 207.010; COUNT 15 – POSSESSION OF STOLEN PROPERTY OVER \$2,500.00
9 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 16 – POSSESSION
10 OF STOLEN PROPERTY OVER \$2,500.00 (Category B Felony) in violation of NRS
11 205.275, 207.010; COUNT 17 – POSSESSION OF STOLEN PROPERTY OVER
12 \$2,500.00 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 18 –
13 POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C
14 Felony) in violation of NRS 205.275, 207.010; COUNT 19 – POSSESSION OF
15 STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C Felony) in violation of
16 NRS 205.275, 207.010; COUNT 20 – POSSESSION OF STOLEN PROPERTY VALUE
17 \$250.00 OR MORE (Category C Felony) in violation of NRS 205.275, 207.010; COUNT
18 21 – POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (Category C
19 Felony) in violation of NRS 205.275, 207.010; COUNT 22 – POSSESSION OF
20 STOLEN PROPERTY OVER \$2,500.00 (Category B Felony) in violation of NRS
21 205.275, 207.010; COUNT 23 – POSSESSION OF STOLEN PROPERTY OVER
22 \$2,500.00 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 24 –
23 POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (Category B Felony)
24 in violation of NRS 205.275, 207.010; COUNT 25 – POSSESSION OF STOLEN

1 PROPERTY VALUE OVER \$250.00 (Category C Felony) in violation of NRS 205.275,
2 207.010; COUNT 26 – POSSESSION OF STOLEN PROPERTY VALUE OVER
3 \$2,500.00 (Category B Felony) in violation of NRS 205.275, 207.010; COUNT 27 –
4 POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (Category C Felony)
5 in violation of NRS 205.275, 207.010, thereafter, on the 1st day of October, 2008, the
6 Defendant was present in court for sentencing with his counsel, MARTY HART, ESQ.,
7 and good cause appearing.
8

9 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) under the
10 Large Habitual Criminal Statute and, in addition to the \$25.00 Administrative
11 Assessment Fee and \$150.00 DNA Analysis Fee including testing to determine genetic
12 markers, the Defendant is SENTENCED as follows: AS TO COUNT 1 - TO TWELVE
13 (12) MONTHS in the Clark County Detention Center (CCDC); AS TO COUNT 2 – LIFE
14 WITHOUT the Possibility of Parole in the Nevada Department of Corrections (NDC); AS
15 TO COUNT 3 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of
16 Corrections (NDC); AS TO COUNT 4 – LIFE WITHOUT the Possibility of Parole in the
17 Nevada Department of Corrections (NDC); AS TO COUNT 5 – LIFE WITHOUT the
18 Possibility of Parole in the Nevada Department of Corrections (NDC); AS TO COUNT 6
19 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of Corrections
20 (NDC); AS TO COUNT 7 – LIFE WITHOUT the Possibility of Parole in the Nevada
21 Department of Corrections (NDC); AS TO COUNT 8 – LIFE WITHOUT the Possibility of
22 Parole in the Nevada Department of Corrections (NDC); AS TO COUNT 9 – LIFE
23 WITHOUT the Possibility of Parole in the Nevada Department of Corrections (NDC); AS
24 TO COUNT 10 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of
25 Corrections (NDC); AS TO COUNT 11 – LIFE WITHOUT the Possibility of Parole in the
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1 Nevada Department of Corrections (NDC); AS TO COUNT 12 – LIFE WITHOUT the
2 Possibility of Parole in the Nevada Department of Corrections (NDC); AS TO COUNT
3 13 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of Corrections
4 (NDC); AS TO COUNT 14 – LIFE WITHOUT the Possibility of Parole in the Nevada
5 Department of Corrections (NDC), COUNTS 1 -14 to run CONCURRENT with each
6 other; AS TO COUNT 15 – LIFE WITHOUT the Possibility of Parole in the Nevada
7 Department of Corrections (NDC); AS TO COUNT 16 – LIFE WITHOUT the Possibility
8 of Parole in the Nevada Department of Corrections (NDC); AS TO COUNT 17 – LIFE
9 WITHOUT the Possibility of Parole in the Nevada Department of Corrections (NDC); AS
10 TO COUNT 18 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of
11 Corrections (NDC); AS TO COUNT 19 – LIFE WITHOUT the Possibility of Parole in the
12 Nevada Department of Corrections (NDC); AS TO COUNT 20 – LIFE WITHOUT the
13 Possibility of Parole in the Nevada Department of Corrections (NDC); AS TO COUNT
14 21 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of Corrections
15 (NDC); AS TO COUNT 22 – LIFE WITHOUT the Possibility of Parole in the Nevada
16 Department of Corrections (NDC); AS TO COUNT 23 – LIFE WITHOUT the Possibility
17 of Parole in the Nevada Department of Corrections (NDC); AS TO COUNT 24 – LIFE
18 WITHOUT the Possibility of Parole in the Nevada Department of Corrections (NDC); AS
19 TO COUNT 25 – LIFE WITHOUT the Possibility of Parole in the Nevada Department of
20 Corrections (NDC); AS TO COUNT 26 – LIFE WITHOUT the Possibility of Parole in the
21 Nevada Department of Corrections (NDC); AS TO COUNT 27 – LIFE WITHOUT the
22 Possibility of Parole in the Nevada Department of Corrections (NDC), COUNTS 15 – 27
23 to run CONCURRENT with each other but CONSECUTIVE to COUNTS 1 – 14,
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1 SENTENCE to run CONSECUTIVE to case C 227874; with ZERO (0) DAYS credit for
2 time served.
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5 DATED this 4 day of November, 2008

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8 STEWART L. BELL
DISTRICT JUDGE
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CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Monroe, Daimon

12/13/06 01:30 PM 00 GRAND JURY INDICTMENT

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Sandra Anderson, Relief Clerk
Paula Walsh, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
006204	Digiaco, Sandra	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Mary Jane Burkhalter, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 06AGJ101A/B/C/D to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C228752, Department XII. Mr. Jorgenson requested warrants for all Defts. Arguments by Ms. Digiaco regarding bail amounts. Opposing argument on behalf of Deft. Holmes by Mr. Sullivan.

As to Deft. MONROE: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$500,000.00 BOND. Matter set for initial arraignment.

As to Deft. TREVARTEN: State requested a summons be issued and sent. COURT SO ORDERED. Matter set for initial arraignment.

As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND. Matter set for initial arraignment.

As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND. FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment.

Exhibit(s) 1-187 lodged with Clerk of District Court.

CUSTODY (MONROE/FREGASON)

B.W. (HOLMES/TREVARTEN)

12-20-06 10:30 AM INITIAL ARRAIGNMENT (MONROE/FREGASON/HOLMES)

12-27-06 10:30 AM INITIAL ARRAIGNMENT (TREVARTEN)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA vs Monroe, Daimon
CONTINUED FROM PAGE: 001

12/20/06 10:30 AM 00 ALL PENDING MOTIONS (12/20/06)

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Sharry Frascarelli, Court Clerk
Tia Everett/te, Relief Clerk
Kiara Schmidt, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT (MONROE, HOLMES, FERGUSON)...BENCH WARRANT RETURN (MONROE, FERGUSON)...QUASH BENCH WARRANT & RELEASE ON OWN RECOGNIZANCE OR BAIL REDUCTION (HOLMES)

Ms. Digiaco stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment.

1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 002

01/04/07 09:30 AM 00 ALL PENDING MOTIONS (1/4/07)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
008152	Lasso, Albert N.	Y
0002 D	Trevarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

ARRAIGNMENT CONTINUED (ALL)

Mr. DiGiacomo advised as to Deft. Holmes he was indicted with bail being set at \$150,000.00 by Judge Hardcastle. Further, Deft. originally posted \$13,000.00 at the Justice Court level prior to the Grand Jury Indictment and was ordered transferred from the initial case to this case. Hearing Master Williams gave Deft. additional time to post the remaining balance of the \$137,500.00 which is to be posted today.

Ms. Dustin advised matter originated in Justice Court 7 and then went in front of the Grand Jury. Further, Ms. Dustin stated police investigation lead to Deft. Ferguson's assets to be seized and frozen. Additionally, Ms. Dustin stated she was appointed by Justice of the Peace Bennett-Heron and requested this Court do the same. Court stated once appointed at Justice Court level, counsel is appointed at District Court level and instructed counsel to file the appropriate documents.

Mr. Lasso requested to withdraw as to Deft. Monroe. Court stated counsel is not permitted to withdraw at this time until after Deft. has been arraigned and advised counsel he needs to file the appropriate motion. CONFERENCE AT BENCH.

Colloquy regarding receipt of Grand Jury Transcripts. COURT ORDERED, Grand Jury Transcripts to be produced and filed forthwith. Further Court FINDS good cause has been shown and ORDERED, counsel has 21 days from the filing of the transcript to file writs.

Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 003

argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted.

AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel.

DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel.

DEFT. FERGASON ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.

DEFT. HOLMES ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE.

Mr. DiGiacomo INVOKED THE 60-DAY RULE on behalf of the State. COURT ORDERED, matter set for trial.

CUSTODY (MONROE, FERGASON, HOLMES)...NIC (TREVARTHEN)

1/11/07 9:30 AM ARRAIGNMENT CONTINUED...CONFIRMATION OF COUNSEL (LANGFORD) (DEFT. MONROE)

1/11/07 9:30 AM CONFIRMATION OF COUNSEL (FIGLER) (DEFT. TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (ALL)

3/13/07 1:30 PM JURY TRIAL (ALL)

CLERK'S NOTE:

Chuck with Mr. Langford's office advised of appointment and court date.

Gabby with Mr. Figler's office advised of appointment and court date.

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 004

Clark County Detention Center advised by this Court's Judicial Executive Assistant that Deft. Holmes is not to be released on bond until this Court has a Source Hearing.

01/11/07 09:30 AM 00 ALL PENDING MOTIONS (1/11/06); DEFTS'
MONROE & TREVARTHEN

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006955 Di Giacomo, Marc P.	Y
	0001 D1 Monroe, Daimon	Y
	008006 Burke, Susan D.	Y
	0002 D Trevarthen, Tonya	N
	004264 Figler, Dayvid J.	Y

DEFT. MONROE:

Ms. Burke CONFIRMED as counsel on behalf of Robert Langford, Esq. DEFT. MONROE ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

DEFT. TREVARTHEN:

CONFERENCE AT BENCH. COURT ORDERED, matter SET for confirmation of counsel.

CUSTODY (MONROE)...NIC (TREVARTHEN)

1/18/07 9:30 AM CONFIRMATION OF COUNSEL (LORD) (TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (MONROE)

3/13/07 1:30 PM JURY TRIAL (MONROE)

CLERK'S NOTE: Ms. Burke appeared on February 13, 2007 advising that she was the attorney appearing for Deft. Monroe on this date and not Ms. Winckler. Minute order corrected to reflect Ms. Burke's appearance./kb 2-13-07

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 005

02/13/07 09:30 AM 00 DEFT'S MTN FOR EXTENSION OF TIME TO FILE
PTN FOR WRIT OF HABEAS CORPUS/30

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	DiGiacomo, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y

Ms. Burke requested to file the petition within 15 days from today or by February 28, 2007. Ms. DiGiacomo advised the Court that this case will not be ready to proceed to trial on March 6, 2007 and requested to place this matter on for status check along with the co-deft's to address this issue. Colloquy between Court and counsel regarding the trial and petition. Ms. Burke stated that she will be able to come to court on February 20, 2007 to address the trial setting and will be able to advise Ms. DiGiacomo if a petition is going to be filed. COURT ORDERED, Motion GRANTED; Petition to be filed by February 28, 2007 and matter set for argument; FURTHER ORDERED, matter set for status check on February 20, 2007 to address the trial setting and for Ms. Burke to advise if a petition is going to be filed.

CUSTODY

2/20/07 9:30 AM STATUS CHECK: PETITION/TRIAL

3/06/07 9:30 AM ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 006

02/20/07 09:30 AM 00 ALL PENDING MOTIONS 2-20-07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES: STATE OF NEVADA

Y

0001 D1 Monroe, Daimon

N

008006 Burke, Susan D.

Y

0002 D Trevarthen, Tonya

N

007797 Lord, Jonathan J.

Y

0003 D Fergason, Bryan

N

008435 Dustin, Cynthia L.

Y

PETITION FOR WRIT OF HABEAS CORPUS (FERGASON & HOLMES)...STATUS CHECK:
PETITION/TRIAL (MONROE)

Ms. Burke stated that she received a call continuing the motions but based on the last hearing, was supposed to advise the State as to whether or not a writ is going to be filed. Mr. Burke advised the Court that a writ will be filed and is due February 28, 2007 with a hearing date of March 6, 2007 along with the other writs that have been filed. Court noted Ms. Burke's representations regarding filing of the writ and ORDERED, all Writ's will be heard on March 6, 2007 at 11:00 am.

CUSTODY (MONROE)

NIC (FERGASON & HOLMES)

3/06/07 11:00 AM DEFTS PETITION'S FOR WRIT OF HABEAS CORPUS (MONROE,
FERGASON & HOLMES)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 007

03/06/07 11:00 AM 00 CALENDAR CALL

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Kristen Brown, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	DiGiacomo, Sandra	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
0002 D	Trevvarthen, Tonya	Y
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

State's Return to Writ of Habeas Corpus FILED IN OPEN COURT. Ms. DiGiacomo advised the Court that the State's Return has been filed in open court. Colloquy between Court and Deft. Hoyt regarding waiving speedy trial rights and the filing of the Writ. Ms. Burke stated that she had gone over all the prerequisites with the deft. regarding this issue; further, would be ineffective if proceeded to trial next week. Ms. DiGiacomo stated that Deft. Hoyt is looking at the large habitual criminal treatment. Court advised the Deft. that based on those facts, this trial can not proceed next week. Ms. Dustin advised the Court that this has been explained to her client, Deft. Ferguson, and the deft. understands. Ms. Sullivan stated that based on the multiple charges, there is no possibility of this case proceeding to trial on this stack. Ms. Burke again stated that she has retained an investigator and this has been explained to her client, Deft. Hoyt, but the deft. is frustrated by being in custody. Ms. DiGiacomo advised the Court that this will be a 3-4 week trial. COURT ORDERED, Trial VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the Court.

RECALLED: Ms. DiGiacomo, Mr. Lord and Deft. Trevvarthen present. Mr. Lord stated this matter is negotiated with regards to his client. Second Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State will have no opposition to probation but have the right to argue the terms of probation. DEFT. TREVARTHEN ARRAIGNED AND PLED GUILTY to COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNT 2 - POSSESSION OF STOLEN PROPERTY (F). Ms. DiGiacomo requested a status check regarding sentencing be set prior to referring this matter to Parole and Probation. COURT ACCEPTED plea and ORDERED, matter set for status check regarding sentencing. Court stated it will allow the deft. to

CRIMINAL COURT MINUTES

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travel back to Texas but deft. will have to remain trouble free.

CUSTODY (MONROE)

NIC (TREVARTHEN, FERGASON & HOLMES)

10/02/07 9:30 AM CALENDAR CALL (MONROE, FERGASON & HOLMES)

10/09/07 1:30 PM JURY TRIAL (MONROE, FERGASON & HOLMES)

11/08/07 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

05/29/07 09:30 AM 00 SUSAN D BURKE'S MTN TO WITHDRAW AS
ATTORNEY OF RECORD /43

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
009089	Krusey, Amanda K.	Y
0001 D1	Monroe, Daimon	Y
008006	Burke, Susan D.	Y
005984	Hart, Marty	Y

Ms. Burke advised there was no opposition to her motion and stated Mr. Hart has taken over Deft's other case in Department XX and requested that he be appointed in this matter. Statement by Mr. Hart. COURT ORDERED, motion GRANTED and Marty Hart, Esq., APPOINTED. Further, Ms. Burke advised she has provided discovery to Mr. Hart.

CUSTODY

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10/02/07 09:30 AM 00 ALL PENDING MOTIONS 10/02/07

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk
Lorraine Williams/lmw, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
005056	Luzaich, Elissa	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0002 D	Trevarthen, Tonya	N
007797	Lord, Jonathan J.	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
007479	Parris, John P.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

DEFT HOLMES' MOTION TO CONTINUE TRIAL...STATUS CHECK: TRIAL SETTING (MONROE & FERGASON)...CALENDAR CALL (MONROE, FERGASON, HOLMES)

All counsel advise they have agreed to continue trial. Ms. DiGiacomo advised counsel has selected March 18, 2008, as new trial date, but noted status check for Deft. Trevarthen will need to be moved until after trial because she is testifying. Court asked counsel if a special setting would be required for writs. Conference at the Bench. COURT ORDERED, trial date VACATED and RE-SET; status check CONTINUED; Writs of Habeas Corpus SET.

11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES)

03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES)

03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES)

04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 010

11/08/07 11:00 AM 00 PTN FOR WRIT OF HABEAS CORPUS

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: Tia Everett/te, Relief Clerk
Thelma Stapley, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006955	Di Giacomo, Marc P.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Mr. Sullivan requested Defendant Holmes presence be waived as he has gainful employment. COURT SO ORDERED. Ms. Dustin, Mr. Hart, and Mr. Sullivan argued the only witness who can substantiate any of the claims is Tonya Trevarthen who is also a co-defendant in this case. Additionally, counsel argued there was insufficient evidence presented to the Grand Jury as there were taped phone conversations presented to the Grand Jury; however, only excerpts were played and not the entire tape; therefore counts 1 and 2, 5 through 14, 16 through 23, 25 and 27 should be dismissed as they are not properly supported. Mr. DiGiacomo opposed by arguing you can not question how a jury deliberates as they were presented the evidence and all exhibits were admitted and sent back with the jury at the time of deliberation to allow them the opportunity to relisten to any of the phone conversations they chose to. COURT FURTHER ORDERED, Petitions DENIED and Trial Date STANDS. Colloquy regarding trial date. FURTHER ORDERED, matter set for status check.

CUSTODY (MONROE)...CUSTODY (FERGASON)...BOND (HOLMES)

1/17/08 9:30 AM STATUS CHECK: STATUS OF TRIAL

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 011

01/23/08 09:00 AM 00 MINUTE ORDER RE: (RECUSAL)

HEARD BY: Michelle Leavitt, Judge; Dept. 12

OFFICERS: April Watkins, Court Clerk

PARTIES: NO PARTIES PRESENT

The court hereby recuses from the above-entitled case due to the appearance of impropriety. This court has been named as a victim in Justice Court case No.: 08F01002X. Per the Chief Judge, Kathy Hardcastle, this case is hereby reassigned to department 4 for further proceedings consistent with this minute order.

Any dates previously set by this court are VACATED.

01/24/08 09:00 AM 00 MINUTE ORDER RE: REASSIGNMENT TO DEPT.
VII

HEARD BY: Kathy Hardcastle, Chief Judge; Dept. 4

OFFICERS: Denise Trujillo, Court Clerk

PARTIES: NO PARTIES PRESENT

Due to previous Court's recusal, and Per Order of the Chief Judge, due to the appearance of impropriety, this case is hereby TRANSFERRED to Dept. 7 for further proceedings.

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Marty Hart, Jonathan Lord, Cynthia Dustin and Sean Sullivan.

CRIMINAL COURT MINUTES

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01/30/08 08:30 AM 00 ALL PENDING MOTIONS 1/30/08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006204 Digiacomo, Sandra	Y
	0001 D1 Monroe, Daimon	Y
	005984 Hart, Marty	Y
	0003 D Fergason, Bryan	Y
	008435 Dustin, Cynthia L.	Y
	0004 D Holmes, Robert	Y
	004768 Sullivan, Sean P.	Y

STATUS CHECK: VERIFY TRIAL DATES (MONROE)...STATUS CHECK: VERIFY TRIAL
DATES (FERGASON)...STATUS CHECK: VERIFY TRIAL DATES (HOLMES)

Court advised this case was reassigned to this Department because another Judge recused. Court further advised Ms. Dustin informed the current trial date does not work for her. Colloquy between Court and counsel regarding possible trial dates. Mr. Sullivan requested matter be continued one (1) week to allow him time to review the State's file which may give him a better insight as to when the trial should be set. COURT ORDERED, matter CONTINUED. Mr. Sullivan requested Defendant Holmes' presence be waived on the continuance date for employment reasons and, COURT SO ORDERED.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

2/5/08 8:30 AM ALL PENDING MOTIONS

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

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02/05/08 08:30 AM 00 ALL PENDING MOTIONS 2-5-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	N
004768	Sullivan, Sean P.	Y

Deft. Holmes' presence WAIVED. Colloquy regarding the trial date. COURT ORDERED, trial date VACATED AND RESET to May 12.

CUSTODY (COC - MONROE & FERGASON)...BOND (HOLMES)

5-1-08 8:30 AM CALENDAR CALL

5-12-08 9:30 AM JURY TRIAL

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 014

05/01/08 08:30 AM 00 ALL PENDING MOTIONS 5-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Sharon Coffman/sc..Dana Cooper, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
001190	Owens, Christopher J.	Y
0001 D1	Monroe, Daimon	N
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
004768	Sullivan, Sean P.	Y

STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER

COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT.

Ms. Dustin advised her client is joining in all the motions.

COURT ORDERED, Motion to Disqualify the District Attorney is DENIED.

COURT FURTHER ORDERED, Defendant Holmes' Motion to Sever is DENIED; Defendant Ferguson's Motion to Sever is GRANTED.

Conference at the Bench regarding motions to be filed. Judge noted he will be away and is unable to hear them.

Argument by Ms. Dustin as to the Amended Indictment. Court noted there are the same number of counts and the same number of charges; only property was added.

Argument by Mr. Sullivan as to the large amount of discovery and the short time he has to review it. Ms. DiaGiacomo advised it consists of multiple copies and is all financial. Court noted there should be enough time for review before trial.

Colloquy as to witnesses (80 - 100) and scheduling. COURT ORDERED, TRIAL DATE STANDS; FURTHER ORDERED, the Ferguson trial shall immediately follow this one.

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Further discussion as to Motions to be filed. Court noted these will be heard the morning of trial.

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

5/12/08 9:30 A.M. TRIAL BY JURY (MONROE & HOLMES)

5/20/08 9:30 A.M. TRIAL BY JURY (FERGASON)

05/12/08 09:30 AM 00 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

11:02 A.M.--Colloquy regarding Deft's last name. Court advised he will have to mention both Monroe and Hoyt due to the publicity generated by the other case. Counsel acknowledged. 11:07 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 12:24 p.m.--Fourteen (14) jurors selected. Jury was NOT sworn. Court thanked and excused the remaining venire. Court advised the Jury of scheduling and procedure. Court advised the Jury will be given the oath of service tomorrow morning before trial gets started. 12:33 p.m.--Jury admonished and excused for the day due to other matters that need to be resolved to make the trial run smoother, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding what needs to be done regarding exhibits as there are approximately 1000. 12:36 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/13/08 09:30 AM 01

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05/13/08 09:30 AM 01 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006204 DiGiacomo, Sandra	Y
	009911 Small, Shelly L.	Y
	0001 D1 Monroe, Daimon	Y
	005984 Hart, Marty	Y
	009466 Tramel, Michaela E	Y

9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned.

CUSTODY (COC)

CONTINUED TO: 05/14/08 09:30 AM 02

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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05/14/08 09:30 AM 02 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:56 A.M.--OUTSIDE THE PRESENCE OF THE JURY, upon inquiry by Ms. DiGiacomo, COURT ORDERED, the State may explain what ROP stands for (Repeat Offenders Program). Court further advised he is going to instruct the Jury on the value issue. 9:57 a.m.--Jury present. Court instructed the Jury regarding value. Further testimony and exhibits presented. (See worksheets.) 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding jury instructions and victim-witnesses. Court adjourned for lunch.

12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening.

CUSTODY (COC)

CONTINUED TO: 05/15/08 09:45 AM 03

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

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05/15/08 09:45 AM 03 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
009466	Tramel, Michaela E	Y

10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule.

10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning.

10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day.

CUSTODY (COC)

CONTINUED TO: 05/16/08 09:15 AM 04

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 019

05/16/08 09:15 AM 04 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
 Carole D'Aloia (1:05 PM - 5:10 PM), Relief Clerk
 Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart argued they keep hearing "Repeat Offender Program" and argued further he does not know why there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch.

1:05 PM Jury Trial Continues (Carole D'Aloia, Relief Clerk)

Witness testimony and exhibits admitted continue (see worksheet). At the hour of 5:10 PM, Court admonished the jury for the weekend, instructed them to return Monday at 9:30 AM and, ORDERED, matter CONTINUED.

CUSTODY (COC)

CONTINUED TO: 05/19/08 09:30 AM 05

PRINT DATE: 11/20/08

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MINUTES DATE: 05/16/08

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 020

05/20/08 09:30 AM 06 TRIAL BY JURY

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiaco, Sandra	Y
009911	Small, Shelly L.	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
009466	Tramel, Michaela E	Y

9:38 A.M.--Court reconvened with all present as before. Court advised the Jury of the day's schedule. Further testimony and exhibits presented. (See worksheets.) State and defense rested. Court instructed the Jury. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected two alternates by random drawing: Alternate #1 - Juror #3-Natalia Salman and Alternate #2 - Juror #6-Thurman Arnold. 11:53 a.m.--Jury retired to deliberate.

1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow:

GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM);

GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F);

GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F).

Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.

CUSTODY (COC)

8-26-08 8:30 AM SENTENCING

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

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08/07/08 08:30 AM 00 STATE'S MTN FOR RELEASE OF EVIDENCE TO
VICTIMS AND/OR AUCTION BY LVMPD

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Cheryl Carpenter, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	N
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Following arguments by counsel, COURT ORDERED, motion GRANTED to the extent that property belonging to the named victims in the Indictment who testified as the trials of Defendants Monroe and Ferguson be released to said victims. Court advised it received notice from the Division of Parole and Probation (P&P) indicating it needs additional time to complete the Presentence Investigation Reports for Defendants Monroe and Ferguson and, ORDERED, sentencing dates CONTINUED.

CUSTODY (MONROE)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CUSTODY (HOLMES)

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 022

08/21/08 08:30 AM 00 STATES MTN FOR RELEASE OF PROPERTY/128

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Carole D'Aloia, Relief Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006204	Digiacoimo, Sandra	Y
0001 D1	Monroe, Daimon	Y
005984	Hart, Marty	Y
0003 D	Ferguson, Bryan	Y
008435	Dustin, Cynthia L.	Y
0004 D	Holmes, Robert	Y
005032	Kennedy, Kirk T.	Y

Mr. Kennedy advised he has no objection to the State's motion. Court noted the objections of Mr. Hart and Ms. Dustin and, ORDERED, motion GRANTED, Ms. DiGiacomo to prepare and submit appropriate Order.

CUSTODY (MONROE AND HOLMES)

NIC (TREVARTHEN)

CUSTODY (COC-NDC) (FERGASON)

CRIMINAL COURT MINUTES

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vs Monroe, Daimon

CONTINUED FROM PAGE: 023

10/01/08 08:30 AM 00 ALL PENDING MOTIONS 10-1-08

HEARD BY: Stewart L. Bell, Judge; Dept. 7

OFFICERS: Tina Hurd, Court Clerk
Renee Vincent, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006204 Digiacomo, Sandra	Y
	0001 D1 Monroe, Daimon	Y
	005984 Hart, Marty	Y
	0003 D Fergason, Bryan	Y
	008435 Dustin, Cynthia L.	Y

DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;
Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 11 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);
Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 024

Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 1-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

DEFT. FERGASON ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2, 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (F) and COUNTS 4, 7, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE. Certified copies of five prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Ferguson to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows:

Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center;

Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 025

Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other.

Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC);

Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC).

Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14.

Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

CONTINUED ON PAGE: 027

PRINT DATE: 11/20/08

PAGE: 026

MINUTES DATE: 10/01/08

PAGE: 027

MINUTES DATE: 10/01/08

CRIMINAL COURT MINUTES

06-C-228752-C STATE OF NEVADA

vs Monroe, Daimon

CONTINUED FROM PAGE: 026

At request of counsel, COURT ORDERED, Mr. Hart and Ms. Dustin APPOINTED on appeal.

PRINT DATE: 11/20/08

PAGE: 027

MINUTES DATE: 10/01/08

11/20/08

E X H I B I T S

8:47 AM

CASE NO. 06-C-228752-C

CASE STATUS: ACTIVE

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	PG	/GRAND JURY EXHIBITS (189)		/	03/01/07	V
0002	P1	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/14/08	V
0003	P2	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/16/08	V
0004	P3	/LARGE COLOR PHOTOGRAPH AERIAL		AD/NO	05/13/08	V
0005	P4-19	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0006	P20	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0007	P21	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0008	P22	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0009	P23	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0010	P24	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0011	P25	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0012	P26	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0013	P27	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0014	P28	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0015	P29	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0016	P30	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0017	P31	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/09	V
0018	P32-35	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0019	P36	/LARGE COLOR PHOTOGRAPH		AD/OB	05/16/08	V
0020	P37-40	/LARGE COLOR PHOTOGRAPH		AD/NO	05/16/08	V
0021	P41-52	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0022	P53-54	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0023	P55	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0024	P56	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0025	P57	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0026	P58-61	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0027	P62-67	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0028	P68-74	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0029	P75-77	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0030	P78-90	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0031	P91-17/1)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0032	P172-1/78)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0033	P179	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0034	P180-2/10)	LARGE COLOR PHOTOGRAPH		AD/OB	05/14/08	V
0035	P211	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0036	P212	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0037	P213	/LARGE COLOR PHOTOGRAPH		AD/OB	05/19/08	V
0038	P214	/4 SMALL COLOR PHOTOGRAPHS		AD/NO	05/14/08	V
0039	P215-2/18)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0040	P219	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0041	P220-2/21)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0042	P222	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0043	P223-2/29)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0044	P230	/LARGE COLOR PHOTOGRAPH		AD/NO	05/19/08	V
0045	P231-2/33)	LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0046	P234	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0047	P235	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0048	P236-2/43)	LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0049	P244	/LARGE COLOR PHOTOGRAPH		AD/NO	05/14/08	V
0050	P245	/LARGE COLOR PHOTOGRAPH		AD/NO	05/13/08	V
0051	P250	/LARGE COLOR PHTOGRAPH		AD/NO	05/19/08	V
0052	P251-5/75)	PHOTO ADMITTED DATES 5/13-20		AD/NO	05/20/08	V

11/20/08

E X H I B I T S

8:47 AM

CASE NO. 06-C-228752-C

CASE STATUS: ACTIVE

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0053	P576	/EVENT HISTORY REPORT (ANKEE CRYSTAL PALA		AD/NO	05/13/08	V
0054	P577	/EVENT HISTORY RPT (LUST FOR KIDS DNTSRY		AD/NO	05/13/08	V
0055	P578-8/71)	PHOTOS ADM 5/13-20		AD/NO	05/20/08	V
0056	P872	/SELF STORAGE RETAN AGREEMENT (DUPLICATE)		/	99/99/99	V
0057	P873	/COPY OF NV DRIVER'S LICENSE		/	99/99/99	V
0058	P874	/SELF STORAGE RENTAL AGREEMENT		AD/NO	05/14/08	V
0059	P875-9/73)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0060	P974	/SMOKE RANCH JONES RENTAL AGREEMENT		AD/NO	05/14/08	V
0061	P975-9/84)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0062	P985-9/88)	PHOTOS NOT ADMITTED		/	99/99/99	V
0063	P989-1/033)	PHOTOS ADMITTED 5/13-20		AD/NO	05/19/08	V
0064	P1034-/1035)	RED ROCK SELF STORAGE RECEIPTS		AD/NO	05/16/08	V
0065	P1036-/1088)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0066	P1089	/STORAGE WEST RENTAL AGREEMENT		AD/NO	05/14/08	V
0067	P1090	/LARGE B & w PHOTOS OF RENTAL PAPERWORK		AD/NO	05/14/08	V
0068	P1091-/1128)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0069	P1129	/BINDER		AD/OB	05/16/08	V
0070	P1130-/1155)	PHOTOS ADMITTED 5/13-20		AD/NO	05/16/08	V
0071	P1156-/1180)	PHOTOS		/	99/99/99	V
0072	P1181	/CALL LOG		AD/NO	05/19/08	V
0073	P1181A/CD	CALLS (1-12)		AD/NO	05/19/08	V
0074	P1181B/CD	CALLS (12A-19)		AD/OB	05/19/08	V
0075	P1181C/CD	CALLS (20-25)		AD/OB	05/19/08	V
0076	PCT1	/QUESTION FROM JUROR #10		/	05/14/08	V
0077	PCT2	/QUESTION FROM #1		/	05/14/08	V
0078	PCT3	/QUESTION FROM #4		/	05/19/08	V
0079	PCT4	/QUESTION FROM #?		/	05/19/08	V
0080	P	/*NEXT*TRAIL SEE LIST, SAME EXHIBITS USED		/	99/99/99	V
0081	P-	/*****NEW EXHIBITS ADDED*****		/	99/99/99	V
0082	DA	/ACTIVITY REPORT UNIT 247		AD/NO	05/22/08	V
0083	DB	/ACTIVITY REPORT UNIT 253		AD/NO	05/22/08	V
0084	PCT-1	/QUESTION FROM JUROR #7		/	05/23/08	V
0085	PCT-2	/QUESTION FROM JUROR #4		/	05/27/08	V
0086	PCT-3	/QUESTION FROM JUROR #4		/	05/27/08	V
0087	PCT-4	/QUESTION FROM JUROR #7		/	05/27/08	V
0088	PCT-5	/QUESTION FROM JUROR #3		/	05/27/08	V
0089	PCT-6	/QUESTION FROM JUROR #4		/	05/27/08	V
0090	PCT-7	/QUESTION FROM JUROR #10		/	05/28/08	V
0091	P-1-3	/CERT COPY OF JOC'S (MONROE)		AD/NO	10/01/08	V
0092	P-4-8	/CERT COPY OF JOC'S (FERGASON)		AD/NO	10/01/08	V



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



MARTIN HART, ESQ.
229 S. LAS VEGAS BLVD. STE. 200
LAS VEGAS, NV 89101

DATE: November 20, 2008
CASE: C228752

RE CASE: STATE OF NEVADA vs. DAIMON MONROE aka DAIMON DEVI HOYT

NOTICE OF APPEAL FILED: November 19, 2008

RULE 3(e) DOCUMENTS NOT TRANSMITTED/MISSING:

- **Case Appeal Statement**

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

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

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

Certification of Copy

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

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

VS.

DAIMON MONROE aka

DAIMON DEVI HOYT,

Defendant(s),

Case No: C228752
Dept No: VII

now on file and of record in this office.

**IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 20 day of November 2008.**

Edward A. Friedland, Clerk of the Court

Heather Lofquist, Deputy Clerk

**SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

DAIMON MONROE A/K/A DAIMON DEVI HOYT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 52788

District Court Case No. C228752

RECEIPT FOR DOCUMENTS

TO: Law Offices of Martin Hart, LLC and Martin W. Hart
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Edward A. Friedland , District Court Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

11/20/08	Filing Fee Waived: Criminal.
11/20/08	Filed Certified Copy of Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)
11/20/08	Issued Notice to File Case Appeal Statement. Due Date: 10 days

DATE: November 20, 2008

Tracie Lindeman, Clerk of Court

1 NOAS
2 LAW OFFICES OF SCISCENTO L.L.C.
3 JOSEPH S. SCISCENTO
4 Nevada Bar #4380
5 330 South Third Street, Suite #860
6 Las Vegas, Nevada 89101
7 (702) 366-9311
8 Attorney for Defendant

2009 MAY 18 P 3:25

DISTRICT COURT
CLARK COUNTY, NEVADA
Electronically Filed
May 21 2009 10:55 a.m.
Tacie K. Lindeman

10 THE STATE OF NEVADA,
11 Plaintiff,
12 vs.
13 ROBERT HOLMES,
14 # 0876216
15 Defendant.

Case No. C 228752

Dept. No. IV

NOTICE OF APPEAL

16 TO: THE STATE OF NEVADA

17 DAVID ROGER, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and
18 DEPARTMENT IV OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE
19 STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK.

20 NOTICE is hereby given that Defendant ROBERT HOLMES,
21 presently incarcerated in the Nevada State Prison, appeals to the
22 Supreme Court of the State of Nevada from the judgment entered against
23 said Defendant on the 17th day of April, 2009, whereby he was denied
24 his Motion to Withdraw his Guilty Plea, in the above matter.

25 DATED this 17 day of May, 2009

LAW OFFICES OF SCISCENTO L.L.C.

26
27
28 JOSEPH S. SCISCENTO, ESQ.
Nevada Bar #4380
330 South Third Street, Suite #860
Las Vegas, Nevada 89101
(702) 366-9311

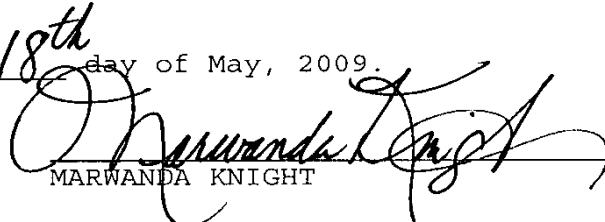
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DECLARATION OF MAILING

MARWANDA KNIGHT, an employee with the Law offices of Sciscento L.L.C., hereby declares that she is, and was when the herein described mailing took place, a citizen of the United States, over 18 years of age, and not a party to, nor interested in, the within action; that on the 18 day of April, 2009, declarant deposited in the United States mail at Las Vegas, Nevada, a copy of the Notice of Appeal in the case of State of Nevada vs. Robert Holmes, Case No. C228752, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to Robert Holmes ID #0876216, c/o Clark County Detention Center, 330 South Casino Center Blvd., Las Vegas, Nevada 89101, that there is a regular communication by mail between the place of mailing and the place so addressed.

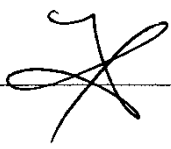
I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on the 18th day of May, 2009.


MARWANDA KNIGHT

RECEIPT OF A COPY of the foregoing Notice of Appeal is hereby acknowledged this 18 day of May, 2009

DAVID ROGER
CLARK COUNTY DISTRICT ATTORNEY

By 

No 224

8

1 **CAS**
2 LAW OFFICES OF SCISCENTO L.L.C.
3 JOSEPH S. SCISCENTO, ESQ.
4 Nevada Bar #4380
5 330 South Third Street, Suite #860
6 Las Vegas, Nevada 89101
7 (702) 366-9311
8 Attorney for Defendant

FILED
2009 MAY 18 P 3:25
E. J. [Signature]

DISTRICT COURT
CLARK COUNTY, NEVADA

9	THE STATE OF NEVADA,	)	Case No. C 228752
10		)	
11	Plaintiff,	)	Dept. No. IV
12		)	
13	vs.	)	
14		)	
15	ROBERT HOLMES	)	
16	#0876216	)	
17		)	
18	Defendant.	)	
19		)	

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement: ROBERT HOLMES
2. Judge issuing the decision, judgment, or order appealed from: HONORABLE KATHY HARDCASTLE
3. All parties to the proceedings in the district court (the use of et al. To denote parties is prohibited): STATE OF NEVADA- Plaintiff ROBERT HOLMES - Defendant
4. All parties involved in this appeal (the use of et al. To denote parties is prohibited): STATE OF NEVADA- Plaintiff ROBERT HOLMES - Defendant
5. Name, law firm, address, and telephone number of all counsel on appeal and party or parties whom they represent:

1
2 LAW OFFICES OF SCISCENTO L.L.C. DAVID ROGERS
JOSEPH S. SCISCENTO, ESQ. Clark County, Nevada
3 330 South Third Street, Suite #860 District Attorney
Las Vegas, Nevada 89101 200 East Lewis Street
4 (702) 366-9311 Las Vegas, Nevada 89155
5 Attorney for Appellant CATHERINE CORTEZ-MASTOS
6 Attorney General
555 Washington Blvd
7 Las Vegas NV. 89101

8 Counsel for Respondent

9 6. Whether appellant was represented by appointed or
10 retained counsel in the district court. Retained

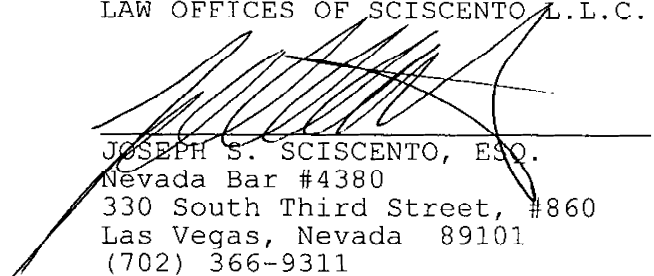
11 7. Whether appellant is represented by appointed or
12 retained counsel on appeal. Retained for the case below but not for
13 the appeal.

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

17 9. Date proceedings commenced in the district court
18 (e.g., date complaint, indictment, information, or petition was
19 filed): On December 15, 2006 an Amended Indictment was filed.

20 DATED this 18 day of May, 2009.

21 LAW OFFICES OF SCISCENTO L.L.C.

22
23 
24 JOSEPH S. SCISCENTO, ESQ.
Nevada Bar #4380
25 330 South Third Street, #860
Las Vegas, Nevada 89101
26 (702) 366-9311
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RECEIPT OF A COPY of the foregoing **Case Appeal Statement** is hereby
acknowledged this 18 day of May, 2009

DAVID ROGER
CLARK COUNTY DISTRICT ATTORNEY

By



DATE: 05/19/09
CASE NO. 06-C-228752-C

I N D E X

TIME: 11:28 AM
JUDGE: Hardcastle, Kathy

STATE OF NEVADA

[] vs Monroe, Daimon

[E]

0001 D1 Daimon Monroe

005984 Hart, Marty
NO. 1 District Attorneys Office
200 S Third St 5th Fl
Las Vegas, NV 89155

0002 D Tonya Trevarthen

007797 Lord, Jonathan J.
NO. 1 601 S. Seventh Street
Las Vegas, NV 89101

0003 D Bryan Fergason

008435 Dustin, Cynthia L.
NO. 1 8th Judicial District Court
Dept 5 Clark County Court Hse
200 Third St
Las Vegas, NV 89101

0004 D Robert Holmes

004380 Sciscento, Joseph S.
NO. 1 Sciscento and Montgomery
330 S. Third St., #860
Las Vegas, NV 89101

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	12/13/06	IND	/(GRAND JURY) INDICTMENT Fee \$0.00				
0002	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0001		12/20/06	
0003	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0003		12/20/06	
0004	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0004		12/20/06	
0005	12/13/06	ARRN/INITIAL	ARRAIGNMENT	0002		12/27/06	
0006	12/13/06	HEAR/GRAND JURY	INDICTMENT	AL		12/13/06	
0007	12/13/06	BNCH/BENCH	WARRANT ISSUED	0001	QU	12/13/06	
0008	12/13/06	ORDR/ORDER	OF INTENT TO FORFEIT	0001		12/13/06	
0009	12/13/06	ORDR/NOTICE	AND ORDER TO TRANSFER BAIL	0004		12/13/06	
0010	12/13/06	WARR/INDICTMENT	WARRANT	0001		12/13/06	
0011	12/13/06	WARR/INDICTMENT	WARRANT	0004		12/13/06	
0012	12/13/06	WARR/INDICTMENT	WARRANT	0003		12/13/06	
0013	12/18/06	QUAS/DEFT'S	QUASH BENCH WARRANT & FOR OR RELEASE OR BAIL REDUCTION/8	0004		12/20/06	
0014	12/15/06	IND /AMENDED	(GRAND JURY) INDICTMENT	AL			
0015	12/19/06	BNCH/BENCH	WARRANT ISSUED	0003	QU	12/13/06	
0016	12/19/06	ORDR/ORDER	OF INTENT TO FORFEIT	0003		12/13/06	
0017	12/19/06	BNCH/BENCH	WARRANT ISSUED	0004	QU	12/13/06	
0018	12/19/06	ORDR/ORDER	OF INTENT TO FORFEIT	0004		12/13/06	
0019	12/19/06	BNCH/BENCH	WARRANT RETURN /13	0001	MC	12/20/06	
0020	12/19/06	BNCH/BENCH	WARRANT RETURN /14	0003	MC	12/20/06	
0021	12/18/06	ROC /RECEIPT	OF COPY	0004		12/18/06	
0022	12/20/06	ARRN/ARRAIGNMENT	CONTINUED (DEFTS' MONROE; FERGASON & HOLMES)	AL		01/04/07	
0025	12/22/06	MOT /ALL	PENDING MOTIONS (12/20/06)	AL		12/20/06	
0026	12/27/06	ARRN/ARRAIGNMENT	CONTINUED (DEFT. TREVARTHEN)	0002		01/04/07	
0027	12/28/06	ORDR/STIPULATION	AND ORDER	0002		12/28/06	
0028	01/04/07	MOT /ALL	PENDING MOTIONS (1/4/07)	AL		01/04/07	
0029	01/05/07	ARRN/ARRAIGNMENT	CONTINUED	0001	MH	01/11/07	
0030	01/05/07	HEAR/CONFIRMATION	OF COUNSEL (LANGFORD)	0001	CM	01/11/07	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0031	01/05/07	HEAR/CONFIRMATION OF COUNSEL (FIGLER)	0002	MH 01/11/07
0032	01/05/07	CALC/CALENDAR CALL	AL	03/06/07
0033	01/05/07	JURY/TRIAL BY JURY (VJ 3/06/07)	AL	VC 03/13/07
0034	01/05/07	OCAL/STATUS CHECK: BAIL BONDS	0004	OC 02/08/07
0035	01/05/07	NOTC/NOTICE OF ENTRY OF ORDER	0002	12/28/06
0036	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1	AL	11/28/06
0037	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 2	AL	11/28/06
0038	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 3	AL	12/12/06
0039	01/08/07	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 4	AL	12/13/06
0040	01/08/07	BOND/BOND - #DS250-148813 - \$137,000.00	0004	
0041	01/11/07	MOT /ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN	AL	01/11/07
0042	01/12/07	HEAR/CONFIRMATION OF COUNSEL (LORD)	0002	CM 01/18/07
0043	01/22/07	CBOR/CRIMINAL BINDER RECEIPT	0004	01/22/07
0044	01/22/07	BOND/BOND - #DS50-134729 - \$13,000.00	0001	
0045	01/24/07	NOTC/NOTICE OF RECEIPT OF BOND TRANSFER	0004C	
0046	01/05/07	HEAR/SOURCE HEARING	0004	01/05/07
0047	01/31/07	MOT /DEFT'S MTN FOR EXTENSION OF TIME TO FILE PTN FOR WRIT OF HABEAS CORPUS/30	0001	GR 02/13/07
0048	01/31/07	ORDR/ORDER OF HOURLY APPOINTMENT	0001	01/31/07
0049	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0004	VC 03/06/07
0050	02/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0003	VC 03/06/07
0051	02/01/07	ORDR/ORDER	0003	02/01/07
0052	02/05/07	CERT/CERTIFICATE OF MAILING	0004	02/02/07
0053	02/06/07	ORDR/ORDER APPOINTING COUNSEL	0002	02/06/07
0054	02/07/07	ORDR/ORDER APPOINTING COUNSEL	0003	02/07/07
0055	02/08/07	REQT/EX PARTE MOTION FOR EMPLOYMENT AND PAYMENT OF INVESTIGATOR	0001	
0056	02/14/07	OCAL/STATUS CHECK: PETITION/TRIAL	0001	02/20/07
0057	02/14/07	ARGU/ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)	0001	VC 03/06/07
0058	02/14/07	ORDR/ORDER	0001	02/14/07
0059	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0004	
0060	02/14/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0003	
0061	02/15/07	ROC /RECEIPT OF COPY	0004	02/15/07
0062	02/20/07	MOT /ALL PENDING MOTIONS 2-20-07	AL	02/20/07
0063	02/28/07	EXPR/EX PARTE ORDER APPOINTING INVESTIGATOR	0003	02/28/07
0064	02/28/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001	
0065	03/01/07	NOEV/NOTICE OF EXHIBITS IN THE VAULT		03/01/07
0066	02/28/07	REQT/EX PARTE MOTION TO APPOINT INFESTIGATOR	0003	
0067	03/06/07	CALC/CALENDAR CALL	0001	10/02/07
0068	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0001	VC 10/09/07
0069	03/06/07	CALC/CALENDAR CALL	0003	10/02/07
0070	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0003	VC 10/09/07
0071	03/06/07	CALC/CALENDAR CALL	0004	MH 10/02/07
0072	03/06/07	JURY/TRIAL BY JURY VJ 10/02/07	0004	VC 10/09/07

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC SCH/PER C
0073	03/06/07	OCAL/STATUS CHECK: SENTENCING	0002	04/24/08
0074	03/06/07	IND /SECOND AMENDED (GRAND JURY) INDICTMENT	0002	
0075	03/06/07	WRIT/RETURN TO WRIT OF HABEAS CORPUS	0001	
0076	03/06/07	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	0002	
0077	03/19/07	AGRE/AGREEMENT TO TESTIFY	0002	
0078	04/17/07	ORDR/STIPULATION AND ORDER EXTENDING TIME	0001	04/17/07
0079	04/26/07	ROP /RECEIPT OF EXHIBITS	0001	04/26/07
0080	05/07/07	PET /PETITION FOR WRIT OF HABEAS CORPUS	0001	
0081	05/09/07	ROC /RECEIPT OF COPY	0003	05/09/07
0082	05/09/07	ROC /RECEIPT OF COPY	0001	05/09/07
0083	05/14/07	MOT /SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43	0001	GR 05/29/07
0084	05/14/07	ROC /RECEIPT OF COPY	0004	05/10/07
0085	05/21/07	ORDR/ORDER FOR PRODUCTION OF INMATE	0003	SH 10/02/07
0086	06/06/07	APPL/EX PARTE APPLICATION FOR AUTHORIZATION OF FEES IN THE STATUTORY AMOUNT	0001	Y
AUTHORIZED BY NRS 7.125 AND 7.145				
0087	07/03/07	ORDR/ORDER	0001	07/03/07
0088	08/08/07	ROC /RECEIPT OF COPY	0002	08/08/07
0089	08/08/07	ROC /RECEIPT OF COPY	0004	08/08/07
0090	09/01/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. MONROE) VJ 09-25-07	0001	VC 09/28/07
0091	09/01/07	ORDR/ORDER SETTING HEARING DATE	MP	SH 09/28/07
0092	09/13/07	MOT /DEFT'S MTN TO CONTINUE TRIAL/45	0004	GR 10/02/07
0093	09/13/07	ROC /RECEIPT OF COPY	0004	09/13/07
0094	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. FERGUSON) VJ 09-25-07	0003	VC 09/28/07
0095	09/18/07	PET /PTN FOR WRIT OF HABEAS CORPUS (DEFT. HOLMES) VJ 09-25-07	0004	VC 09/28/07
0096	09/18/07	REQT/AMENDED NOTICE OF MOTION ON DEFENDANTS MOTION TO CONTINUE TRIAL	0004	09/25/07
0097	09/19/07	ROC /RECEIPT OF COPY	0004	09/19/07
0098	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0001	MH 10/02/07
0099	09/25/07	OCAL/STATUS CHECK: TRIAL SETTING	0003	MH 10/02/07
0100	10/02/07	PET /PTN FOR WRIT OF HABEAS CORPUS	AL	DN 11/08/07
0101	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0001	VC 03/11/08
0102	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0001	VC 03/18/08
0103	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0003	VC 03/11/08
0104	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0003	VC 03/18/08
0105	10/02/07	CALC/CALENDAR CALL VO 12/10/07	0004	VC 03/11/08
0106	10/02/07	JURY/TRIAL BY JURY VO 12/10/07	0004	VC 03/18/08
0107	10/02/07	MOT /ALL PENDING MOTIONS 10/02/07	AL	10/02/07
0108	10/04/07	APPL/EX PARTE APPLICATION FOR EXCESSIVE INVESTIGATOR FEES	0001	
0109	10/16/07	ORDR/ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES	0001	10/16/07
0110	10/19/07	ORDR/AMENDED ORDER APPOINTING COUNSEL AND ALLOWING INTERIM BILLING	0003	10/19/07
0111	11/06/07	EXPR/EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY	0003	11/06/07 Y
ON COURT APPOINTED CASE FIRST INTERIM BILLING				
0112	11/06/07	SUPP/SUPPLEMENT TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS	0003	

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06-C-228752-C		(Continuation Page 4)	
NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR OC SCH/PER C
0113	11/06/07	ROC /RECEIPT OF COPY	0003 11/06/07
0114	11/06/07	REQT/EX PARTE MOTION TO ALLOW FEES IN EXCESS OF STATORY MAXIMUM FOR ATTORNEY ON	0003 Y
COURT APPOINTED CASE			
0115	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0001 VC 03/13/08
0116	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0001 VC 03/25/08
0117	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0003 VC 03/13/08
0118	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0003 VC 03/25/08
0119	12/10/07	CALC/CALENDAR CALL (VJ 1/23/08)	0004 VC 03/13/08
0120	12/10/07	JURY/TRIAL BY JURY (VJ 1/23/08)	0004 VC 03/25/08
0121	12/10/07	ORDR/TRIAL ORDER	MP 12/10/07
0122	01/23/08	OCAL/MINUTE ORDER RE: (RECUSAL)	01/23/08
0123	01/23/08	ASSG/REASSIGNMENT OF JUDGE Leavitt TO JUDGE Hardcastle	
0124	01/23/08	NDR /NOTICE OF DEPARTMENT REASSIGNMENT 008435007797005984FC	01/23/08 Y
005984007797008435			
0125	01/24/08	OCAL/MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII	01/24/08
0126	01/24/08	ASSG/REASSIGNMENT OF JUDGE Hardcastle TO JUDGE Bell	
0127	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0001 VC 03/25/08
0128	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0001 VC 03/13/08
0129	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0003 VC 03/25/08
0130	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0003 VC 03/13/08
0131	01/25/08	JURY/TRIAL BY JURY (VJ 2-5-08)	0004 VC 03/25/08
0132	01/25/08	CALC/CALENDAR CALL (VJ 2-5-08)	0004 VC 03/13/08
0133	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0001 02/05/08
0134	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0003 02/05/08
0135	01/25/08	OCAL/STATUS CHECK: VERIFY TRIAL DATES	0004 02/05/08
0136	01/30/08	MOT /ALL PENDING MOTIONS 1/30/08	AL 01/30/08
0137	02/05/08	MOT /ALL PENDING MOTIONS 2-5-08	AL 02/05/08
0138	02/05/08	CALC/CALENDAR CALL	0001 05/01/08
0139	02/05/08	JURY/TRIAL BY JURY (VK 5-1-08)	0001 VC 05/12/08
0140	02/05/08	CALC/CALENDAR CALL	0003 05/01/08
0141	02/05/08	JURY/TRIAL BY JURY (VJ 5-1-08)	0003 VC 05/12/08
0142	02/05/08	CALC/CALENDAR CALL	0004 05/01/08
0143	02/05/08	JURY/TRIAL BY JURY (VK 5-1-08)	0004 VC 05/12/08
0144	04/24/08	MOT /DEFT'S MTN TO SEVER /83	0004 DN 05/01/08
0145	04/25/08	MOT /DEFT'S MTN TO SEVER /84	0003 GR 05/01/08
0146	04/24/08	OCAL/STATUS CHECK: SENTENCING	0002 07/16/08
0147	04/23/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES	MP MP
0148	04/25/08	ROC /RECEIPT OF COPY	0004 04/24/08
0149	04/25/08	ROC /RECEIPT OF COPY	0003 04/25/08
0150	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT /86	0001 05/01/08
0151	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT	0003 05/01/08
0152	04/29/08	MOT /STATE'S MTN TO AMEND INDICTMENT	0004 05/01/08
0153	04/28/08	OPPS/OPPOSITION TO DEFENDANT HOLMES MOTION TO SEVER	0004 0004
0154	04/28/08	OPPS/OPPOSITION TO DEFENDANT FERGUSONS MOTION TO SEVER	0003 0003

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