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Respondent.

Electronically Filed
Sep 17 2013 04:23 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

UNSEALED DOCUMENTS

Counsel for Respondent

INDEX
JAQUEZ BARBER
Case No. 62649

	<u>PAGE NO.</u>
Amended Criminal Complaint filed 03/20/08	712-714
Amended Information filed 11/04/10	005-006
Amended Information filed 11/04/10 (C268471).....	716-717
Amended Jury List filed 10/11/12	092
Arrest Warrant: Petition-Delinquency filed 05/13/09	652-653
Arrest Warrant: Petition-Delinquency (2 nd copy) filed 05/13/09	700-701
Certification Petition filed 08/13/10	655-657
Certification Order filed 08/16/10	677-678
Certification to Adult Status Order filed 09/27/10	696-699
Commitment and Order to Appeal (09F04443A/B).....	711
Criminal Complaint filed 09/30/10.....	001
Defendants Notice of Witness Per NRS Filed 10/05/12	087-088
Defendants Proposed Jury Instructions filed 10/15/12.....	093-094
Defendants Notice of Witnesses Per NRS And Notice of Possible Alibi Witness filed 03/11/11	017-018
District Court Minutes through 01/10/13	118-157
District Court Minutes through 07/21/09 (C253779).....	720-721
Ex Parte Order For Transport filed 09/13/12.....	073-074
Information filed 10/25/10.....	003-004
Instructions To The Jury filed 10/11/12	095-110
Judgment of Conviction filed 01/24/13	112-113
Judgment of Conviction filed 08/03/08 (C253779).....	718-719
Jury filed 10/09/12.....	091
Justice Court Minutes through 10/19/10	002
Justice Court Minutes through 04/13/09 (09F04443B).....	715

1	Juvenile District Court Minutes 09/13/10 through 09/27/10.....	702-710
2	Memorandum of Points and Authorities in Support of Certification Petition filed 08/17/2010	
3	658-676
4	Memorandum To The Court filed 06/22/11	049-054
5	Motion For Discovery filed 03/14/11	019-027
6	Motion To Continue Trial Date filed 12/09/10	014-016
7	Motion To Withdraw As Attorney Of Record	
8	Filed 07/15/11	055-063
9	Motion To Withdraw Counsel filed 11/28/11	064-070
10	Notice of Appeal filed 02/15/13	114-117
11	Notice of Motion And Motion To Continue filed 03/14/11	037-039
12	Notice of Witnesses filed 11/18/10	007-013
13	Order For Production of Inmate Jaquez Barber,	
14	Filed 03/18/11	040-041
15	Order For Production of Inmate Jaquez Barber,	
16	Filed 12/29/11	071-072
17	Second Amended Information filed 10/09/12	089-090
18	Second Supplemental Notice of Expert Witnesses	
19	Filed 10/02/12.....	075-086
20	States Response To Defendants Motion For Discovery	
21	Filed 04/01/11	042-048
22	Supplemental Notice of Expert Witnesses filed 03/14/11	028-036
23	Transportation Order filed 08/10/10.....	654
24	Verdict filed 10/11/12.....	111
25	Warrant of Arrest filed 08/18/10	679-680

TRANSCRIPTS

1		
2		
3	<i>Jury Trial: Day 1</i>	
4	<i>Date of Hrg: 10/09/12</i>	246-412
5	<i>Jury Trial: Day 2</i>	
6	<i>Date of Hrg: 10/10/12</i>	413-581
7	<i>Jury Trial: Day 3</i>	
8	<i>Date of Hrg: 10/11/12</i>	582-640
9	Transcript of Proceedings, RE: Certification For Treatment As An Adult	
10	<i>Date of Hrg: 09/27/10</i>	681-695
11	Transcript of Proceedings, Recorders Transcript of Defendants Pro Se Motion To Withdraw Counsel	
12	<i>Date of Hrg: 12/08/11</i>	212-214
13	Transcript of Proceedings, Recorders Transcript of Hearing RE: Arraignment	
14	<i>Date of Hrg: 10/28/10</i>	163-164
15	Transcript of Proceedings, Recorders Transcript of Hearing RE: Arraignment Continued	
16	<i>Date of Hrg: 11/04/10</i>	165-167
17	Transcript of Proceedings, Recorders Transcript of Hearing RE: Arraignment Continued	
18	<i>Date of Hrg: 11/18/10</i>	168-171
19	Transcript of Proceedings, Recorders Transcript RE: Motion to Continue Trial	
20	<i>Date of Hrg: 12/14/11</i>	172-175
21	Transcript of Proceedings, Rough Draft Recorders Transcript of Calendar Call	
22	<i>Date of Hrg: 03/15/11</i>	176-182
23	Transcript of Proceedings, Rough Draft Recorders Transcript of Calendar Call	
24	<i>Date of Hrg: 10/02/12</i>	232-236
25	Transcript of Proceedings, Rough Draft Recorders Transcript of Calendar Call	
26	<i>Date of Hrg: 10/04/12</i>	237-245
27	Transcript of Proceedings, Rough Draft Recorders Transcript of Calendar Call And Motion For Discovery	
28	<i>Date of Hrg: 03/13/13</i>	194-197
	Transcript of Proceedings, Rough Draft Recorders Transcript of Calendar Call And Motion For Discovery	
	<i>Date of Hrg: 10/25/11</i>	208-211

1	Transcript of Proceedings,	
2	Rough Draft of Recorders Transcript of Defendants Pro Se Motion To Withdraw Counsel	
3	Date of Hrg: 12/22/11	215-217
4	Transcript of Proceedings,	
5	Rough Draft of Recorders Transcript of Defendants Pro Se Motion To Withdraw Counsel	
6	Date of Hrg: 01/03/12	218-221
7	Transcript of Proceedings,	
8	Rough Draft Recorders Transcript of Further Proceedings: Reset Trial	
9	Date of Hrg: 01/10/12	222-227
10	Transcript of Proceedings,	
11	Rough Draft Recorders Transcript of Hearing: Faretta Hearing	
12	Date of Hrg: 09/20/12	228-231
13	Transcript of Proceedings,	
14	Rough Draft Recorders Transcript of Motion For Discovery	
15	Date of Hrg: 05/12/11	183-187
16	Transcript of Proceedings,	
17	Rough Draft Recorders Transcript of Motion For Discovery	
18	Date of Hrg: 05/26/11	188-189
19	Transcript of Proceedings,	
20	Rough Draft Recorders Transcript of Motion For Discovery	
21	Date of Hrg: 06/02/11	190-193
22	Transcript of Proceedings,	
23	Rough Draft Recorders Transcript of Motion To Withdraw As Attorney of Record	
24	Date of Hrg: 08/04/11	198-200
25	Transcript of Proceedings,	
26	Rough Draft Recorders Transcript of Motion To Withdraw As Attorney of Record	
27	Date of Hrg: 08/25/11	201-207
28	Transcript of Proceedings,	
	Rough Draft Recorders Transcript of Sentencing	
	Date of Hrg: 12/13/12	641-643
	Transcript of Proceedings,	
	Rough Draft Recorders Transcript of Sentencing	
	Date of Hrg: 01/10/13	644-651

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

STATE OF NEVADA,
Plaintiff,

vs.

HUBBARD, KENDALL,
BARBER, JAQUEZ,
Defendant(s)

) District Court Case No.:

) Justice Court Case No.: 09F04443A/B

COMMITMENT and ORDER TO APPEAR

An Order having been made this day by me that **HUBBARD, KENDALL** and **BARBER, JAQUEZ**, be held to answer before the Eighth Judicial District Court, Department #12 upon the charge(s) of **ATTEMPT MURDER WITH USE OF A DEADLY WEAPON; BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM; POSSESSION SHORT BARRELED SHOTGUN**, committed in said Township and County, on OR ABOUT THE 24TH DAY OF FEBRUARY, 2009.

IT IS FURTHER ORDERED that the Sheriff of the County of Clark is hereby commanded to receive the above named defendant(s) into custody, and detain said defendant(s) until he/she can be legally discharged, and be committed to the custody of the Sheriff of said County, until bail is given in the sum of \$50,000/50,000.

IT IS FURTHER ORDERED that said defendant(s) is/are commanded to appear in the Eighth Judicial District Court, Regional Justice Center, Lower Level Arraignment Courtroom "A", Las Vegas, Nevada at 10:30A on the 23RD day of APRIL, 2009 for arraignment and further proceedings on the within charge(s).

Dated this April 13, 2009



Justice of the Peace, Las Vegas Township

ORIGINAL

FILED IN OPEN COURT

MAR 20 2009

JUSTICE COURT, LAS VEGAS TOWNSHIP

COURT CLERK

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

09F04443A
84578

Plaintiff,



-vs-

KENDALL HUBBARD #2705161,
JAQUEZ BARBER, #2705160

Defendant.

CASE NO: 09F04443A-B

DEPT NO: 7

AMENDED

CRIMINAL COMPLAINT

The Defendants above named having committed the crimes of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.330, 193.165); BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Felony - NRS 200.481(2)(e); and POSSESSION OF SHORT BARRELED SHOTGUN (Felony - NRS 202.275) in the manner following, to-wit: That the said Defendants, on or about the 24th day of February, 2009, at and within the County of Clark, State of Nevada,

COUNT 1 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

did then and there, without authority of law, and malice aforethought, willfully and feloniously attempt to kill RONALD CHOYCE, a human being, by shooting at and into the body of the said RONALD CHOYCE, with a deadly weapon, to-wit: a firearm, the defendants being responsible under one or more of the following principles of criminal liability, to-wit: (1) by the defendants directly committing the crime and/or (2) by the defendants conspiring with each other to commit the offense of murder whereby the defendants are each vicariously liable for the reasonably foreseeable acts of the other conspirators when the acts were in furtherance of the conspiracy and/or (3) the defendants aiding or abetting the commission of the crime by accompanying each other to the crime scene and by entering into a course of conduct whereby the defendant KENDALL HUBBARD acted as lookout while the defendant JAQUEZ BARBER repeatedly fired a firearm at and into the body of the said RONALD CHOYCE, thereafter the defendant

AMENDED
SF

712

KENDALL HUBBARD and the defendant JAQUEZ BARBER fleeing the scene together and the defendant KENDALL HUBBARD taking possession of the firearm(s) used in the crime, the defendants offering counsel and encouragement to each other throughout.

COUNT 2 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN
SUBSTANTIAL BODILY HARM

did then and there wilfully, unlawfully and feloniously use force or violence upon the person of another, to-wit: RONALD CHOYCE, with use of a deadly weapon, to-wit: a firearm, by shooting at and into the body of the said RONALD CHOYCE, resulting in substantial bodily harm to the said RONALD CHOYCE, the defendants being responsible under one or more of the following principles of criminal liability, to-wit: (1) by the defendants directly committing the crime and/or (2) by the defendants conspiring with each other to commit the offense of battery whereby the defendants are each vicariously liable for the reasonably foreseeable acts of the other conspirators when the acts were in furtherance of the conspiracy and/or (3) the defendants aiding or abetting the commission of the crime by accompanying each other to the crime scene and by entering into a course of conduct whereby the defendant KENDALL HUBBARD acted as lookout while the defendant JAQUEZ BARBER repeatedly fired a firearm at and into the body of the said RONALD CHOYCE, thereafter the defendant KENDALL HUBBARD and the defendant JAQUEZ BARBER fleeing the scene together and the defendant KENDALL HUBBARD taking possession of the firearm used in the crime, the defendants offering counsel and encouragement to each other throughout.

COUNT 3 - POSSESSION OF SHORT BARRELED SHOTGUN

did then and there wilfully, unlawfully, and feloniously possess a short barreled shotgun having a barrel less than 18 inches in length, to-wit: a 12 gauge Remington Shotgun, bearing Serial No. 705344V, with a barrel approximately 17 inches long and overall length of approximately 25 inches.

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1 All of which is contrary to the form, force and effect of Statutes in such cases made
2 and provided and against the peace and dignity of the State of Nevada. Said Complainant
3 makes this declaration subject to the penalty of perjury.
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5 Bonnie V. Jernigan
6 3/19/2009
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27 09F04443X/jh
28 LVMPD EV# 0902242128
(TK7)

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STATE VS. ~~BARBER, JAQUEZ~~

CASE NO. 09F04443B

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

03/20/09
K. BENNETT-HARON
S. JIMENEZ, DA
A. WEINSTOCK FOR
D. WINDER, ESQ
S. OTT, CR
~~V. KENDRICK, CLK~~

****FURTHER PROCEEDINGS NOT CALENDARED****
DEFT PRESENT IN COURT **IN CUSTODY**
MOTION BY STATE TO CONSOLIDATE CASE 09F04444X INTO 09F04443X-
MOTION GRANTED
STATE FILES AND AMENDED CRIMINAL COMPLAINT ADDING
ADDITIONAL CHARGES AND CO-DEFENDANT
COUNT 1- ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
COUNT 2-BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN

03/30/09 9:30A #7 VT

SUBSTANTIAL BODILY HARM
COUNT 3- POSSESSION OF SHORT BARRELED SHOTGUN
COURT SET BAIL: 1- \$00/00

2- \$10,000/10,000

3- \$3,000/3,000

PRELIMINARY HEARING DATE SET

**D. WINDER COURT APPOINTED FOR DEFENDANT IN JC #12
DEFT REMANDED TO THE CUSTODY OF THE SHERIFF

03/25/2009

EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS FILED

03/30/2009

ORDER RELEASING MEDICAL RECORDS FILED

03/30/2009
K. BENNETT-HARON
S. JIMENEZ, DA
D. WINDER, ESQ
S. OTT, CR
V. KENDRICK, CLK

TIME SET FOR PRELIMINARY HEARING
DEFENDANT PRESENT IN COURT **IN CUSTODY**
PRELIMINARY HEARING CALLED OFF

04/13/09 9:30 #7

MOTION BY DEFENSE COUNSEL TO REDUCE BAIL/ ANDOR HOUSE ARREST
STATE OBJECTED REQUESTED HIGH BAIL SETTING
RESET BAIL: 50,000/50,000 TOTAL

VK

DEFT REMANDED TO THE CUSTODY OF THE SHERIFF

04/13/09
K. BENNETT-HARON
S. JIMENEZ, DA
M. SANFT, ESQ
S. OTT, CR
V. KENDRICK, CLK

TIME SET FOR PRELIMINARY HEARING
DEFT PRESENT IN COURT ****IN CUSTODY****
PER NEGOTIATIONS: DEFENDANT UNCONDITIONALLY WAIVES THE
RIGHT TO A PRELIMINARY HEARING
DEFENDANT BOUND OVER TO THE DISTRICT COURT #12 AS CHARGED
DEFENDANT TO APPEAR IN THE LOWER LEVEL ARRAIGNMENT
COURTROOM A
~~DEFT REMANDED TO THE CUSTODY OF THE SHERIFF~~

CASE FORWARDED TO

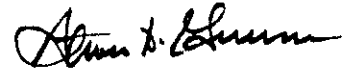
APR 2 1 2009

IMAGED
DISTRICT COURT
CLERK'S OFFICE

RIM

IMAGED

715



CLERK OF THE COURT

1 **AINF**
2 **DAVID ROGER**
3 Clark County District Attorney
4 Nevada Bar #002781
5 **PHILIP BROWN**
6 Chief Deputy District Attorney
7 Nevada Bar #006240
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

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

10 THE STATE OF NEVADA,)
11)
12 Plaintiff,)
13 -vs-)
14 JAQUEZ DEJUAN BARBER,)
15 #2705160)
16 Defendant.)

Case No: **C268471-1**
Dept No: **IV**

AMENDED
INFORMATION

17 STATE OF NEVADA }
18 COUNTY OF CLARK } ss.

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

21 That **JAQUEZ DEJUAN BARBER**, the Defendant above named, having committed
22 the crime of **BURGLARY (Category B Felony - NRS 205.060)** and **GRAND LARCENY**
23 **(Category B Felony - NRS 205.220, 205.222)** in the manner following, to-wit: That the
24 said Defendant, on or about the 21st day of January, 2009, at and within the County of Clark,
25 State of Nevada, contrary to the form, force and effect of statutes in such cases made and
26 provided, and against the peace and dignity of the State of Nevada,

27 //

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710e

1 COUNT 1 - BURGLARY

2 did then and there wilfully, unlawfully, and feloniously enter, with intent to commit
3 larceny, that certain building occupied by ALDEGUNDA MENDOZA, located at 1873 Star
4 Sapphire Court, Las Vegas, Clark County, Nevada.

5 COUNT 2 - GRAND LARCENY

6 did then and there wilfully, unlawfully, and feloniously with intent to deprive the
7 owner permanently thereof, steal, take, carry, lead or drive away property owned by
8 ALDEGUNDA MENDOZA, having a value of \$250.00, or more, to-wit: \$7,000.00.

9 DAVID ROGER
10 DISTRICT ATTORNEY
Nevada Bar #002781

11
12 BY /s/ PHILIP BROWN
13 PHILIP BROWN
14 Chief Deputy District Attorney
Nevada Bar #006240

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

17 COR or Designee; LVMPD RECORDS

18 DAHN, ROBBIE; LVMPD#05947

19 FARNHAM, VICKI; LVMPD#07836

20 MENDOZA, ALDEGUNDA; 1873 STAR SAPPHIRE CT., LVN 89106

21 NORDSTROM, JAYME; LVMPD#08254

22 PAGE, LELAND; COURT INTERPRETER

23
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27 DA#10F18646X/hjc/SVU
28 LVMPD EV#0901211550
(TK11)

JOCP

2009 AUG -3 A 5:43

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JAQUEZ BARBER
aka Jaquez Dejaun Barber
#2705160

Defendant.

CASE NO. C253779

DEPT. NO. XII

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of COUNT 3 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481.2e; thereafter, on the 21st day of July, 2009, the Defendant was present in court for sentencing with his counsel, DAN W. WINDER, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including testing to determine genetic markers, the Defendant is sentenced as follows:

718

1 TO A MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM parole eligibility of SIX (6)
2 YEARS, in the Nevada Department of Corrections (NDC); with ONE HUNDRED
3 FORTY-ONE (141) DAYS Credit for Time Served.
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7 DATED this 30 day of July, 2009
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11 MICHELLE LEAVITT
12 DISTRICT JUDGE
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Location : District Courts Images Help

REGISTER OF ACTIONS

CASE NO. 09C253779-2

The State of Nevada vs Jaquez Barber

09C253779-2

Case Type: **Felony/Gross
Misdemeanor**
 Date Filed: **04/20/2009**
 Location: **Department 12**
 Conversion Case Number: **C253779**
 Defendant's Scope ID #: **2705160**
 Lower Court Case Number: **09F04443**

RELATED CASE INFORMATION

Related Cases

09C253779-1 (Multi-Defendant Case)

PARTY INFORMATION

Defendant **Barber, Jaquez**

Lead Attorneys
Pro Se

Plaintiff **State of Nevada**

Steven B Wolfson
702-671-2700(W)

CHARGE INFORMATION

Charges: Barber, Jaquez

3. BATTERY WITH SUBSTANTIAL BODILY HARM

Statute
200.481.2E

Level
Felony

Date
01/01/1900

EVENTS & ORDERS OF THE COURT

04/23/2009 Initial Arraignment (10:30 AM) ()

INITIAL ARRAIGNMENT Court Clerk: Phyllis Irby/pi Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams

Minutes

04/23/2009 10:30 AM

- AS TO DEFT BARBER: NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. BARBER ARRAIGNED AND PLED GUILTY TO BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing. Court DIRECTED Deft. to report to P&P immediately after Court or a bench warrant will issue. Mr. Winder advised negotiations are contingent upon co-Deft accepting negotiations. AS TO DEFT HUBBARD: Mr. Sanft requested a continuance; advised he needs to go over Guilty Plea Agreement with Deft. COURT ORDERED, matter CONTINUED. NIC (BOTH) 4-30-09 10:30 AM ARRAIGNMENT CONTINUED (BOTH) 6-18-09 8:30 AM SENTENCING (DEPT. XII) (BARBER)

Parties Present

Return to Register of Actions

720

REGISTER OF ACTIONS

CASE No. 09C253779-2

The State of Nevada vs Jaquez Barber

Case Type: Felony/Gross
Date Filed: Misdemeanor
Location: 04/20/2009
Department 12
Case Number: C253779
Scope ID #: 2705160
Case Number: 09F04443

RELATED CASE INFORMATION

Related Cases

09C253779-1 (Multi-Defendant Case)

PARTY INFORMATION

Defendant Barber, Jaquez

Lead Attorneys
Pro Se

Plaintiff State of Nevada

Steven B Wolfson
702-671-2700(W)

CHARGE INFORMATION

Charges: Barber, Jaquez

3. BATTERY WITH SUBSTANTIAL BODILY HARM

Statute
200.481.2E

Level
Felony

Date
01/01/1900

EVENTS & ORDERS OF THE COURT

07/21/2009	Sentencing (8:30 AM) ()
------------	-------------------------

SENTENCING Court Clerk: April Watkins Reporter/Recorder: Kerry Esparza Heard By: Michelle Leavitt

Minutes

07/21/2009 8:30 AM

- DEFT. BABRER ADJUDGED GUILTY as to COUNT 3 BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F). Arguments by counsel. Statement by Deft. 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 to a MINIMUM of SIX (6) YEARS and a MAXIMUM of FIFTEEN (15) YEARS in the Nevada Department of Corrections (NDC) with ONE HUNDRED FORTY-ONE (141) DAYS credit for time served. BOND, if any, EXONERATED.

Parties Present

Return to Register of Actions

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No. 62649

vi.

Respondent.

BY /s/ Carrie M. Connolly
Employee, Clark County Public Defender's Office