

Electronically Filed
CLERK OF THE COURT
Mar 28 2013 03:07 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 NOAS
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 STEVEN S. OWENS
6 Chief Deputy District Attorney
7 Nevada Bar #004352
8 200 Lewis Street
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

12 TROY RICHARD WHITE,

13 Defendant(s).

Case No. 12-C286357-1
Dept. No. XI

NOTICE OF APPEAL

14 TO: TROY RICHARD WHITE, Defendant; and

15 TO: SCOTT L. COFFEE, Deputy Public Defender for Defendant and

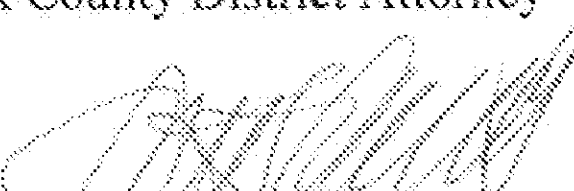
16 TO: ELIZABETH GONZALEZ, District Judge, Eighth Judicial District Court,
17 Dept. No. XI

18 NOTICE IS HEREBY GIVEN THAT THE STATE OF NEVADA, Plaintiff in the
19 above entitled matter, appeals to the Supreme Court of Nevada, pursuant to NRS
20 177.015(1)(b) from the district court's dismissal of a Count of Burglary on March 27, 2013.

21 Dated this 27th day of March, 2013.

22 STEVEN B. WOLFSON,
23 Clark County District Attorney

24 BY



25 STEVEN S. OWENS
26 Chief Deputy District Attorney
27 Nevada Bar #004352
28

1 CERTIFICATE OF MAILING

2 I hereby certify that service of the above and foregoing NOTICE OF APPEAL was
3 made this 27th day of March, 2013, by depositing a copy in the U.S. Mail, postage pre-paid,
4 addressed to:

5
6 SCOTT L. COFFEE
Deputy Public Defender
309 South Third Street, Ste. 226
7 Las Vegas, Nevada 89155

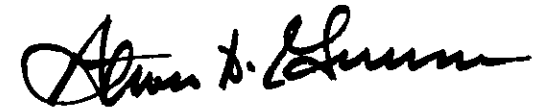
8
9 ELIZABETH GONZALEZ
Eighth Judicial District Court, Dept. XI
10 Regional Justice Center
200 Lewis Avenue
11 Las Vegas, Nevada 89101

12
13
14 BY



Employee, District Attorney's Office

15
16
17
18
19
20
21
22
23
24
25
26
27 SSO/ed
28



CLERK OF THE COURT

CASE APPEAL STATEMENT
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2750
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

TROY RICHARD WHITE,
Defendant.

Case No. 12-C286357-1

Dept. No. XI

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

The State of Nevada

2. Identify the judge issuing the decision, judgment, or order appealed from:

Judge Elizabeth Gonzalez

3. Identify all parties to the proceedings in the district court:

Troy Richard White

The State of Nevada

4. Identify all parties involved in this appeal:

Same as #3

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

3
4 STEVEN S. OWENS
5 Chief Deputy District Attorney
6 Nevada Bar #004352
7 Office of the Clark County District Attorney
8 Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

SCOTT L. COFFEE
Deputy Public Defender
Nevada Bar No. 005607
309 South Third Street, Ste. 226
Las Vegas, Nevada 89155
(702) 455-5768

9 Counsel for Appellant
10 State of Nevada

Counsel for Respondent
Troy Richard White

11 6. Indicate whether appellant was represented by appointed or retained
12 counsel in the district court: Appointed

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

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

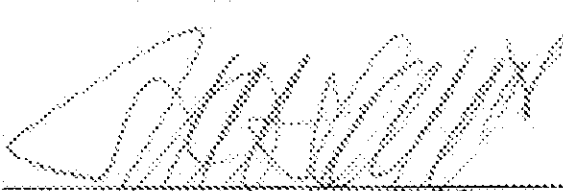
17 9. Date proceedings commenced in the district court:

18 Information filed December 27, 2012.

19 DATED this 27th day of March, 2013.

20 STEVEN B. WOLFSON
21 Clark County District Attorney
Nevada Bar #001565

22
23 BY


24 STEVEN S. OWENS
25 Chief Deputy District Attorney
26 Nevada Bar #004352
27 Office of the Clark County District Attorney
28 Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

CERTIFICATE OF MAILING

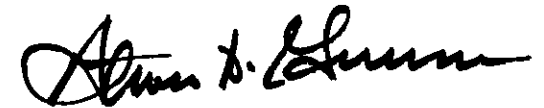
I hereby certify that service of the above and foregoing Case Appeal Statement was made March 27, 2013, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

SCOTT L. COFFEE
Deputy Public Defender
309 South Third Street, Ste. 226.
Las Vegas, Nevada 89155

ELIZABETH GONZALEZ
Eighth Judicial District Court, Dept. XI
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101

Eileen Davis
Employee, District Attorney's Office

880led



CLERK OF THE COURT

REQUEST FOR ROUGH DRAFT TRANSCRIPT

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

v.

TROY RICHARD WHITE,

Defendant(s).

Case No. 12-C286357-1

Dept. No. XI

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: COURT RECORDER, JILL HAWKINS

THE STATE OF NEVADA, plaintiff named above, requests preparation of a rough draft transcript of certain portions of the proceedings before the district court, as follows:

MARCH 27, 2013 – Return to Writ of Habeas Corpus

This Notice requests a transcript of only those portions of the district court proceedings which counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present. Voir dire examination of jurors, opening statements and closing arguments of trial counsel and the reading of jury instructions shall not be transcribed unless specifically requested above.

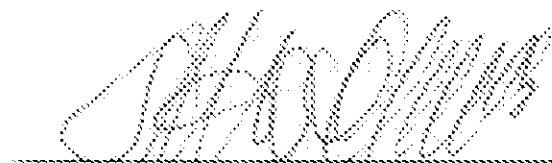
I recognize that I must personally serve a copy of this form on the above named Court Reporter and opposing counsel, and that the above named Court Reporter shall have twenty (20) days from the receipt of this Notice to prepare an original plus three copies at State

1 expense and file with the district court clerk the original rough draft transcript(s) requested
2 herein.

3 Further, pursuant to NRAP 3C(d)(3)(iii), the court reporter shall also deliver copies
4 of the rough draft transcript to the Supreme Court Clerk, to appellant's counsel and
5 respondent's counsel no more than twenty (20) days after the date of the appellant's
6 request.

7 Dated this 27th day of March, 2013.

8
9
10 By



STEVEN S. OWENS
Chief Deputy District Attorney
Nevada Bar #004352
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

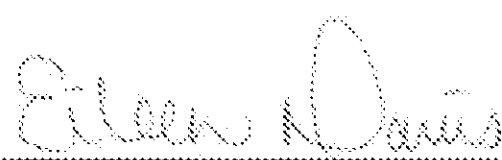
1 CERTIFICATE OF MAILING

2 I hereby certify that service of the above and foregoing REQUEST FOR ROUGH
3 DRAFT TRANSCRIPT was made this 27th day of March, 2013 by depositing a copy in the
4 U.S. Mail, postage pre-paid, addressed to:

5
6 SCOTT L. COFFEE
Deputy Public Defender
309 South Third Street, Ste. 226
7 Las Vegas, Nevada 89155

8
9 JILL HAWKINS
Court Recorder District Court XI
Regional Justice Center
10 200 Lewis Avenue
Las Vegas, Nevada 89155

11
12 JUDGE ELIZABETH GONZALEZ
Eighth Judicial District Court, Dept. XI
Regional Justice Center
13 200 Lewis Avenue
14 Las Vegas, Nevada 89101

15
16
17 BY 
18 Employee, District Attorney's Office

19
20
21
22
23
24
25
26 SSO/ed

DEPARTMENT 11
CASE SUMMARY
CASE NO. C-12-286357-1

State of Nevada
vs
Troy White

| | | |
|---|--------------------------|----------------------------|
| § | Location: | Department 11 |
| § | Judicial Officer: | Gonzalez, Elizabeth |
| § | Filed on: | 12/24/2012 |
| § | Case Number History: | |
| § | Conversion Case Number: | C286357 |
| § | Defendant's Scope ID #: | 1383512 |
| § | Lower Court Case Number: | 12F12500 |

CASE INFORMATION

| Offense | Deg | Date | Case Type: Felony/Gross Misdemeanor |
|--------------------------------------------------------------------------------|-----|------------|----------------------------------------------------------------------------------------------|
| 1. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON | F | 07/27/2012 | Case Flags: Appealed to Supreme Court Custody Status - In Custody No Bail Set |
| 2. MURDER, FIRST DEGREE - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS | F | 07/27/2012 | |
| 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS | F | 07/27/2012 | |
| 4. CARRY CONCEALED EXPLOSIVE, FIREARM OR OTHER DANGEROUS WEAPON WITHOUT PERMIT | F | 07/27/2012 | |
| 5. CHILD ABUSE OR NEGLECT, FIRST OFFENSE | F | 07/27/2012 | |
| 6. CHILD ABUSE OR NEGLECT, FIRST OFFENSE | F | 07/27/2012 | |
| 7. CHILD ABUSE OR NEGLECT, FIRST OFFENSE | F | 07/27/2012 | |
| 8. CHILD ABUSE OR NEGLECT, FIRST OFFENSE | F | 07/27/2012 | |
| 9. CHILD ABUSE OR NEGLECT, FIRST OFFENSE | F | 07/27/2012 | |

DATE

CASE ASSIGNMENT

Current Case Assignment

| | |
|------------------|---------------------|
| Case Number | C-12-286357-1 |
| Court | Department 11 |
| Date Assigned | 01/22/2013 |
| Judicial Officer | Gonzalez, Elizabeth |

PARTY INFORMATION

Lead Attorneys

Defendant **White, Troy Richard**

Public Defender
Public Defender


Plaintiff **State of Nevada**

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










DATE

EVENTS & ORDERS OF THE COURT

INDEX

| | |
|------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 12/21/2012 | No Bail Set |
| 12/24/2012 |  Criminal Bindover <i>Criminal Bindover</i> |

DEPARTMENT 11
CASE SUMMARY
CASE NO. C-12-286357-1

| | |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/27/2012 |  Information <i>Information</i> |
| 01/02/2013 |  Initial Arraignment (1:30 PM) (Judicial Officer: Martin, Eugene) |
| 01/09/2013 |  Arraignment Continued (1:30 PM) (Judicial Officer: De La Garza, Melisa) |
| 01/14/2013 |  Reporters Transcript <i>Transcript of Preliminary Hearing 12/12/12</i> |
| 01/16/2013 |  Status Check: Trial Setting (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/16/2013, 01/28/2013 |
| 01/22/2013 | Case Reassigned to Department 11 <i>Case reassigned from Judge Jennifer Togliatti Dept 9</i> |
| 01/24/2013 |  Media Request and Order <i>Media Request and Order Allowing Camera Access to Court Proceedings</i> |
| 02/04/2013 |  Petition <i>Petition For Writ of Habeas Corpus</i> |
| 02/27/2013 |  Order Filed By: Defendant White, Troy Richard <i>Order</i> |
| 02/28/2013 |  Writ <i>Writ of Habeas Corpus</i> |
| 03/19/2013 |  Return <i>Return to Writ of Habeas Corpus</i> |
| 03/27/2013 |  Request <i>Request for Rough Draft Transcript</i> |
| 03/27/2013 | Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) |
| 03/27/2013 |  Notice of Appeal (criminal) <i>Notice of Appeal</i> |
| 03/27/2013 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 10/30/2013 | Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) |
| 11/04/2013 | Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) |

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 02, 2013

C-12-286357-1 State of Nevada
 vs
 Troy White

January 02, 2013 1:30 PM Initial Arraignment

HEARD BY: Martin, Eugene

COURTROOM: RJC Lower Level
 Arraignment

COURT CLERK: Ying Pan; Andrea Davis

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|-----------|
| PRESENT: | Mercer, Elizabeth A. | Attorney |
| | State of Nevada | Plaintiff |
| | Waters, William | Attorney |
| | White, Troy Richard | Defendant |

JOURNAL ENTRIES

- Mr. Waters advised this is Mr. Coffee's case and requested a continuance for counsel to be present.
No objection from the State. COURT ORDERED matter CONTINUED.

CUSTODY

CONTINUED TO: 1/9/13 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2013

C-12-286357-1

State of Nevada

vs

Troy White

January 09, 2013

1:30 PM

Arraignment Continued

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level
Arraignment

COURT CLERK: Monique Alberto

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:

Coffee, Scott L.

Attorney

Mercer, Elizabeth A.

Attorney

State of Nevada

Plaintiff

White, Troy Richard

Defendant

JOURNAL ENTRIES

- DEFT. WHITE ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Upon request of counsel, COURT ORDERED, matter set for status check/trial setting.

CUSTODY

1/16/13 9:00 A.M. STATUS CHECK: TRIAL SETTING (DEPT 9)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 16, 2013

C-12-286357-1 State of Nevada
 vs
 Troy White

January 16, 2013 9:00 AM Status Check: Trial Setting

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10D

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison-Britt

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Brett Keeler, Deputy District Attorney, present for the State of Nevada.
Defendant White, present in custody, without custody.

State advised this is Mr. Coffee's case and requested a continuance. COURT ORDERED, matter
CONTINUED. State advised it will notify Mr. Coffee of the continuance date.

CUSTODY

CONTINUED TO: 01/28/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 28, 2013

C-12-286357-1 State of Nevada
 vs
 Troy White

January 28, 2013 9:00 AM Status Check: Trial Setting

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|-----------|
| PRESENT: | Coffee, Scott L. | Attorney |
| | Mercer, Elizabeth A. | Attorney |
| | State of Nevada | Plaintiff |
| | White, Troy Richard | Defendant |

JOURNAL ENTRIES

- Parties announced ready to set trial date. COURT ORDERED, matter SET for Jury Trial on November 4, 2013. At Mr. Coffee's request and there being no opposition from the State, COURT ORDERED, pursuant to Statute, counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY

10-30-13 9:00 AM CALENDAR CALL

11-4-13 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2013

C-12-286357-1 State of Nevada
 vs
 Troy White

**March 27, 2013 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER: Jill Hawkins

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|-----------|
| PRESENT: | Coffee, Scott L. | Attorney |
| | Mercer, Elizabeth A. | Attorney |
| | Public Defender | Attorney |
| | State of Nevada | Plaintiff |
| | White, Troy Richard | Defendant |
| | Wolfson, Steven B | Attorney |

JOURNAL ENTRIES

- Arguments by counsel. Court stated its findings, and ORDERED, Writ is GRANTED as to CT. 1 ONLY. Colloquy regarding further proceedings.

CUSTODY

Exhibit List

Case: C-12-286357-1 Party: Sort Order: Status Defendant Name: White, Troy DOB
Richard

| Exhibit ID | On Behalf Of | Status/Date | Return/Destroy Date | Type and Description | Exhibit Flag | Source | In Custody Of | Location |
|------------|--------------|------------------------|------------------------|------------------------------------|--------------|-------------------|---------------|----------|
| JC | Plaintiff | Admitted 01/28/2013 | Destroy 01/28/2015 | Document Justice court exhibits | | Wolfson, Steven B | | |



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

STEVEN B. WOLFSON, DISTRICT ATTORNEY
200 LEWIS ST.
LAS VEGAS, NV 89155-2212

DATE: March 28, 2013
CASE: C286357

RE CASE: STATE OF NEVADA vs. TROY RICHARD WHITE

NOTICE OF APPEAL FILED: March 27, 2013

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) 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, Steven D. Grierson, 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; REQUEST FOR
ROUGH DRAFT TRANSCRIPT; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT
MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

TROY RICHARD WHITE,

Defendant(s).

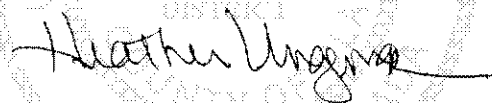
Case No: C286357

Dept No: XI

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 28 day of March 2013.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk