

1 Defendant JEROME FORD could provide assistance to Defendant RONALD ROSS, by  
2 Defendants RONALD ROSS and JEROME FORD fleeing the scene together, Defendants  
3 RONALD ROSS and JEROME FORD acting in concert throughout, by counseling,  
4 encouraging, inducing, or otherwise procuring each other to commit such acts.

5 COUNT 4 - GRAND LARCENY

6 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 11,  
7 2006, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
8 permanently thereof, steal, take, carry, lead or drive away property owned by IRENE  
9 MACCREADY, having a value of \$250.00, or more, to-wit: wallet and contents, Defendants  
10 RONALD ROSS and/or JEROME FORD being liable under one or more of the following  
11 principles of criminal liability: (1) by Defendants RONALD ROSS and/or JEROME FORD  
12 directly committing the offense of grand larceny; (2) by Defendants RONALD ROSS and/or  
13 JEROME FORD conspiring with each other to commit the offense grand larceny whereby  
14 each conspirator is vicariously liable for the foreseeable acts of the other conspirators when  
15 the acts are done in furtherance of the conspiracy; and/or (3) Defendants RONALD ROSS  
16 and/or JEROME FORD aiding or abetting each other in the commission of the offense of  
17 larceny from a person 60 years of age or older by meeting together and planning the  
18 commission of the crime, thereafter accompanying each other to the scene, entering J.C.  
19 PENNY'S, Defendant RONALD ROSS actually taking the said property from IRENE  
20 MACCREADY, Defendant JEROME FORD remaining in a close proximity Defendant  
21 RONALD ROSS while Defendant RONALD ROSS actually took the said property from  
22 IRENE MACCREADY in such a manner that Defendant JEROME FORD could provide  
23 assistance to Defendant RONALD ROSS, by Defendants RONALD ROSS and JEROME  
24 FORD fleeing the scene together, Defendants RONALD ROSS and JEROME FORD acting  
25 in concert throughout, counseling, encouraging, inducing, or otherwise procuring each other  
26 to commit such acts.

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1 COUNT 5 - BURGLARY

2 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 16,  
3 2006, then and there willfully, unlawfully, and feloniously enter, with intent to commit  
4 larceny, that certain building occupied by GOLDEN NUGGET CASINO, located at 129  
5 East Fremont Street, Las Vegas, Clark County, Nevada.

6 COUNT 6 - CONSPIRACY TO COMMIT LARCENY FROM THE PERSON

7 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 16,  
8 2006, then and there meet with each other and between themselves, and each of them with  
9 the other, willfully and unlawfully conspire and agree to commit a crime, to-wit: larceny  
10 from the person, and in furtherance of said conspiracy, Defendants RONALD ROSS and/or  
11 JEROME FORD did commit the acts as set forth in Count 7, said acts being incorporated by  
12 this reference as though fully set forth herein.

13 COUNT 7 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

14 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 16,  
15 2006, then and there willfully, unlawfully, and feloniously, under circumstances not  
16 amounting to robbery, with intent to steal or appropriate to their own use, take from the  
17 person of another, to-wit: MARION RENAUD, a person 60 years of age or older, without  
18 her consent, personal property, to-wit: wallet and contents, Defendants RONALD ROSS  
19 and/or JEROME FORD being liable under one or more of the following principles of  
20 criminal liability: (1) by Defendants RONALD ROSS and/or JEROME FORD directly  
21 committing the offense of larceny from a person 60 years of age or older; (2) by Defendants  
22 RONALD ROSS and/or JEROME FORD conspiring with each other to commit the offense  
23 of larceny from a person 60 years of age or older whereby each conspirator is vicariously  
24 liable for the foreseeable acts of the other conspirators when the acts are done in furtherance  
25 of the conspiracy; and/or (3) by Defendants RONALD ROSS and/or JEROME FORD  
26 aiding or abetting each other in the commission of the crime by Defendants RONALD ROSS  
27 and/or JEROME FORD meeting together and planning the commission of the crime,  
28 thereafter, Defendants RONALD ROSS and/or JEROME FORD accompanying each other

1 to the scene, Defendants RONALD ROSS and/or JEROME FORD entering the said  
2 GOLDEN NUGGET CASINO, defendant RONALD ROSS actually taking the said property  
3 from MARION RENAUD, defendant RONALD ROSS then quickly passing the said  
4 property to Defendant JEROME FORD, Defendants RONALD ROSS and JEROME FORD  
5 then fleeing the scene in different directions, Defendants RONALD ROSS and JEROME  
6 FORD acting in concert throughout, by counseling, encouraging, inducing, or otherwise  
7 procuring each other to commit such acts.

8 COUNT 8 - GRAND LARCENY

9 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 16,  
10 2006, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
11 permanently thereof, steal, take, carry, lead or drive away property owned by MARION  
12 RENAUD, having a value of \$250.00, or more, to-wit: wallet and contents, Defendants  
13 RONALD ROSS and/or JEROME FORD being liable under one or more of the following  
14 principles of criminal liability: (1) by Defendants RONALD ROSS and/or JEROME FORD  
15 directly committing the offense of grand larceny; (2) by Defendants RONALD ROSS and/or  
16 JEROME FORD conspiring with each other to commit the offense grand larceny whereby  
17 each conspirator is vicariously liable for the foreseeable acts of the other conspirators when  
18 the acts are done in furtherance of the conspiracy; and/or (3) by Defendants RONALD  
19 ROSS and/or JEROME FORD aiding or abetting each other in the commission of the crime  
20 by Defendants RONALD ROSS and/or JEROME FORD meeting together and planning the  
21 commission of the crime, thereafter, Defendants RONALD ROSS and/or JEROME FORD  
22 accompanying each other to the scene, Defendants RONALD ROSS and/or JEROME FORD  
23 entering the said GOLDEN NUGGET CASINO, defendant RONALD ROSS actually taking  
24 the said property from MARION RENAUD, defendant RONALD ROSS then quickly  
25 passing the said property to Defendant JEROME FORD, Defendants RONALD ROSS and

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1 JEROME FORD then fleeing the scene in different directions, Defendants RONALD ROSS  
2 and JEROME FORD acting in concert throughout, by counseling, encouraging, inducing, or  
3 otherwise procuring each other to commit such acts.

4 DATED this 31 day of March, 2006.

5 DAVID ROGER  
6 DISTRICT ATTORNEY  
7 Nevada Bar #002781

8 BY 

9 JAMES R. SWEETIN  
10 Chief Deputy District Attorney  
11 Nevada Bar #005144

12 ENDORSEMENT: A True Bill

13   
14 Foreperson, Clark County Grand Jury  
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1 Names of witnesses testifying before the Grand Jury:  
2 MACCREADY, IRENE, 10 REGENCY PARK DR #402, HALIFAX, NOVA SCOTIA B3S1P2  
3 REDMOND, RODNEY, JC PENNEYS  
4 RADER, WILLIAM, LVMPD #5468  
5 RENAUD, MARION, 15 ELSON DR, RIVERSIDE, RI 02915  
6 COLE, DEBORAH, 15 ELSON DR, RIVERSIDE, RI 02915  
7 MACDONALD, ALAN, 129 FREMONT ST, LVN 89101  
8 CLAYTON, TIM, GOLDEN NUGGET, SURVEILLANCE  
9 Additional witnesses known to the District Attorney at the time of filing this Indictment:  
10 LEE, RUSSEL, LVMPD P#3290  
11 JONES, EDWARD, LVMPD P#5099  
12 KOBAYAKAWA, JOYCE, c/o District Attorney, 200 Lewis Ave., LVN 89155  
13 TYLER, JOHN, FREMONT HOTEL INVESTIGATOR, LVN 89101  
14 HUTTNER, KATHLEEN, 3 WILLIAMS ST, MANORVILLE, NY 11949  
15 FULLER, DONALD, MAIN/FREMONT, LVN 89101  
16 HAMPTON, ROBERT, 129 FREMONT ST, LVN 89101  
17 CARR, SHERI, LVMPD P#4923  
18 MILDEBRANDT, BRIAN, LVMPD P#5449  
19 ANDERSON, RYAN, LVMPD P#6006  
20 BOSS, NATHAN, LVMPD P#6241  
21 GALLUP, BRADLEY, LVMPD P#8729  
22 VAIN, PRISCILLA, 5751 S. KINGS, SPRINGFIELD, MO 65810  
23 STOPKA, DAN, LVMPD #4063  
24 KIRKPATRICK, GLORIA, 6787 BRENTWOOD DR. NE, WINTERHAVEN, FL 33881  
25 DOMINGEZ, PAUL, JC PENNEY'S SURV, 3542 S. MARYLAND PKWY, LVN 89102  
26 05BGJ081A/B; 06F01036A/dd  
27 LVMPD EV# 0601111815; 0601162105  
28 0601170898; 0510122082  
BURG; GL; CONSP LRCNY PRSN;  
LARC PRSN >60 - F/GM

# **EXHIBIT F**

00206

## ARREST REPORT

☐ City☒ County☒ Adult☐ Juvenile

Sector/Beat H2

ID/EVENT# 1970026	ARRESTEE'S NAME (Last, First, Middle) ROSS, RONALD		S.S.# 163-56-4968	
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code) 5920 BOULDER HIGHWAY, LAS VEGAS, NEVADA, 89122				
CHARGES: BURGLARY GRAND LARCENY LARCENY FROM A PERSON VICTIM OVER 65 LARCENY FROM A PERSON				
OCCURRED: DATE		DAY OF WEEK	TIME 2245 HRS	LOCATION OF ARREST (Number, Street, City, State, Zip Code) CLARK COUNTY DETENTION CENTER, LAS VEGAS, NEVADA
RACE B	SEX M	D.O.B. 01/20/70	HT 5'8"	WT 180
HAIR BLK		EYES BRO	PLACE OF BIRTH PENNSYLVANIA	

## CIRCUMSTANCES OF ARREST

## OFFICERS INVOLVED:

Detective W. Rader, P#5468  
 Detective B. Mildebrandt, P#5449  
 Detective R. Anderson, P#6006

## VICTIM:

Irene MacCready  
 DOB: 07/25/32  
 10 Regency Park Drive, Suite 402  
 Halifax, Nova Scotia B3S 1P2

## DETAILS:

On January 11, 2006, at approximately 1418 hours, victim, Irene MacCready, whose age is 74, was shopping in the jewelry of J.C. Penney at the Boulevard Mall, which is located at 3542 South Maryland Parkway, Las Vegas, Nevada, 89109. Irene stated in her statement that she was approached by a black male with braids and a gray suit. The black male was identified by detectives from a previous arrest as Ronald Ross, ID #1970026, after detectives reviewed the video surveillance of the incident involving MacCready.

Irene stated that the black male asked her to help him pick out some earrings for his girlfriend. Ronald looked at several pair of earrings with Irene. Ronald can be observed on the surveillance video, the incident, standing back and to the left of Irene, with his gray, suit jacket draped over his right arm. Irene's purse is over her left shoulder, sitting against her lower back.

It should be noted that Ronald's method of operation from previous arrests is to pick out elderly females and approach them and make small conversation. Ronald usually has a jacket draped over his arm to conceal the theft from others and possibly video surveillance. While Irene and Ronald were looking at earrings, Ronald moved close to Irene and

ARRESTING OFFICER(S)	P#	APPROVED BY	CONNECTING RPTS. (Type or Event Number)
W. RADER	5468	Lt. P. Charoert 1-17-06 @ 1545 hr	3932 copy on file with the Las Vegas Metropolitan Police Department

LVMPD 602 (REV. 12-90) - AUTOMATED

Manager of Police Records  
 Records Custodian

APR 4 2006  
 Date

00207

## CONTINUATION REPORT

ID/Event Number: 1970026

Page 2 of 2

removed a wallet from her purse, concealing it under his jacket with his right hand. The wallet contained \$500 in U.S. currency and some other miscellaneous items.

Irene then handed Ronald a pair of earrings. Ronald took the earrings to the counter as if to pay for them. Once at the counter, Ronald handed the clerk the earrings and moved his coat from one hand to the next. Ronald can be seen counting some money and then walking out of the store in a hurry.

Following Ronald is a black male adult, who was standing in close proximity to Ross the whole time the crime occurred. The black male can be seen on previous tapes with Ronald and his close proximity during Ronald's other crimes. The black male exiting with Ronald was identified by detectives as Jerome Ford, ID #1991973.

Several minutes after Ronald exited the store, Irene went to the check-out counter to purchase an item. When Irene went into her purse, she noticed at this time that Ronald had taken her wallet. Ross was arrested for a similar crime on 01/16/06, and brought to Clark County Detention Center, where he was booked.

I was then notified and responded to CCDC, where I re-booked Ross on these charges stemming from the incident on 01/11/06. Ross was booked for burglary, due to the fact that he is known by this detective, as well as other tourist-safety detectives, as a pickpocket and purse snatcher who commonly preys on elderly, female victims, and that he entered the J.C. Penney Store on 01/11/06, with the intent to commit larceny from person as evidenced by his prior record and knowledge TSU detectives have regarding purse snatch and pickpocket crimes. He was also arrested for larceny from person with the victim over age 60, due to the fact that he reached into the purse of MacCready, whose date of birth is 07/25/32, without her knowledge and removed money in the amount of \$500 from her wallet with the intent to permanently deprive her of the money.

WR/egw (Records)

Job #36145

Date & Time Dictated: 01/17/06 0106 hours

Date & Time Transcribed: 01/17/06 1020 hours

cc: Detective W. Rader/Tourist Safety

I hereby certify that this is a full,  
true, and correct copy of the original  
hard copy on file with the Las Vegas  
Metropolitan Police Department

*Vona Saimi* - APR 4 2006  
Manager of Police Records Date  
Records Custodian

00208

# EXHIBIT G

00209

## ARREST REPORT

☐ City☐ County☒ Adult☐ Juvenile

Sector/Beat

ID/EVENT# 1970026	ARRESTEE'S NAME (Last, First Middle) ROSS, RONALD		S.S.# 163-56-1968	
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code) Distr <u>H&amp;G 967</u> WVS				
CHARGES: BURGLARY, NRS 205.060 CONSPIRACY TO COMMIT BURGLARY, NRS C205.060 LARCENY FROM A PERSON, VICTIM OVER 60, 205.270 CONSPIRACY TO COMMIT LARCENY FROM A PERSON, VICTIM OVER 60, NRS C205.270 GRAND LARCENY, NRS 205.220				
OCCURRED:	DATE 01/16/06	DAY OF WEEK MONDAY	TIME 1610 HRS	LOCATION OF ARREST (Number, Street, City, State, Zip Code) 129 FREMONT STREET, LAS VEGAS, NEVADA 89101
RACE B	SEX M	D.O.B. 01/20/70	HT	WT
HAIR		EYES		PLACE OF BIRTH

## CIRCUMSTANCES OF ARREST

## OFFICERS INVOLVED:

Officer B. Gallup, P#8729  
Officer N. Boss, P#6241  
Officer Chance McClish, P#6619

## VICTIM:

Marion J. Renaud  
DOB: 03/18/22  
SS#: 087-12-8625

## WITNESSES:

Deborah Cole (victim's daughter)  
DOB: 08/30/54

Kathleen Huttner  
DOB: 08/01/56  
SS#: 113-44-4321

Robert Hampton  
Golden Nugget Security  
DOB: 05/26/39

Alan MacDonald  
Golden Nugget Security  
DOB: 11/20/50  
SS#: 394-54-7261

Donald Fuller  
DOB: 12/12/74  
SS#: 530-24-3051

## ITEMS IMPOUNDED:

One video surveillance tape

I hereby certify that this is a full,

ARRESTING OFFICER(S)	P#	APPROVED BY	CONNECTING RPTS. (Type or Event Number)
B. GALLUP	8729	Metropolitan Police Department	060116-2105
		APR 4 2006	

Manager of Police Records  
Records Custodian

Date

00210

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
CONTINUATION REPORT

ID/Event Number: 1970026

One MasterCard bearing the name of Marcella Jenkins

DETAILS:

I, Officer B. Gallup, P#8729, while working as marked patrol unit 3A33, along with Officer N. Boss, P#6241, responded to a robbery call at the Golden Nugget Hotel and Casino located at 129 Fremont Street, Las Vegas, Nevada, 89101. The details of the call were that an elderly woman had claimed that an unidentified black male had grabbed her and thrown her to the ground in an attempt to steal her wallet. The details stated that security from the Golden Nugget had one suspect in custody.

Upon arrival at the Golden Nugget, we made contact inside the security office with victim Marion Renaud. She stated that while she and her daughter were walking through the casino by the bar, an unidentified black male had grabbed her from the back, thrown her to the ground, in an attempt to take her wallet from her purse.

After speaking with the victim, Renaud, we talked to the suspect in custody, who verbally identified himself as Jerome Ford, date of birth 03/28/72, social security number 147-62-5719. Jerome was then read Miranda by me, Officer Gallup, at approximately 1610 hours. Ford stated that he understood, and I then began questioning Ford about the incident. Ford denied that he was involved in any way, even with the info that we had gained from the victim.

Ford stated that he had entered the casino that day with the intent to play some nickel slots. When he was done playing his nickel slots, he found a wallet on the ground. He did not even pick the wallet up. He stated that when he was going to try to pick the wallet up he heard people screaming at him, and he then ran without even bending down to pick the wallet up.

I then spoke with Golden Nugget security, specifically security officer Alan MacDonald. He stated that he saw the black male run out of the building and heard a woman scream, "He just stole my mother's wallet." MacDonald, along with security officer Robert Hampton, then ran after suspect Ford down onto the Fremont Street Experience. They said they were on foot running him down when an unidentified Fremont security guard who was on a bike joined the chase. The Fremont security guard who was on a bike actually caught the victim Ford, and then turned him over to Hampton and MacDonald.

MacDonald and Hampton were then on their way back to security office with Ford, when a man who identified himself as Marco Rosas stated that he witnessed Ford drop the wallet into a trash can. Rosas retrieved the wallet out of the trash can and returned it to MacDonald. MacDonald then returned the wallet to the victim Renaud once back at the security office.

We then viewed the security surveillance from the Golden Nugget on the incident that occurred that day. It showed Renaud, as well as her daughter Deborah Cole, walking

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true, and correct copy of the original  
hard copy on file with the Las Vegas  
Metropolitan Police Department.

*Vone Davis*  
Manager of Police Records Date APR 4 2006  
Records Custodian

00211

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

ID/Event Number: 1970026

through the casino right by the bar. Cole was about ten feet in front of her mother and had turned around the corner of the bar when a black male adult, who was later identified as Ronald Ross, date of birth, 01/20/70, social 163-56-1968, approach Renaud from the backside. Ross had braided hair and appeared well dressed. He was wearing a white silk-type button-up shirt and dark slacks. He was also carrying a leather jacket on his arm.

Ross got very close to Renaud from the back, and he appeared to be trying to distract her in some way. At one point he pointed across the casino, at which time Renaud, who was looking down, appeared to look up at whatever Ross was pointing at. At this time Ross with his left hand reached into the purse that was resting on Renaud's left shoulder, and pulled out the wallet that was inside the purse. He then let Renaud get about three steps in front of him. At the same time, Ross took one step backwards. He then passed off the wallet to a black male who was later identified as Jerome Ford, who was wearing black pants, a Raiders #18 jersey, and a black leather jacket. Ford opened the jacket with his right hand and appeared to place the wallet inside the left inner pocket of the leather jacket.

At this time, Renaud stopped, noticing that something was not right with her purse. She checked inside and noticed that her wallet was missing. She turned around and began going after the man who had just bumped into her. Cole, at the same time, noticed that something was wrong with her mother and turned around and, noticing that her wallet was gone (verbatim), started to chase after Ford, while at the same time alerting security by screaming at them. Ford and Ross then split and went different ways. Cole chased after Ford out of range of the security camera. It was at this time that it was believed that security MacDonald and Hampton chased after Ford.

While we were taking the report for the incident that had occurred involving Ford and victim Renaud, we noticed a wanted flyer that was posted on the wall in the security office. LAS VEGAS METROPOLITAN POLICE DEPARTMENT Tourist Safety Unit was looking for a black male named Ronald Ross. He was wanted for numerous theft and pickpocket crimes, and he matched the description of the subject in this incident. The flyer also stated that he was usually accompanied by an unknown black male. We believe that Ford was that other suspect.

After searching Ford's pockets, we found a key card to a room at the Plaza Hotel. Suspecting that Ross and Ford might have jointly occupied the room at one point in time, we thought that Ross might try to go back to that room at some point. We therefore had Golden Nugget security call Plaza Security and tell them that if they found a BMA matching the description of Ross to detain him and call LVMPD.

At approximately 1920 hours, Plaza security officer Donald Fuller, date of birth 12/12/74, social 530-24-3051, called Metro to advise that he had taken a black male into custody that matched the description of the suspect Ronald Ross that was given to him by Gold Nugget security. The suspect was later identified as being Ronald Ross. Ross was then confirmed to be the suspect that was wanted by the Las Vegas Metropolitan Police Department Tourist Safety Unit.

Metropolitan Police Department  
Manage of Police Records Date  
Records Custodian  
Vince Scrima APR 4 2006

00212



VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

ID/Event Number: 1970026

Based upon the evidence present on the surveillance tape and the positive identification by Renaud and Cole, we arrested Ford. He was charged with conspiracy to commit larceny from a person/victim over 60. We also charged him with burglary because he demonstrated the intent to enter the casino to commit the larceny, as shown by the organized, efficient, and well-rehearsed manner in which the crime was committed. He was also charged with conspiracy to commit burglary, based upon the same facts. He was then booked at Clark County Detention Center.

Ronald Ross was charged with burglary, conspiracy to commit burglary, conspiracy to commit larceny from person over 60 for the same facts as Ford was arrested on. However, Ross was additionally charged with larceny from person over 60, due to the fact that he actually committed the larceny by taking the wallet from Renaud's purse. He was also charged with grand larceny because Renaud had over \$250 in cash inside the wallet. Ross was then arrested and booked into CCDC.

The wallet itself was returned to Renaud from security officer MacDonald once he received it from Rosas. After asking Renaud, she stated that she had over \$280 in bills spread throughout the wallet in different compartments, and that to the best of her knowledge nothing was taken and nothing was missing from the wallet when she received it back.

BG/lkt (Records)

Job #36137

Date & Time Dictated: 01/17/06 0042 hours

Date & Time Transcribed: 01/17/06 1035 hours

cc: Officer B. Gallup/DT35  
Officer N. Boss/DT35  
Sergeant J. Faulis, P#4764/DT35  
Detective Rader, P#5468/Tourist Safety Unit

I hereby certify that this is a full,  
true, and correct copy of the original  
hard copy on file with the Las Vegas  
Metropolitan Police Department

Vona Sioni APR 4 2006  
Manager of Police Records Date  
Records Custodian

000213

# EXHIBIT H

Mat 382-7632

Jim Gibbons  
GovernorPhillip A. Galeoto  
DirectorJohn Allan Gonska  
Chief

## SOUTHERN COMMAND

□ 215 E. Bonanza Rd.  
Las Vegas, NV 89101□ 620 Belrose St.  
Las Vegas, NV 89107□ 610 Belrose St.  
Las Vegas, NV 89107□ 4906 E. Tropicana Ave.  
Las Vegas, NV 89121

## Division of Parole and Probation

Presentence Investigation Report  
February 12, 2007  
The Honorable Stewart L. Bell  
Department VII, Clark County  
Eighth Judicial District

COPY

Prosecutor: Catherine Harris, DDA  
Defense Attorney: David Westbrook, DPD

PSI: 237012

I. CASE INFORMATION

Defendant: Ronald Ross  
Date of Birth: 01-20-1970  
Age: 37  
SSN: 163-56-4968  
Address: 5920 Boulder Highway Bldg. B, #1321  
City/State/Zip: Las Vegas, Nevada 89122  
Months/Years: 4 months  
Phone: (702) 267-456-9314  
Driver's License: None reported  
State: N/A  
Status: N/A  
POB: Philadelphia, Pennsylvania  
US Citizen: Yes  
Notification Required Per NRS 630.307: No

Case: C219404  
ID: 1970026  
PCN: 22887573  
P&P Bin: 1000746868  
FBI: 141 35 JA1  
SID: NV04164375  
Resident: Yes  
Offense Date: 10-12-2005  
Arrest Date: 10-12-2005  
Plea Date: 10-31-2006  
Sentencing Date: 02-13-2007

II. CHARGE INFORMATION

Offense: Count 2 - Attempt Larceny From the Person (F/GM)  
NRS: 193.330, 205.270  
Category: D  
NOC: 02837 F / 02838 GM

Penalty: By a minimum term of one year and a maximum term of four years in the NDOC and may be fined up to \$5,000. Or if treated as a Gross Misdemeanor: May be sentenced to up to one (1) year in the County Jail and/or may be fined up to \$2,000.

00215

**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

PAGE 2

**III. PLEA NEGOTIATIONS**

Both parties stipulate to felony treatment. The State agrees not to seek habitual criminal treatment in this case only.

**IV. DEFENDANT INFORMATION**

**Physical Identifiers:**

**Sex:** M **Race:** B **Height:** 5'8 1/2" (SCOPE reflects 5'8") **Weight:** 190 (SCOPE reflects 180)

**Hair:** Black **Eyes:** Brown

**Scars:** Scar on Left elbow (Per SCOPE)

**Tattoos (type and location):** None reported

22 **Aliases:** Robert Cornish, John Doe, Anthony Johnson, Kev Johnson, Ronald Johnson, Derrick Little, Ronald Murray, Ronald Johnson Murray, Ronald J. Ross, Kevin Smith, Kevin Wright, Tyrone James, Anthony Day, Curtis Hall, Anthony Robert Johnson, Kevin Johnson, Kevin Lewis, Ronald J. Murray, Ronald J. Murray, Anthony Ross, Ronald Troy Ross, Tyrone Williams, Tyrone Wright.

8 **Additional SSNs:** 163-54-4372, 163-56-4068, 163-56-4967, 163-56-4969, 163-56-4978, 163-56-4371, 215-56-4966, 463-56-4968

8 **Additional DOBs:** 01-20-1966, 01-29-1970, 02-17-1969, 2-19-1967, 04-20-1969, 04-20-1970, 05-15-1972, 06-10-1973

**Social History:** The following social history is as related by the defendant and is unverified unless otherwise noted:

**Childhood:** The defendant reports an "average" childhood.

**Immediate Family Members- Names and Addresses:**

Thelma Ross (mother) Philadelphia, PA

Ronald Elliott (father) Philadelphia, PA

Florence Ross (sister) Syracuse, NY

Landa Hawkins (sister) Philadelphia, PA

**Marital Status:** Single

**Prior Marriages/Long Term Relationships:** None reported

**Children (number, sex, age):** 1 (son age 6 months)

**Custody Status of Children:** The defendant's son resides with his natural mother.

**Monthly Child Support Obligation:** None reported

**Employment Status:** The defendant relates that he was employed for his sister at Loose Cannon Publishing to promote her books for the past 6 months. He was previously employed with Pineapple, a telemarketing firm in Philadelphia, PA.

**Number of Months Employed In The 12 Months Prior To Instant Offense:** 6

00216

**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

PAGE 3

Income: \$3,000 (monthly)

Other Sources: Family

Assets: None reported

Debts: None reported

Education: The defendant relates that he dropped out of school in the 10<sup>th</sup> grade and has not furthered his education.

Military: None reported

Health and Medical History: No health concerns noted.

Mental Health History: No mental health concerns noted.

Gambling History: No gambling concerns noted.

Substance Abuse History: The defendant admits to the past use of marijuana and states that he began consuming alcohol on a regular basis at age 19. He admits to having a problem with alcohol and wishes to attend some type of counseling.

Gang Activity/Affiliation: None reported

**V. CRIMINAL RECORD**

As of November 02, 2006 records of the Las Vegas Metropolitan Police Department reflect the following information:

CONVICTIONS:      FEL: 15      GM: 0      MISD: 0

INCARCERATIONS:      PRISON: 11      JAIL: 0

OUTSTANDING WARRANTS AND LEVEL OF OFFENSE (FEL, GM, MISD): 1 (M)

-WARRANT NUMBER AND JURISDICTION: W440318313 New Jersey

-EXTRADITABLE: No

**SUPERVISION HISTORY:**

CURRENT:      Probation Terms:

Parole Terms:

**PRIOR TERMS:**

Probation:	Revoked: 0	Discharged:	Honorable: 0	Other: 4
Parole:	Revoked: 0	Discharged:	Honorable: 0	Other: 0

00217

## PRESENTENCE INVESTIGATION REPORT

RONALD ROSS

CC#: C219404

PAGE 4

Adult:**Arrest Date:****Offense:****Disposition:**

05-03-1988

(Gambling  
Enforcement Unit, NJ)

1. Conspiracy to Commit Robbery (F)
2. Public Order Crimes (M)
3. Trespass (M)

09-14-1990, Convicted of Attempt to  
Commit Larceny (F). Sentenced to 3  
years confinement.

07-11-1988

(Gambling  
Enforcement Unit,  
Atlantic City, NJ)

- Pocket picking (F)

09-14-1990, Convicted of Larceny (F).  
Sentenced to 3 Years confinement.

08-15-1988

(Gambling  
Enforcement Unit,  
Atlantic City, NJ)

- Larceny (F)

09-14-1990, Convicted of Larceny (F).  
Sentenced to 3 years confinement.

02-21-1989

(Philadelphia PD, PA)

1. Criminal Conspiracy (F)
2. Robbery (F)
3. Theft by Unlawful Taking (F)
4. Receiving Stolen Property (F)

02-01-1990, Convicted of Criminal  
Conspiracy (F) and Robbery (F).  
Sentenced to 01 Day to 2 Years on each  
Count. Other charges withdrawn.

03-10-1989

(Philadelphia PD, PA)

1. Theft by Unlawful Taking or  
Disposition (F)
2. Receiving Stolen Property (F)

05-08-1989, Convicted of Theft by  
Unlawful Taking (F) and Receiving  
Stolen Property (F). Sentenced to 11  
mos and 30 day probation on both  
Counts.

11-07-1991

(Philadelphia PD, PA)

1. Robbery (F)
2. Theft by Unlawful Taking (F)
3. Receiving Stolen Property (F)

09-24-1993, Convicted of Robbery (F).  
Sentenced to 01 Day to 2 years prison.  
Other charges dismissed.

11-22-1991

(Philadelphia PD, PA)

1. Robbery (F)
2. Theft by Unlawful Taking (F)
3. Receiving Stolen Property (F)

01-09-1992, Convicted of Theft by  
Unlawful Taking (F) and Receiving  
Stolen Property (F). Sentenced to 01  
Day to 2 Years Prison on each Count.  
Other charged dismissed.

06-20-1992

(Philadelphia PD, NV)

1. Robbery (F)
2. Theft by Unlawful Taking (F)
3. Receiving Stolen Property (F)

05-12-1993, Convicted of Theft by  
Unlawful Taking (F) and Receiving  
Stolen Property (F). Sentenced to 1 year  
Count Probation and Costs for Theft by  
Unlawful Taking (F) and suspended  
sentence on other charge. Robbery  
Count dismissed.

04-14-1992

(Gambling  
Enforcement Unit,  
Atlantic City, NJ)

- Larceny (F)

07-21-1994, Convicted of Larceny (F).  
No disposition available.

000218

**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

PAGE 5

Arrest Date:	Offense:	Disposition:
11-09-1994 (Philadelphia PD, PA)	1. Receiving Stolen Property (F) 2. Theft (F) 3. Forgery (F) 4. Criminal Conspiracy (M) 5. Theft by Deception (F) 6. Access Device Fraud (F) 7. Securing Exec of Document by Deception (F)	02-06-1996, Convicted of Forgery (F). Sentenced to 01 year to 02 year prison and Criminal Conspiracy (M), sentenced to costs. Other charges dismissed.
05-09-1996 (Philadelphia PD, PA)	1. Aggravated Assault (F) 2. Criminal Conspiracy (F) 3. Simple Assault (F) 4. Recklessly Endangering Another (M) 5. Disorderly Conduct (M)	04-03-1997 Convicted of Simple Assault (F) and sentenced to 01 year to 02 year prison. Also convicted of Disorderly Conduct (M) and sentenced to costs.
10-12-2005 (LVMPD)	1. Attempt Larceny From the Person (F) 2. Burglary (F) RBK: 10-13-2005 FTA: 01-16-2006	Instant Offense CC#C219404
03-31-2006 (LVMPD)	1. Grand Larceny (3 Counts)(F) 2. Burglary (3 Counts)(F) 3. Larceny From the Person Victim Over 65 (2 Counts)(F)	CC#C220915, Scheduled for Trial on 04-16-2007 in Department XXIII.
03-31-2006 (LVMPD)	1. Conspiracy Larceny From the Person (2 Counts ) (F) 2. Grand Larceny (2 Counts)(F) 3. Burglary (2 Counts )(F) 4. LARCENY From the Person Victim Over 65 (2 Counts)(F)	CC#C220916, Scheduled for Trial on 03-26-2007 in Department V.

Additionally, the defendant was arrested or cited in New Jersey, Pennsylvania and Nevada between February 22, 1988 and the present, for the following offenses for which no disposition is noted, prosecution was not pursued or charges were dismissed: Trespassing (3), Larceny from a Building, Conspiracy to Commit Larceny, Larceny, Theft of Moveable Property, Criminal Conspiracy, Simple Assault, Robbery, Theft by Unlawful Taking (3), Receiving Stolen Property (3), Fugitive From Other State, Theft, Grand Larceny, Burglary (4), Grand Larceny (4 Counts), Conspiracy Larceny From the Person, Larceny From the Person Victim Over 65.

The defendant was convicted of the following offenses in Pennsylvania which were unable to be determined as Misdemeanors, Gross Misdemeanors or felonies. He was granted probation on all of the offenses: Criminal Conspiracy, Theft by Unlawful Taking or Disposition(2). Receiving Stolen Property(2), Criminal Attempt

**Institutional/Supervision Adjustment:** Due to the age of the previous conviction, no disposition is available as to supervision in the community or while incarcerated.

00219

**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

PAGE 6

**VI. OFFENSE SYNOPSIS**

Records of the Las Vegas Metropolitan Police Department and the Clark County District Attorney's Office reflect the following information:

On October 12, 2005, officers responded to the MGM Hotel and Casino in regards to an attempt Larceny From the Person and upon arrival, made contact with the victim, Rose Stilling. According to the victim, she was playing a video-slot machine inside of the MGM Grand Hotel and had her purse on the seat in front of the machine that she was playing while she rested her arm on her purse. She stated that she felt someone behind her and to the left of her. She noticed an individual later identified as Ronald Ross with a coat draped over his arm. As the defendant talked to the victim, he leaned toward her purse and then noticed that his jacket was covering her purse and she told him to get his hand out of her purse. He then knocked the purse onto the floor. Witnesses observed his actions, notified security and he was taken into custody. The officer reviewed video surveillance which showed the defendant and another individual attempting to pick pocket other individuals at the casino but did not see anything being removed from this victims purse. He denied his actions stating that his jacket simply fell onto her purse. He was taken into custody, transported and booked as John Doe until he was later identified as the above referenced defendant.

**VII. CO-DEFENDANT'S/OFFENDER'S INFORMATION**

N/A

**VIII. DEFENDANT'S STATEMENT**

The defendant was interviewed at the Clark County Detention Center on February 07, 2007 and was unable to submit a written statement for the Court. During his interview, the defendant stated that he was very intoxicated when he was arrested on the instant offense but denies that he touched the victim's purse or removed anything from it.

**IX. VICTIM INFORMATION/STATEMENT**

The victim did not suffer any type of loss, therefore, restitution is not requested.

**X. CONCLUSION**

This defendant has a very lengthy criminal history including 15 previous felony convictions in several States and should be incarcerated at Nevada Department of Corrections. He has an incomplete education and an unverifiable yet sporadic employment history. He has only lived in Nevada for approximately a few months prior to his arrests here and has 2 more cases pending Jury Trial for the same type of offenses. The defendant is an accomplished thief to say the least yet denies his actions as criminal in the instant offense.

00220



**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

PAGE 7

**XI. CUSTODY STATUS/CREDIT FOR TIME SERVED****Custody Status: In Custody****CTS: 392 Days 01-16-2006 to 02-13-2007****XII. RECOMMENDATIONS****190 Day Regimental Discipline Program: N/A      Deferred Sentence Per NRS 453.3363: N/A****FEEES****Administrative Assessment: \$25      Chemical/Drug Analysis N/A      DNA: N/A****Domestic Violence: N/A      Extradition: N/A****SENTENCE-FELONY****Minimum Term: 12 Mos      Maximum Term: 34 Mos      Location: NDOC****Consecutive to/Concurrent With: N/A      Probation Recommended: N/A      Probation Term: N/A****Fine: N/A      Restitution: N/A****SENTENCE-GROSS MISDEMEANOR****Minimum Term: N/A      Maximum Term: 12 Mos      Location: CCDC****Consecutive to/Concurrent With: N/A      Probation Recommended: N/A      Probation Term: N/A****Fine: N/A      Restitution: N/A**

00221

**PRESENTENCE INVESTIGATION REPORT**  
**RONALD ROSS**  
**CC#: C219404**

**PAGE 8**

\_\_\_\_ Pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.

  X   Pursuant to NRS 239B.030, the undersigned hereby affirms this document contains the social security number of a person as required by NRS 176.145.

Respectfully Submitted,

**JOHN ALLAN GONSKA, CHIEF**

Prepared by Barbara Combs  
DPS Parole and Probation Specialist

Approved:

---

Raymond K. Paki, DPS Lieutenant

Southern Command, Las Vegas, Nevada

00222

# EXHIBIT I

00223

**AFFIDAVIT**

**COMMONWEALTH OF PENNSYLVANIA)**

**COUNTY OF CUMBERLAND )**

**(ss:**

Before me, the undersigned Notary Public, this day personally appeared Tracy A. Steinmeier to me known, in her official capacity of Records Specialist, Pennsylvania Department of Corrections, who being duly sworn according to law, deposes and says that she has examined all the remaining available information regarding the incarceration of Robert Cornish and reports that all information is true and correct.

Tracy A. Steinmeier  
Tracy A. Steinmeier - Records Specialist 2

Subscribed and sworn to before me this 5th day of December 2008.

Shelby A. Nelson  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Shelby A. Nelson, Notary Public  
Lower Allen Twp., Cumberland County  
My Commission Expires Aug. 20, 2009  
Member, Pennsylvania Association of Notaries

000224

*Inst. # CB8674*  
COURT COMMITMENT

STATE OR COUNTY CORRECTIONAL INSTITUTION  
Commonwealth of Pennsylvania

*Anthony Day*  
VS.

COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)

SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	DATE OF BIRTH <i>1/20/70</i>	DOB # <i>PP697924</i>	OTN <i>MS05-8476</i>	COURT OF INITIAL JURISDICTION <input type="checkbox"/>	COMMON PLEAS <input checked="" type="checkbox"/>
COMMITTING COUNTY/MAGISTERIAL DISTRICT <i>Philadelphia</i>				COURT NUMBER <i>3673</i>	DATE - TERM <i>92-01</i>

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

*MC 9111-398*

NOTE: Additional supply of this form available at above address:

☐ DC-300B (Part II) attached

The above defendant after ☒ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
*9-24*, 19 *93* sentenced by Judge/District Justice *D. Webster Keogh* to a term of  
not less than *—* years *8* months *—* days nor more than *—* years *23* months *—* days, or  
for the offense of *Robbery, F-3*

(Section *3701* of the Crimes Code) or (other statute)

It is further ordered that the said defendant be delivered by the proper authority to and treated as the law  
directs at the *COUNTY* facility located at *Detention Center*

FINE AMOUNT \$ <i>—</i> To Be Paid To: <input type="checkbox"/> COUNTY <input type="checkbox"/> COMMONWEALTH	COSTS AMOUNT \$ <i>145.00 w/15</i> To Be Paid By: <i>6 mos of release</i> <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> DEFENDANT	RESTITUTION EFFECTIVE DATE OF SENTENCE <i>9-24-93</i>
---	--	---

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:

*followed by one year consecutive probation*

PROSECUTING ATTORNEY

*Greg Costa, Esq.*

DEFENSE ATTORNEY

*Scott Rudolph, Esq.*

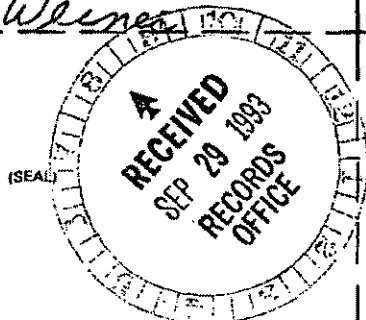
COURT REPORTER

*Diane Werner*

DISPOSITION OF NON-INCARCERATION OFFENSE(S)

*3672-All Counts, Nolle Prosses*

(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSE)



In witness, whereof I have hereunto set my hand and seal of said  
court, this *24th* day of *Sept.* 19 *93*

*Dolan P. Houston*  
AUTHORIZED SIGNATURE

00225

MC 89-02-1864

Type or Print Legibly.

COURT COMMITMENT

STATE OR COUNTY CORRECTIONAL INSTITUTION

Commonwealth of Pennsylvania

Cornish vs. Robert

COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

NOTE: Additional supply of this form available at above address:

☐ DC-300B (Part II) attached

SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	DATE OF BIRTH 2/20/78	SSN 897924	DOB 11/38/60080	COURT OF INITIAL JURISDICTION <input checked="" type="checkbox"/>	COMMON PLEAS <input type="checkbox"/>
COMMITTING COUNTY/MAGISTERIAL DISTRICT Phila			COURT NUMBER 181	DATE - TERM 89 May	

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
May 7, 1993 sentenced by Judge/District Justice Lejune Davis to a term of  
not less than 1 years 9 months — days nor more than 50 years — months — days, or  
for the offense of Robbery FS

(Section 3701 of the Crimes Code) or (other statute)

It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the State Correctional facility located at Shickel

FINE AMOUNT \$ To Be Paid To: <input type="checkbox"/> COUNTY <input type="checkbox"/> COMMONWEALTH	COSTS AMOUNT \$ To Be Paid By: <input type="checkbox"/> COUNTY <input type="checkbox"/> DEFENDANT	RESTITUTION
--	--	-------------

CREDIT FOR TIME SERVED (EXPLANATION OF CREDIT COMPUTATION ON REVERSE SIDE) 4/10/93 on detainer	EFFECTIVE DATE OF SENTENCE 5/9/93
---	--------------------------------------

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:

Violation of Parole & Probation. Parole  
terminated. Probation revoked. Detainer  
92010, lifted.

PROSECUTING ATTORNEY

DISPOSITION OF NON-INCARCERATION OFFENSE(S)

DEFENSE ATTORNEY

COURT REPORTER

(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSE)

In witness, whereof I have hereunto set my hand and seal of said court, this 9th day of May 19 93

AUTHORIZED SIGNATURE

00226

Type or Print Legibly.

COURT COMMITMENT  
STATE OR COUNTY CORRECTIONAL INSTITUTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

Commonwealth of Pennsylvania

NOTE: Additional supply of this form available at above address:

COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)

☐ DC-300B (Part II) attached

SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	DATE OF BIRTH 2/20/78	AGE 15	DOB 02/20/78	COURT OF INITIAL JURISDICTION 181	COMMON PLEAS <input type="checkbox"/>
COMMITTING COUNTY/MAGISTERIAL DISTRICT Phila				COURT NUMBER 181	DATE - TERM 89 Mar

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
May 7, 1993 sentenced by Judge/District Justice Lejane Davis to a term of  
not less than 9 years 9 months — days nor more than 50 years — months — days, or —  
for the offense of Robbery FS

(Section 3701 of the Crimes Code) or (other statute) 3701

It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the State Correctional facility located at State Road

FINE AMOUNT \$ To Be Paid To: <input type="checkbox"/> COUNTY <input type="checkbox"/> COMMONWEALTH	COSTS AMOUNT \$ To Be Paid By: <input type="checkbox"/> COUNTY <input type="checkbox"/> DEFENDANT	RESTITUTION
CREDIT FOR TIME SERVED (EXPLANATION OF CREDIT COMPUTATION ON REVERSE SIDE) 4/10/93 on detainer		EFFECTIVE DATE OF SENTENCE 5/9/93

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:

Violation of Parole & Probation. Parole  
terminated. Probation revoked. Detainer  
95010, listed.

PROSECUTING ATTORNEY

DISPOSITION OF NON-INCARCERATION OFFENSE(S)

DEFENSE ATTORNEY

CLERK REPORTER

(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSE)

In witness, whereof I have hereunto set my hand and seal of said court, this 9th day of May 19 93

AUTHORIZED SIGNATURE

00227

(TO BE ATTACHED TO PART I - COURT COMMITMENT)

Type or Print Legibly

COURT COMMITMENT  
CONTINUATION SHEET  
STATE OR COUNTY CORRECTIONAL INSTITUTION  
Commonwealth of Pennsylvania

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
BOX 598, CAMP HILL, PA. 17011

NOTE: Additional supply of this form available at above address:

*Cornish Robert*  
COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)

COURT NUMBER

OFFENSE TRACKING NUMBER (OTN)

85-03-182

M3860080

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
*May 7, 1993* sentenced by Judge/District Justice *Leah V. Davis* to a term of  
not less than *9* years *9* months *9* days nor more than *3* years *9* months *9* days, or  
for the offense of *Crim Censp*

(Section \_\_\_\_\_ of the Crimes Code) or (other statute) \_\_\_\_\_

FINE

AMOUNT \$ \_\_\_\_\_

To Be Paid To:

☐ COUNTY☐ COMMONWEALTH

COSTS

AMOUNT \$ \_\_\_\_\_

To Be Paid By:

☐ COUNTY☐ DEFENDANT

RESTITUTION

CREDIT FOR TIME SERVED

EFFECTIVE DATE OF SENTENCE

*4/10/93 on delin*  
This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:  
*with bill #181*

*5/7/93*

COURT NUMBER

OFFENSE TRACKING NUMBER (OTN)

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
\_\_\_\_\_, 19\_\_\_\_ sentenced by Judge/District Justice \_\_\_\_\_ to a term of  
not less than \_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days nor more than \_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days, or  
for the offense of \_\_\_\_\_

(Section \_\_\_\_\_ of the Crimes Code) or (other statute) \_\_\_\_\_

FINE

AMOUNT \$ \_\_\_\_\_

To Be Paid To:

☐ COUNTY☐ COMMONWEALTH

COSTS

AMOUNT \$ \_\_\_\_\_

To Be Paid By:

☐ COUNTY☐ DEFENDANT

RESTITUTION

CREDIT FOR TIME SERVED

EFFECTIVE DATE OF SENTENCE

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:

(Seal)

In witness of the above sentence(s) for offense(s) as well as those found on the reverse side of this document, I have hereunto set my hand and seal of said court

this \_\_\_\_\_

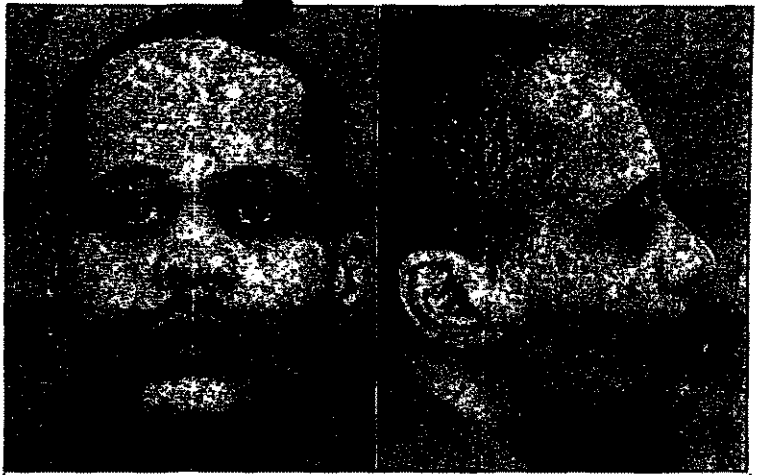
day of \_\_\_\_\_

19 *93*

*[Signature]*  
AUTHORIZED SIGNATURE

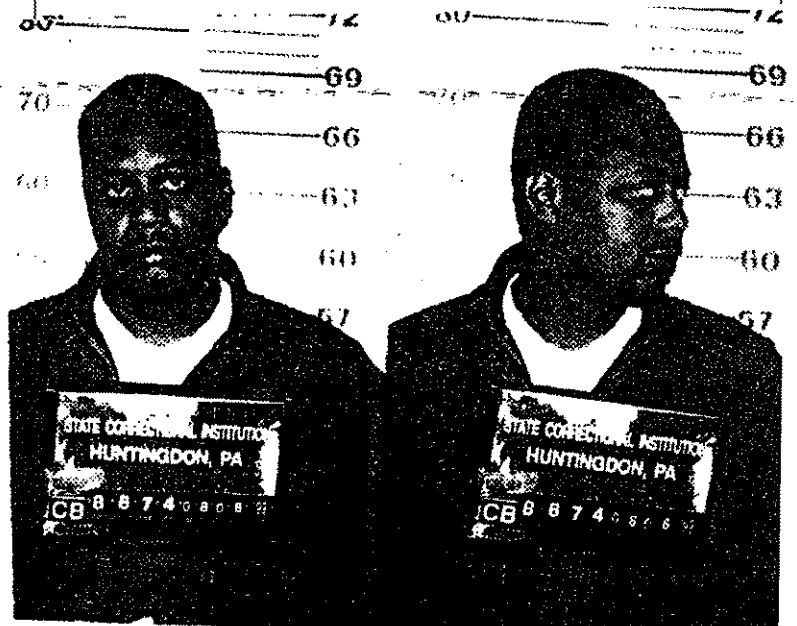
00228





Inmate Number: CB8674

Name: ROBERT CORNISH



(TO BE ATTACHED TO PART I - COURT COMMITMENT)

COURT COMMITMENT  
CONTINUATION SHEET  
STATE OR COUNTY CORRECTIONAL INSTITUTION  
Commonwealth of Pennsylvania

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
BOX 598, CAMP HILL, PA. 17011

Type or Print Legibly

NOTE: Additional supply of this form available at above address:

*Cornish* vs. *Robert*  
COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)

COURT NUMBER

OFFENSE TRACKING NUMBER (OTN)

85-03-182

M3860080

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
*May 7, 1993* sentenced by Judge/District Justice *Seamus D. Davis* to a term of  
not less than *1* years *7* months *9* days nor more than *5* years *7* months *9* days, or  
for the offense of *Crim Cnsp*

(Section \_\_\_\_\_ of the Crimes Code) or (other statute) \_\_\_\_\_

FINE

AMOUNT \$ \_\_\_\_\_

To Be Paid To:

☐ COUNTY☐ COMMONWEALTH

COSTS

AMOUNT \$ \_\_\_\_\_

To Be Paid By:

☐ COUNTY☐ DEFENDANT

RESTITUTION

CREDIT FOR TIME SERVED

EFFECTIVE DATE OF SENTENCE

*4/10/93 on delinquent*  
This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:  
*with bill #181*

COURT NUMBER

OFFENSE TRACKING NUMBER (OTN)

The above defendant after ☐ pleading guilty ☐ nolo contendere ☐ being found guilty was on  
\_\_\_\_\_, 19\_\_\_\_ sentenced by Judge/District Justice \_\_\_\_\_ to a term of  
not less than \_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days nor more than \_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days, or  
for the offense of \_\_\_\_\_

(Section \_\_\_\_\_ of the Crimes Code) or (other statute) \_\_\_\_\_

FINE

AMOUNT \$ \_\_\_\_\_

To Be Paid To:

☐ COUNTY☐ COMMONWEALTH

COSTS

AMOUNT \$ \_\_\_\_\_

To Be Paid By:

☐ COUNTY☐ DEFENDANT

RESTITUTION

CREDIT FOR TIME SERVED

EFFECTIVE DATE OF SENTENCE

This sentence shall be deemed to run concurrent to any existing sentences, effective the date of imposition unless otherwise stipulated below:

(Seal)

In witness of the above sentence(s) for offense(s) as well as those found on the reverse side of this document, I have hereunto set my hand and seal of said court

this *7th* day of *May* 19 *93*  
*Seamus D. Davis*  
AUTHORIZED SIGNATURE

TYPE OR PRINT ALL INFORMATION  
DO NOT LEAVE BLANK

LEAVE BLANK

PSP CARD

(LEAVE BLANK)

LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

SIGNATURE OF PERSON FINGERPRINTED

SOCIAL SECURITY NO.

LEAVE BLANK





MAIDEN

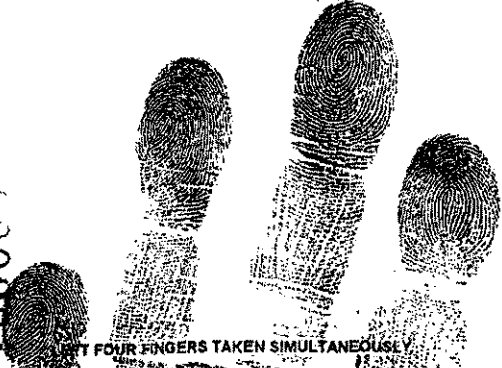


LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX

1 2 3 4 5  
6 7 8 9 10

AGE EDIT IV 1 IV 2 CV PV LSID

II NO. STATE IDENTIFICATION NO. DATE OF BIRTH MM DD YY SEX RACE HEIGHT WEIGHT EYES HAIR

 R. THUMB	 2. R. INDEX	 3. R. MIDDLE	 4. R. RING	 5. R. LITTLE
 L. THUMB	 7. L. INDEX	 8. L. MIDDLE	 9. L. RING	 10. L. LITTLE

 RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY	 LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY	 RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY
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00231

**SUBMIT FINGERPRINT CARDS WITHIN 48 HOURS  
TO THE PENNSYLVANIA STATE POLICE  
CENT REPOSITORY  
1800 E. MERTON AVENUE  
HARRISBURG, PA 17110-9758**

0

<b>COMPLETE FOR JUVENILES ONLY</b> TREAT AS JUVENILE YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY		ORI CONTRIBUTOR ADDRESS		PA046025C S.C.I. GRATERFORD GRATERFORD PA			
OTN (S)		DATE OF OFFENSE MM DD YY		PLACE OF BIRTH (STATE OR COUNTRY)		U.S. CITIZEN YES <input type="checkbox"/> NO <input type="checkbox"/>		COUNTRY OF CITIZENSHIP ALIEN #	
		SCARS, MARKS, TATTOOS, AND AMPUTATIONS							
		RESIDENCE/COMPLETE ADDRESS						CITY	
OFFICIAL TAKING FINGERPRINTS (NAME OR NUMBER & DATE) <i>M. J. [Signature]</i> MAY 11 1997				LOCAL IDENTIFICATION/REFERENCE (OCA) CB-8674				PHOTO AVAILABLE? YES <input type="checkbox"/> PALM PRINTS TAKEN? YES <input type="checkbox"/>	
EMPLOYER:					OCCUPATION				
CHARGE/CITATION 1.					DISPOSITION 1.				
FIREARM ENHANCEMENT YES _____ NO _____		PROSECUTION <input type="checkbox"/> POLICE <input type="checkbox"/> PRIVATE		MAGISTERIAL DISTRICT NO.		ARRESTING AGENCY (FOR PRISON USE ONLY)			
ADDITIONAL INFORMATION/BASIS FOR CAUTION						COUNTY OF OFFENSE			

SUBMIT FINGERPRINT CARDS WITHIN 48 HOURS  
TO THE PENNSYLVANIA STATE POLICE  
CENT REPOSITORY  
1800 E. MERTON AVENUE  
HARRISBURG, PA 17110-9758

COMPLETE FOR JUVENILES ONLY TREAT AS JUVENILE YES <input type="checkbox"/> TREAT AS ADULT YES <input type="checkbox"/>		DATE OF ARREST MM DD YY	ORI PA046025C S.C.I. GRATERFORD CONTRIBUTOR GRATERFORD PA ADDRESS	
OTN (S)	DATE OF OFFENSE MM DD YY	PLACE OF BIRTH (STATE OR COUNTRY)	U.S. CITIZEN YES <input type="checkbox"/> NO <input type="checkbox"/>	COUNTRY OF CITIZENSHIP ALIEN #
	SCARS, MARKS, TATTOOS, AND AMPUTATIONS			
	RESIDENCE/COMPLETE ADDRESS		CITY	STATE
OFFICIAL TAKING FINGERPRINTS (NAME OR NUMBER & DATE) <i>M. J. [Signature]</i> MAY 16 1997		LOCAL IDENTIFICATION/REFERENCE (OCA) CB-8674		PHOTO AVAILABLE? YES <input type="checkbox"/> PALM PRINTS TAKEN? YES <input type="checkbox"/>
EMPLOYER:			OCCUPATION	
CHARGE/CITATION 1.			DISPOSITION 1.	
FIREARM ENHANCEMENT YES _____ NO _____		PROSECUTION <input type="checkbox"/> POLICE <input type="checkbox"/> PRIVATE	MAGISTERIAL DISTRICT NO.	
ADDITIONAL INFORMATION/BASIS FOR CAUTION			ARRESTING AGENCY (FOR PRISON USE ONLY)	
			COUNTY OF OFFENSE	

# EXHIBIT J

000234

# In the Common Pleas Court of Philadelphia

☐ MUNICIPAL COURT

☐ FAMILY COURT DIVISION

☒ TRIAL DIVISION, CRIMINAL SECTION

COMMONWEALTH

vs.

No. CP#8903-0181

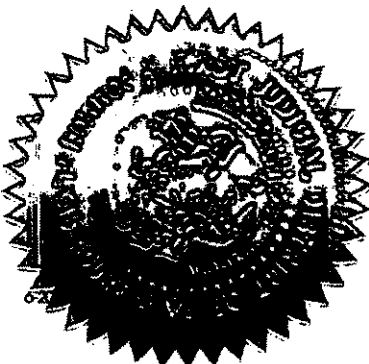
Robert Cornish

Sur Charge

I **CERTIFY** the foregoing to be a true and correct copy of the whole Record, in the case above stated, as full, entire and complete as the same now remains of Record in this office.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seal of the said Court

this 2nd day of December A.D., 20 08.



*Stacy E. Gaillard*  
Clerk of Courts

000235

JMM

COMMONWEALTH VS.  
RECORD CON. NO.POLICE PHOTO NO.  
697924

NAME, A/K/A, ADDRESS, ZIP CODE

ROBERT  
02411 N. 11TH ST  
PHILA. PA 19100

CORNISH

OTN#M3860080

YEAR, TERM, NO.

0303000181

THIS CASE INVOLVES NOS.  
TO 182

## STATUS OF DEFENDANT

Bail Set \$ 02500

Bail Made \$

Surety Name  
& Address0000  
March 3, 1989

## PLACE OF PRELIM. HEARING

05 11TH &amp; WINTER

DT. OF INCIDENT

2/20/89

BIRTH DATE

1/20/70

ATTY. CD.

16281C

M. C. CASE NO.

89/02-1864 1/1

## ISSUING AUTH.

MEKEL

227

SEX

M

RACE

N 1

D. C. NO.

890611835

COMPLAINT DT.

2/21/89

DT. PREL. HEARING

2/27/89

DISM.

BILL NO.

CHARGE CODES &amp; CHARGES

20006 - ROBBERY

3701F-3

PRE-TRIAL/  
TRIAL

WARRANT

DATE

JUDGE

PLEA

ROOM

JURY

COURT STENO

COUNSEL

COURT CLERK

*Open Plea*  
 7/20/89 738 George Jackson Chambers  
 Hon. Leprone Davis Douglas Prentiss Brian Quinn Esq.  
 And now this 20th day of July, 1989, I find guilty  
 X Robert Cornish  
 Defendant plea: Guilty  
 Adjudged: Guilty Robbery F-3  
 Sentence deferred. Pre sentence & psychiatric reports plus a  
 drug evaluation are ordered. C9/27/89 Am 738. Same bail to  
 stand (Defendant is in custody)  
 By the Court  
 Hon. D. J.

VERDICT 4/30/93 DC

DATE

Det. # 93010, to Remain  
 C5/7/93, Rm 646 at 9:30  
 Al Michaels 117C

Judge

## SENTENCE

DATE

JUDGE

JURY

ROOM

JURY

COURT STENO

COUNSEL

COURT CLERK

11/2/89 738 Hon. Leprone Davis  
 Hon. Leprone Davis Thela Woods-Wright Esq. Brian Quinn Esq.  
 Defendant is to undergo imprisonment in Philadelphia County  
 Prison for a term of not less than 3 mo nor more than  
 23 mo with 21 two yrs probation to run consecutive.  
 Pay \$100 costs, \$15 Victim Comp & 10 Domestic Fund  
 within 15 days of release from custody.  
 89051471

93 023861

By the Court  
 Hon. D. J. 00236



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA SS.

In the Common Pleas Court of the County of Philadelph  
CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT - THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY,

February 20, 1989.  
Robert Cornish.

IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID INFLECT  
SERIOUS BODILY INJURY UPON ANOTHER.

SECOND COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,  
Robert Cornish.

IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID THREATEN  
ANOTHER WITH OR INTENTIONALLY PUT HIM IN FEAR OF IMMEDIATE  
SERIOUS BODILY INJURY.

THIRD COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish.  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID COMMIT OR  
THREATEN IMMEDIATELY TO COMMIT A FELONY OF THE FIRST OR SECOND  
DEGREE.

FOURTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish.  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID INFLECT  
BODILY INJURY UPON ANOTHER.

FIFTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish.  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID THREATEN  
ANOTHER WITH OR INTENTIONALLY PUT HIM IN FEAR OF IMMEDIATE  
BODILY INJURY.

SIXTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY;

Robert Cornish.  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID PHYSICALLY  
TAKE OR REMOVE PROPERTY FROM THE PERSON OF ANOTHER BY FORCE  
HOWEVER SLIGHT.

VICTIM -

Antonia Barnadel

PROPERTY TAKEN -

wallet and contents

VALUE -

one hundred and fifty dollars (\$150.00)

FELONY ~~COMMITTED~~ OR THREATENED -

18 PA. S. 3701

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.  
March 3, 1989

DISTRICT ATTORNEY

RONALD D. CASTILLE

ASSISTANT DISTRICT ATTORNEY

RAYFORD A. MEANS

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA SS.

In the Common Pleas Court of the County of Philadelphia  
CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT - THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY,

February 20, 1989

Robert Cornish

IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID INFLECT  
SERIOUS BODILY INJURY UPON ANOTHER.

SECOND COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,  
Robert Cornish

IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID THREATEN  
ANOTHER WITH OR INTENTIONALLY PUT HIM IN FEAR OF IMMEDIATE  
SERIOUS BODILY INJURY.

THIRD COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID COMMIT OR  
THREATEN IMMEDIATELY TO COMMIT A FELONY OF THE FIRST OR SECOND  
DEGREE.

FOURTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID INFLECT  
BODILY INJURY UPON ANOTHER.

FIFTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID THREATEN  
ANOTHER WITH OR INTENTIONALLY PUT HIM IN FEAR OF IMMEDIATE  
BODILY INJURY.

SIXTH COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish  
IN THE COURSE OF COMMITTING A THEFT, FELONIOUSLY DID PHYSICALLY  
TAKE OR REMOVE PROPERTY FROM THE PERSON OF ANOTHER BY FORCE  
HOWEVER SLIGHT.

VICTIM -

Antonia Barnadel

PROPERTY TAKEN -

wallet and contents

VALUE -

one hundred and fifty dollars (\$150.00)

FELONY COMMITTED OR THREATENED -

18 PA. S. 3701

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

March 3, 1989

DISTRICT ATTORNEY

RONALD D. CASTILLE

ASSISTANT DISTRICT ATTORNEY

RAYFORD A. MEANS

COMMONWEALTH VS.

NAME, AKA, ADDRESS, ZIP CODE

Robert Cornish

SUPPLEMENT TO:  
INDICTMENT NO.

YEAR, TERM &amp; NO.

89-03-181

THIS CASE INVOLVES NOS.

181 TO 183

## STATUS OF DEFENDANT

## DOCKET IN CHRONOLOGICAL ORDER

(List Charge No. and follow with sentence - signed &amp; dated by Judge)

## PROCEEDING

DATE 5/7/93 TYPE VOP COURTROOM 646

COURT CLERK J. P. AUSA M. Halsey

ADA J. Prescott DEF. COUNSEL B. Housley

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

## PROCEEDING

DATE TYPE COURTROOM

COURT CLERK COURT STENO.

ADA DEF. COUNSEL

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

## PROCEEDING

DATE TYPE COURTROOM

COURT CLERK COURT STENO.

ADA DEF. COUNSEL

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

From: Legume Wells  
 Violation of Probation  
 & Probation  
 Parole Violated  
 Probation revoked.  
 Defendant sentenced  
 to two less than  
 9 months & not more  
 than 5 years of  
 SCI. Prison  
 92010 lifted. (Add  
 for time served a  
 detainer from  
 4/10/93.

By the Court  


COMMONWEALTH VS.

RECORD CON. NO.

NAME, A/K/A, ADDRESS, ZIP CODE

ROBERT  
02411 N. 11TH ST  
PHILA. PA 19100

CORNISH

OTN#M3860080

YEAR, TERM &amp; NO.

89051472

POLICE PHOTO NO.

697924

THIS CASE INVOLVES NOS.

TO

STATUS OF DEFENDANT

PLACE OF PRELIM. HEARING

05 11TH &amp; WINTER

ISSUING AUTH.

MEKEL

227

Bail Set \$ 02500

Bail Made \$

DT. OF INCIDENT

2/20/89

BIRTH DATE

1/20/70

SEX

M

RACE

N 1

D. C. NO.

890611835

Surety Name

&amp; Address

0000

ATTY. CO.

16281C

M. C. CASE NO.

89/02-1864 1/1

COMPLAINT DT.

2/21/89

DT. PREL. HEARING

2/27/89

DISM.

BILL NO.

DATE

March 3, 1989

DATE OF ARRAIGN.

3/20/89

POL. SURG.

CHARGE CODES &amp; CHARGES

94001 - CRIMINAL CONSPIRACY 903

PRE-TRIAL/

WARRANT/JURY

TRIAL

DATE

7/20/89

ROOM

738

COURT STENO

COUNSEL

COURT CLERK

JUDGE

CLERK

REAR

*Open Plea*  
*George Jackson*  
*Thomson*  
*Donna Davis*  
*Douglas*  
*Quinn*  
*And now this 20th day of July, 1989, I plead guilty*  
*X Robert Cornish*

*Defendant plea: Guilty*

*Adjudged: Guilty*

*Sentence deferred. Pre sentence & psychiatric reports plus a*  
*drug evaluation are ordered. C 9/27/89 Am 738. Same bail*  
*to stand. (Defendant is in custody).*

*By the Court*  
*by DS*

VERDICT

DATE

SENTENCE

DATE

11/2/89

ROOM

738

COURT STENO

COUNSEL

COURT CLERK

JUDGE

CLERK

REAR

*Donna Davis*  
*Theresa Woods*  
*Wright*  
*Eg*  
*Quinn*  
*Eg*

*Defendant is to undergo imprisonment in Phila*  
*County Prison for a term of not less than 3 mo*  
*nor more than 23 mo with 2 yrs probation to run*  
*consecutive. Final sentence is to run concurrent with*  
*sentence imposed on 29 Mar 89.*

*89-051472*

*By the Court*

*93 023862*

*by DS*  
*00240*

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA SS.

In the Common Pleas Court of the County of Philadelphi  
CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT - THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY,

February 20, 1989.  
Robert Cornish.

WITH THE INTENT OF PROMOTING OR FACILITATING THE COMMISSION OF  
A CRIME, UNLAWFULLY AND FELONIOUSLY DID AGREE WITH ANOTHER  
PERSON OR PERSONS THAT THEY OR ONE OR MORE OF THEM WOULD ENGAGE  
IN CONDUCT WHICH WOULD CONSTITUTE SUCH CRIME  
OR AN ATTEMPT OR SOLICITATION TO COMMIT SUCH CRIME, AND DID AN  
OVERT ACT IN PURSUANCE THEREOF.

SECOND COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish.

WITH THE INTENT OF PROMOTING OR FACILITATING THE COMMISSION OF  
A CRIME, UNLAWFULLY AND FELONIOUSLY DID AGREE TO AID ANOTHER  
PERSON OR PERSONS IN THE PLANNING OR COMMISSION OF SUCH CRIME  
OR OF AN ATTEMPT OR SOLICITATION TO COMMIT SUCH CRIME, AND DID  
AN OVERT ACT IN PURSUANCE THEREOF.

CO-CONSPIRATOR - OTHER UNKNOWN PERSONS

CRIMINAL OBJECTIVE -

theft, robbery

OVERT ACT -

did possess property of victim

18 PA. S. 903

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

March 3, 1989.

DISTRICT ATTORNEY

RONALD D. CASTILLE

ASSISTANT DISTRICT ATTORNEY

RAYFORD A. MEANS

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

SS.

In the Common Pleas Court of the County of Philadel  
CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT - THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY,

February 20, 1989.  
Robert Cornish

WITH THE INTENT OF PROMOTING OR FACILITATING THE COMMISSION OF  
A CRIME, UNLAWFULLY AND FELONIOUSLY DID AGREE WITH ANOTHER  
PERSON OR PERSONS THAT THEY OR ONE OR MORE OF THEM WOULD ENGAGE  
IN CONDUCT WHICH WOULD CONSTITUTE SUCH CRIME  
OR AN ATTEMPT OR SOLICITATION TO COMMIT SUCH CRIME, AND DID AN  
OVERT ACT IN PURSUANCE THEREOF.

SECOND COUNT - THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish

WITH THE INTENT OF PROMOTING OR FACILITATING THE COMMISSION OF  
A CRIME, UNLAWFULLY AND FELONIOUSLY DID AGREE TO AID ANOTHER  
PERSON OR PERSONS IN THE PLANNING OR COMMISSION OF SUCH CRIME  
OR OF AN ATTEMPT OR SOLICITATION TO COMMIT SUCH CRIME, AND DID  
AN OVERT ACT IN PURSUANCE THEREOF.

CO-CONSPIRATOR - OTHER UNKNOWN PERSONS

CRIMINAL OBJECTIVE -

theft, robbery

OVERT ACT -

did possess property of victim

18 PA. S. 903

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

March 3, 1989

DISTRICT ATTORNEY

RONALD D. CASTILLE

ASSISTANT DISTRICT ATTORNEY

RAYFORD A. MEANS

COMMONWEALTH VS.

NAME, A/K/A, ADDRESS, ZIP CODE

Robert Cornish

SUPPLEMENT TO:  
INDICTMENT NO.

YEAR, TERM, NO.

THIS CASE INVOLVES NOS.

181 TO 183

## STATUS OF DEFENDANT

## DOCKET IN CHRONOLOGICAL ORDER

(List Charge No. and follow with sentence - signed &amp; dated by Judge)

## PROCEEDING

DATE 3/7/93 TYPE VOP COURTROOM 646

COURT CLERK J. Dawson COURT STENO. M. Holsen

ADA J. Rescove DEF. COUNSEL B. Holsen

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

## PROCEEDING

DATE TYPE COURTROOM

COURT CLERK COURT STENO.

ADA DEF. COUNSEL

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

## PROCEEDING

DATE TYPE COURTROOM

COURT CLERK COURT STENO.

ADA DEF. COUNSEL

CONT. CODE CONT. TO RM. ON (Date)

☐ B.W. ISSUED ☐ BAIL SUED OUT☐ B.W. WITHDRAWN ☐ NEW BAIL☐ SAME BAIL \$

Her: Legume Davis  
Violation of Probation  
Probation  
Probation suspended  
dependent sentenced  
to not less than  
9 months & not  
more than 5 years  
at SCI, sentence  
concurrent with bill  
# 181. V. Davis  
92010 lifted. Prob  
for fine served a  
detainer from 4/10/93

By the Court  
WJ

JMM

COMMONWEALTH VS.

RECORD CON. NO

POLICE PHOTO NO  
697924

NAME A/K/A. ADDRESS. ZIP CODE

ROBERT CORNISH  
02411 N. 11TH ST OTN#M3860080  
PHILA. PA 19100

YEAR, TERM & NO. 0003000183

THIS CASE INVOLVES NOS  
181 TO 181

STATUS OF DEFENDANT

Bail Set \$ 02500

Bail Made \$

Surety Name  
& Address

0000

PLACE OF PRELIM. HEARING

05 11TH & WINTER

DT. OF INCIDENT

2/20/89

BIRTH DATE

1/20/70

ATTY. CD.

16281C

M. C. CASE NO.

89/02-1864 1/1

ISSUING AUTH.

MEKEL

227

SEX

M

RACE

N 1

D. C. NO.

890611835

COMPLAINT DT.

2/21/89

DT. PREL. HEARING

2/27/89

DISM.

BILL NO.

DATE

March 3, 1989

DATE OF ARRAIGN.

3/20/89

POL. SURG.

CHARGE CODES & CHARGES

40010 - BURGLARY 3502 F1  
50002 - THEFT BY UNLAWFUL TAKING OR DISPOSITION 3921  
58001 - THEFT BY RECEIVING STOLEN PROPERTY 3925

PRE-TRIAL/ TRIAL	WAIVER/JURY		
DATE	ROOM	COURT STENO	COURT CLERK
JUDGE	ADA	COUNSEL	
PLEA			

VERDICT	DATE
---------	------

Judge

SENTENCE			
DATE 11/2/79	ROOM 738	COURT STENO Judge Davis	COURT CLERK Chenoweth
JUDGE Hon. Lepore & Davis	ADA Thula Woods-Wright Esq.	COUNSEL Brian Quinn Esq.	

AND NOW Nov 2 1989, the District Attorney,  
with leave of Court enters A Nolle pro sequi on the within bill  
of indictment due to plea

Approved

Judge

Asst. District Attorney

93 023863

89051478 00244



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA SS.

In the Common Pleas Court of the County of Philadelph  
CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT -THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY, :

February 20, 1989  
Robert Cornish.

~~FELONIOUSLY DID ENTER A BUILDING OR OCCUPIED STRUCTURE, OR  
SEPARATELY SECURED OR OCCUPIED PORTION THEREOF, WITH INTENT TO  
COMMIT A CRIME THEREIN. THE PREMISES AT THE TIME NOT BEING  
OPEN TO THE PUBLIC OR THE ACTOR NOT BEING LICENSED OR  
PRIVILEGED TO ENTER.~~

~~SECOND COUNT THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,~~

second

UNLAWFULLY AND FELONIOUSLY DID TAKE, OR EXERCISE UNLAWFUL  
CONTROL OVER, MOVABLE PROPERTY OF ANOTHER, WITH INTENT TO  
DEPRIVE HIM THEREOF.

~~THIRD COUNT -THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,~~  
Robert Cornish.

UNLAWFULLY, FELONIOUSLY AND INTENTIONALLY DID RECEIVE, RETAIN,  
OR DISPOSE OF MOVABLE PROPERTY OF ANOTHER KNOWING THAT IT HAD  
BEEN STOLEN, OR BELIEVING THAT IT HAD PROBABLY BEEN STOLEN.

LOCATION -

OWNER OR CUSTODIAN - Antonia Barnadel

~~INTENDED CRIME -~~

PROPERTY - Wallet and contents

VALUE - one hundred and fifty dollars (\$150.00).

18 PA. S. 3502-3921-3925

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

March 3, 1989

DISTRICT ATTORNEY  
RONALD O. CASTILLE

ASSISTANT DISTRICT ATTORNEY  
RAYFORD A. MEANS

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

SS.

In the Common Pleas Court of the County of Philadelp

CRIMINAL SECTION

THE DISTRICT ATTORNEY OF PHILADELPHIA COUNTY BY THIS INFORMATION CHARGES-

FIRST COUNT -THAT ON OR ABOUT  
IN PHILADELPHIA COUNTY,

February 20, 1989

Robert Cornish

~~FELONIOUSLY DID ENTER A BUILDING OR OCCUPIED STRUCTURE, OR  
SEPARATELY SECURED OR OCCUPIED PORTION THEREOF, WITH INTENT TO  
COMMIT A CRIME THEREIN. THE PREMISES AT THE TIME NOT BEING  
OPEN TO THE PUBLIC OR THE ACTOR NOT BEING LICENSED OR  
PRIVILEGED TO ENTER.~~

SECOND COUNT -THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

UNLAWFULLY AND FELONIOUSLY DID TAKE, OR EXERCISE UNLAWFUL  
CONTROL OVER, MOVABLE PROPERTY OF ANOTHER, WITH INTENT TO  
DEPRIVE HIM THEREOF.

second

THIRD COUNT -THAT ON THE SAME DAY AND YEAR, IN PHILADELPHIA COUNTY,

Robert Cornish

UNLAWFULLY, FELONIOUSLY AND INTENTIONALLY DID RECEIVE, RETAIN,  
OR DISPOSE OF MOVABLE PROPERTY OF ANOTHER KNOWING THAT IT HAD  
BEEN STOLEN, OR BELIEVING THAT IT HAD PROBABLY BEEN STOLEN.

LOCATION -

OWNER OR CUSTODIAN -

Antonia Barnadel

INTENDED CRIME -

PROPERTY -

Wallet and contents

VALUE -

one hundred and fifty dollars (\$150.00)

18 PA. S. 3502-3921-3925

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

March 3, 1989

DISTRICT ATTORNEY

RONALD D. CASTILLE

ASSISTANT DISTRICT ATTORNEY

RAYFORD A. MEANS

CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
COMMONWEALTH OF PENNSYLVANIA VS. ROBERT CORNISH  
FELONY P/H

DC# 89-06-011835

MC#

83-02-1864

I, THE UNDERSIGNED, DO HEREBY STATE UNDER OATH OR AFFIRMATION:

(1) MY NAME IS: MICHELLE MCMONAGLE, ASSISTANT DISTRICT ATTORNEY

(2) I ACCUSE ROBERT CORNISH WHO LIVES AT  
24110 N. 11TH ST., PHILA. PA.,  
WITH VIOLATING THE PENAL LAWS OF PENNSYLVANIA ON OR ABOUT  
MONDAY, FEBRUARY 20, 1989 IN THE COUNTY OF PHILADELPHIA.

(3) THE ACTS COMMITTED BY THE ACCUSED WERE:

WHILE INSIDE MARKET ST. EAST STATION, 10TH AND FILBERT STS., DEFENDANT  
ACTING IN CONCERT WITH ANOTHER DID TAKE A WALLET FROM COMPLAINANT ANTONIA  
BARNADEI WITHOUT HER CONSENT.

IN VIOLATION OF PA. PENAL LAWS, SECTION(S) AND TITLE(S):

3701-F3 ROBBERY  
3925-M1 RSP

3921-M1 THEFT  
0903-F3 CONSP

ALL OF WHICH IS AGAINST THE PEACE AND DIGNITY OF THE COMMONWEALTH OF PA.

(4) I ASK THAT A WARRANT OF ARREST OR A SUMMONS BE ISSUED AND THAT THE  
ACCUSED BE REQUIRED TO ANSWER THE CHARGES I HAVE MADE.

(5) I SWEAR TO OR AFFIRM THE WITHIN COMPLAINT UPON MY KNOWLEDGE, INFORMATION  
AND BELIEF, AND SIGN IT ON / / , BEFORE PHILA. MUNICIPAL COURT  
JUDGE/BAIL COMMISSIONER

*Det Stone*

SIGNATURE OF AFFIANT

ON 2/21/89, THE ABOVE NAMED AFFIANT SWORE OR AFFIRMED THAT THE FACTS SET  
FORTH IN THE COMPLAINT WERE TRUE AND CORRECT TO THE BEST OF HIS/HER  
KNOWLEDGE, INFORMATION AND BELIEF, AND SIGNED IT IN MY PRESENCE. I BELIEVE  
THE WITHIN AFFIANT TO BE A RESPONSIBLE PERSON AND THAT THERE IS PROBABLE  
CAUSE FOR THE ISSUANCE OF PROCESS.

*Belby*  
ISSUING AUTHORITY

SEAL

WAIVER: ON / / , I APPEARED BEFORE JUDGE/BAIL COMMISSIONER  
WHO READ THE ABOVE COMPLAINT TO ME AND EXPLAINED ITS CONTENTS, AND I HEREBY  
WAIVED PRELIMINARY HEARING AND CONSENT TO BE BOUND OVER TO COURT.

DEFENDANT

DEFENSE ATTORNEY

9302386347

# EXHIBIT K

# In the Common Pleas Court of Philadelphia

☐ MUNICIPAL COURT

☐ FAMILY COURT DIVISION

☒ TRIAL DIVISION, CRIMINAL SECTION

COMMONWEALTH

vs.

No. CP#0109-0164 1/1

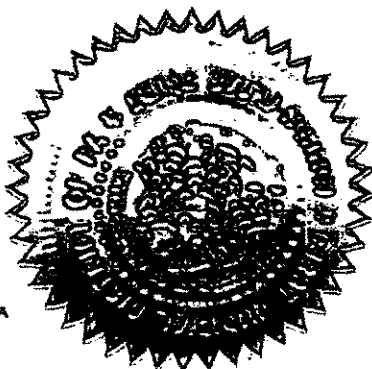
Ronald J. Murray

Sur Charge

I **CERTIFY** the foregoing to be a true and correct copy of the whole Record, in the case above stated, as full, entire and complete as the same now remains of Record in this office.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seal of the said Court

this 2nd day of December A.D., 20 08.



6-204A

*James E. Gaillard*  
Clerk of Courts

00249

1 VER

FILED IN OPEN COURT

NOV 13 2008 @ 6:50pm

EDWARD A. FRIEDLAND  
CLERK OF THE COURT

BY

*Kristen Brown*

KRISTEN BROWN

DEPUTY

DISTRICT COURT

CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 RONALD ROSS,

11 Defendant.

CASE NO: C236169

DEPT NO: XVII

12  
13 VERDICT

14 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
15 follows:

16 COUNT 1 - BURGLARY

17 *(please check the appropriate box, select only one)*

18 ☒ Guilty of Burglary

19 ☐ Not Guilty

20  
21 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
22 follows:

23 COUNT 2 - LARCENY FROM THE PERSON

24 *(please check the appropriate box, select only one)*

25 ☒ Guilty of Larceny From The Person

26 ☐ Not Guilty

27  
28 000153

1 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
2 follows:

3 **COUNT 3 - BURGLARY**

4 *(please check the appropriate box, select only one)*

5 ☒ Guilty of Burglary

6 ☐ Not Guilty

7  
8 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
9 follows:

10 **COUNT 4 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S**  
11 **CONSENT**

12 *(please check the appropriate box, select only one)*

13 ☒ Guilty of Possession Of Credit Or Debit Card Without Cardholder's Consent

14 ☐ Not Guilty

15  
16 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
17 follows:

18 **COUNT 5 - FRAUDULENT USE OF CREDIT OR DEBIT CARD**

19 *(please check the appropriate box, select only one)*

20 ☒ Guilty of Fraudulent Use Of Credit Or Debit Card

21 ☐ Not Guilty

22 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
23 follows:

24 **COUNT 6 - THEFT**

25 *(please check the appropriate box, select only one)*

26 ☒ Guilty of Theft

27 ☐ Not Guilty

28 //

1 We, the jury in the above entitled case, find the Defendant RONALD ROSS, as  
2 follows:

3 **COUNT 7 - CONSPIRACY TO COMMIT LARCENY**

4 *(please check the appropriate box, select only one)*

5 ☒ Guilty of Conspiracy To Commit Larceny

6 ☐ Not Guilty

7 DATED this 13 day of November, 2008

8  
9 

10 FOREPERSON

11 JURY # 1



  
CLERK OF THE COURT

1 **NOTC**  
2 **DAVID ROGER**  
3 **Clark County District Attorney**  
4 **Nevada Bar #002781**  
5 **JESSICA WALSH**  
6 **Deputy District Attorney**  
7 **Nevada Bar #009640**  
8 **200 Lewis Avenue**  
9 **Las Vegas, Nevada 89155-2211**  
10 **(702) 671-2500**  
11 **Attorney for Plaintiff**

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 **THE STATE OF NEVADA,**  
13  
14 **Plaintiff,**

15 **-vs-**

16 **RONALD ROSS,**  
17 **#1970026**

18 **Defendant.**

Case No. C236169

Dept. No. XVII

NOTICE OF INTENT TO SEEK PUNISHMENT AS  
A HABITUAL CRIMINAL

19 **TO: RONALD ROSS, Defendant; and**

20 **TO: PUBLIC DEFENDER, Counsel of Record:**

21 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE** that pursuant to NRS  
22 **207.010, the STATE OF NEVADA will seek punishment of Defendant RONALD ROSS, as**  
23 **an habitual criminal as said Defendant has been found guilty of BURGLARY (Felony - NRS**  
24 **205.060); LARCENY FROM THE PERSON (Felony - NRS 205.270); POSSESSION OF**  
25 **CREDIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690);**  
26 **FRAUDULENT USE OF CREDIT CARD (Felony - NRS 205.760); THEFT (Felony - NRS**  
27 **205.0835, 205.0832) and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor -**  
28 **NRS 205.220, 205.222, 199.480): in the above-entitled action.**

That since the Defendant has been found guilty, the STATE OF NEVADA will ask  
the court to sentence the Defendant as an Habitual Criminal based upon the following felony  
convictions, to-wit:

1           1.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
2 crime of Attempt to Commit Larceny.

3           2.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
4 crime of Larceny.

5           3.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
6 crime of Larceny.

7           4.     That in 1990, the Defendant was convicted in the State of Pennsylvania for the  
8 crimes of Conspiracy and Robbery.

9           5.     That in 1989, the Defendant was convicted in the State of Pennsylvania for the  
10 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

11          6.     That in 1993, the Defendant was convicted in the State of Pennsylvania for the  
12 crime of Robbery.

13          7.     That in 1992, the Defendant was convicted in the State of Pennsylvania for the  
14 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

15          8.     That in 1993, the Defendant was convicted in the State of Pennsylvania for the  
16 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

17          9.     That in 1994, the Defendant was convicted in the State of New Jersey for the  
18 crime of Larceny.

19          10.    That in 1996, the Defendant was convicted in the State of Pennsylvania for the  
20 crime of Forgery.

21          11.    That in 1997, the Defendant was convicted in the State of Pennsylvania for the  
22 crime of Simple Assault.

23          12.    That in 2002, the Defendant was convicted in the State of New Jersey for the  
24 crime of Third Degree Bail Jumping.

25        //

26        //

27        //

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13. That in 1988, the Defendant was convicted in the State of New Jersey for the crime of Burglary.

DAVID ROGER  
DISTRICT ATTORNEY  
Nevada Bar #002781

BY

JAWALSH

Jessica Walsh  
Deputy District Attorney  
Nevada Bar #009640

# CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of Notice Of Intent To Seek Punishment As A Habitual Criminal, was made this day of November, 2008, by facsimile transmission to:

PUBLIC DEFENDER  
455-5112

BY: K. Johnson  
Employee of the District Attorney's Office

  
CLERK OF THE COURT

1 **NOTC**  
2 **DAVID ROGER**  
3 **Clark County District Attorney**  
4 **Nevada Bar #002781**  
5 **JESSICA WALSH**  
6 **Deputy District Attorney**  
7 **Nevada Bar #009640**  
8 **200 Lewis Avenue**  
9 **Las Vegas, Nevada 89155-2211**  
10 **(702) 671-2500**  
11 **Attorney for Plaintiff**

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA, )  
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Plaintiff,  
-vs-  
RONALD ROSS,  
#1970026  
Defendant.

Case No. C236169  
Dept. No. XVII

AMENDED NOTICE OF INTENT TO SEEK PUNISHMENT AS  
A HABITUAL CRIMINAL

TO: RONALD ROSS, Defendant; and  
TO: PUBLIC DEFENDER, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that pursuant to NRS 207.010, the STATE OF NEVADA will seek punishment of Defendant RONALD ROSS, as an habitual criminal as said Defendant has been found guilty of BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony - NRS 205.270); POSSESSION OF CREDIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT CARD (Felony - NRS 205.760); THEFT (Felony - NRS 205.0835, 205.0832) and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222, 199.480): in the above-entitled action.

That since the Defendant has been found guilty, the STATE OF NEVADA will ask the court to sentence the Defendant as an Habitual Criminal based upon the following felony convictions, to-wit:

1           1.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
2 crime of Attempt to Commit Larceny.

3           2.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
4 crime of Larceny.

5           3.     That in 1990, the Defendant was convicted in the State of New Jersey for the  
6 crime of Larceny.

7           4.     That in 1990, the Defendant was convicted in the State of Pennsylvania for the  
8 crimes of Conspiracy and Robbery.

9           5.     That in 1989, the Defendant was convicted in the State of Pennsylvania for the  
10 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

11          6.     That in 1993, the Defendant was convicted in the State of Pennsylvania for the  
12 crime of Robbery.

13          7.     That in 1992, the Defendant was convicted in the State of Pennsylvania for the  
14 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

15          8.     That in 1993, the Defendant was convicted in the State of Pennsylvania for the  
16 crimes of Theft by Unlawful Taking and Receiving Stolen Property.

17          9.     That in 1994, the Defendant was convicted in the State of New Jersey for the  
18 crime of Larceny.

19          10.    That in 1996, the Defendant was convicted in the State of Pennsylvania for the  
20 crime of Forgery.

21          11.    That in 1997, the Defendant was convicted in the State of Pennsylvania for the  
22 crime of Simple Assault.

23          12.    That in 2002, the Defendant was convicted in the State of New Jersey for the  
24 crime of Third Degree Bail Jumping.

25    //

26    //

27    //

28    //

13. That in 1988, the Defendant was convicted in the State of New Jersey for the crime of Burglary.

14. That in 2007, the Defendant was convicted in the State of Nevada for the crime of Attempt Larceny from the Person.

DAVID ROGER  
DISTRICT ATTORNEY  
Nevada Bar #002781

BY

JAWalsh  
Jessica Walsh  
Deputy District Attorney  
Nevada Bar #009640

# CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of Amended Notice Of Intent To Seek Punishment As A Habitual Criminal, was made this day of November, 2008, by facsimile transmission to:

**PUBLIC DEFENDER**  
455-5112

BY: K. Johnson  
Employee of the District Attorney's Office

DISTRICT COURT  
CLARK COUNTY, NEVADA

FILED

2008 DEC -5 A 10:29

STATE OF NEVADA

Plaintiff,

vs.

Ronald Ross

Defendant

Case No.:

1236169

Dept. No.:

17

CLERK OF THE COURT

Docket No.:

Notice of Appeal

Notice is hereby given that Ronald Ross above named Defendant, hereby appeals to the District Court of Nevada Final judgement from the order (guilty verdict) entered in this action on the 14th day of November, 2008.

Dated This 24th day of November, 2008

Public Defender Office  
For x Ronald Ross

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CLERK OF THE COURT

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CLERK OF THE COURT

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DATED THIS 24 day of November 2008.

I, Ronald Ross, do

solemnly swear, under the penalty of perjury, that

the above Notice of Appeal is accurate,

correct, and true to the best of my knowledge.

NRS 171.102 and NRS 208.165.

Respectfully submitted,

Ronald Ross

Defendant





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ORIGINAL

FILED

2009 DEC -8 A 9 53

4 DISTRICT COURT  
5 CLARK COUNTY, NEVADA  
6 CLERK OF THE COURT

7 STATE OF NEVADA,

8 Plaintiff(s),

9 vs.

10 RONALD ROSS,

11 Defendant(s),

) Case No: C236169

) Dept No: XVII

12  
13  
14 CASE APPEAL STATEMENT

15 1. Appellant(s): RONALD ROSS

16 2. Judge: MICHAEL P. VILLANI

17 3. All Parties, District Court:

18 Plaintiff, THE STATE OF NEVADA

19 Defendant(s), RONALD ROSS

20 4. All Parties, Appeal:

21 Appellant(s), RONALD ROSS

22 Respondent, THE STATE OF NEVADA

23 5. Appellate Counsel:

24 *Appellant/Proper Person*  
25 Ronald Ross #1970026  
26 330 S. Casino Center Blvd.  
Las Vegas, NV 89101

*Respondent*  
David Roger, District Attorney  
200 Lewis Ave.  
Las Vegas, NV 89101  
(702) 671-2700

A

- 6. District Court Attorney, Appointed
- 7. On Appeal, N/A
- 8. Forma Pauperis, N/A
- 9. Date Commenced in District Court: August 21, 2007

Dated This 8 day of December 2008.

Edward A. Friedland, Clerk of the Court

By: 

Melissa Kaylor, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

ORIGINAL

MEMO

DAVID ROGER  
Clark County District Attorney  
Nevada Bar #002781  
JESSICA WALSH  
Deputy District Attorney  
Nevada Bar #009640  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2211  
(702) 671-2500  
Attorney for Plaintiff

FILED

JAN 5 5 39 PM '09

*Earl D. Smith*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS,  
#1970026

Defendant.

Case No. C236169

Dept No. XVII

MEMORANDUM IN SUPPORT OF HABITUAL CRIMINAL TREATMENT

DATE OF HEARING: JANUARY 29, 2009

TIME OF HEARING: 8:00 AM

COMES NOW, the State of Nevada, by DAVID ROGER, District Attorney, through JESSICA WALSH, Deputy District Attorney, and files this Memorandum In Support Of Habitual Criminal Treatment.

STATEMENT OF THE CASE

The Defendant was charged in this case by way of Information with a number of felony counts. He eventually stood trial and on November 13, 2008, the Defendant was convicted of two (2) counts of Burglary, Larceny from the Person, Possession of Credit or Debit Card Without Cardholder's Consent, Fraudulent Use of Credit or Debit Card, Theft, and Conspiracy to Commit Larceny. The State filed notice that it is seeking habitual criminal treatment of this Defendant on November 17, 2008.

CLERK OF THE COURT

RECEIVED  
JAN 05 2009

## 1

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1 The Defendant carefully selected over \$400.00 worth of merchandise to purchase. He  
2 paid for this merchandise with Ms. Stathopoulos's Visa Credit Card. The clerk presented the  
3 credit card slip for his signature, which he signed in Ms. Stathopoulos's name, and left with  
4 the merchandise. Ms. Stathopoulos testified that the signature on the receipt from this  
5 transaction is not hers and, in fact, her name is even spelled wrong. It wasn't until later that  
6 day that Ms. Stathopoulos noticed that her wallet was stolen and thereafter contacted police.

7 **POINTS AND AUTHORITIES**

8 **A. Procedural Framework**

9 NRS 207.010 provides for the enhancement of a convicted felon's sentence under  
10 certain enumerated conditions. The available enhancements that are applicable to a  
11 Defendant are:

- 12 (1) If a defendant has two (2) prior felony convictions, he is eligible for  
13 sentencing as a habitual criminal to a Category B felony for a term of  
14 not less than five (5) years and not more than twenty (20) years. This is  
15 commonly referred to as the "small habitual."
- 16 (2) If a defendant has three (3) prior felony convictions, he is eligible for  
17 sentencing as a habitual criminal to a Category A felony for a term of
- 18 (a) life without the possibility of parole,  
19 (b) life with the possibility of parole after a minimum of ten (10)  
20 years has been served, or  
21 (c) a definitive term of twenty-five (25) years with the possibility of  
22 parole after a minimum of ten (10) years has been served. This  
23 is commonly referred to as the "large habitual."

24 The determination to seek habitual criminal treatment lies within the discretion of the  
25 State and the determination to adjudicate and sentence a defendant as a habitual criminal lies  
26 within the discretion of the Court. NRS 207.010. If the State is seeking habitual criminal  
27 treatment, it bears the burden of proving to the Court that the defendant does in fact have the

28 //

1 required prior convictions. Pursuant to NRS 207.016(5), a certified copy of the felony  
2 conviction is prima facie evidence thereof.

3 If the Court determines in its discretion to adjudicate and sentence a defendant as a  
4 habitual criminal, the habitual sentence is a substitute for the statutory sentence which would  
5 otherwise be applicable. See Benson v. State, 895 P.2d 1323, 111 Nev. 692 (1995). The  
6 habitual sentence may be applied to any or all of the counts of which the defendant currently  
7 stands convicted of. See Barret v. State, 105 Nev. 361, 775 P.2d 1276 (1989). Additionally,  
8 it is still within the Courts discretion whether to run the sentence on each count concurrent or  
9 consecutive. Id. Finally, any habitual sentence the Court imposes under the habitual  
10 criminal statute is non-probationalbe. NRS 196A.100.

11 The United States Supreme Court previously addressed the issue of the adjudication  
12 and sentencing of a defendant as a habitual criminal. See Rummel v. Estelle, 445 US 263,  
13 100 S.Ct. 1133 (1980). In Rummel, the defendant received a mandatory life sentence under  
14 the Texas habitual criminal statute after sustaining a conviction for obtaining \$120.00 under  
15 false pretenses. The defendant's two (2) prior convictions that qualified him for the  
16 mandatory life sentence consisted of fraudulently using a credit card to obtain \$80.00 worth  
17 of goods and passing a \$28.00 forged check. In upholding the constitutionality of the  
18 mandatory habitual sentence, the Court summarized the purpose of the habitual criminal  
19 statutes:

20 The purpose of a recidivist statute is . . . to deter repeat offenders and, at some  
21 point in the life of one who repeatedly commits criminal offenses serious  
22 enough to be punished as felonies, to segregate that person from the rest of  
23 society for an extended period of time. This segregation and its duration are  
based not merely on that person's most recent offense but also on the  
propensities he has demonstrated over a period of time during which he has  
been convicted of and sentenced for other crimes.

24 Id. at 284-285, 100 S.Ct. 1144-55.

25 **B. Defendant's Active Cases in the Eighth Judicial District Court**

26 The current case before this Court is not the Defendant's first brush with the law here  
27 in Las Vegas. In fact, the Defendant committed this case while out on bond from cases he  
28 is currently awaiting trial on. The facts of those cases are eerily similar to the instant case.

1 (1) C219404

2 The Defendant's first case in the Eight Judicial District Court was Case Number  
3 C219404. See Exhibit H. In that particular case, Rose Stilling was gambling at the MGM  
4 Hotel and Casino on October 12, 2005. She was playing video slot machines on the Casino  
5 floor. She had her purse on the seat in front of the machine that she was playing and had  
6 rested her arm on the purse. At some point while playing, she noticed that there was  
7 someone behind her and also to the left of her. She then noticed the Defendant near her with  
8 his coat draped over his arm. The Defendant then began a conversation with her. While  
9 talking, he leaned in towards her such that Ms. Stilling noticed that his coat was covering her  
10 purse. Ms. Stilling told the Defendant to get his hand out of her purse. At this point, the  
11 Defendant knocked her purse onto the floor. The Defendant was taken into custody by  
12 security. A review of the MGM's surveillance tape showed the Defendant and his  
13 accomplice attempting to pick the pocket of other patrons of the hotel and casino.

14 At the time of the arrest, the Defendant was interviewed and denied any criminal  
15 activity and claimed that his jacket simply fell onto her purse. During his much later  
16 interview for the presentence investigation report, he claimed that he was very intoxicated  
17 when he was arrested and again denied ever touching or removing anything from Ms.  
18 Stilling's purse.

19 The Defendant ultimately entered a guilty plea in Case Number C219404 on October  
20 14, 2006 to Attempt Larceny from the Person (felony). A sentencing date of December 11,  
21 2006 was set. The Defendant was finally sentenced, however, on May 22, 2007 to nineteen  
22 (19) to forty-eight (48) months in the Nevada Department of Corrections with four hundred  
23 thirty (430) days Credit Time Served. The Defendant ultimately was released from custody  
24 between his entry of plea and his ultimate date of sentencing. While awaiting the  
25 sentencing, the Defendant picked up the current case as well as other arrests for the same or  
26 similar conduct.

27 //

28 //



1 (2) C219549/C220915

2 The Defendant is currently charged in Case Number C220915 by way of Indictment  
3 with Burglary, Larceny from the Person, Victim 60 Years of Age or Older, and Grand  
4 Larceny. See Exhibit A. That case arises from three (3) separate incidents with numerous  
5 victims. The Defendant was arraigned on Case Number C219549 on February 22, 2006.  
6 The State subsequently took the case to the Grand Jury and the Defendant was subsequently  
7 arraigned on the new Indictment under Case Number C220915 on April 5, 2006. Case  
8 Number C219549 was subsequently dismissed.

9 On January 9, 2006, sixty-five (65) year old Priscilla Vaine was on vacation with her  
10 husband at the New York New York Hotel and Casino. See Exhibit B. Ms. Vaine began  
11 playing the quarter slot machines. She placed her purse at her feet between her legs while  
12 she was playing. While she was playing, she was approached by the Defendant. He asked  
13 her how the slots were treating her and made small talk for approximately two (2) minutes.  
14 Ms. Vaine then left the slot area with her purse. She and her husband walked the Casino for  
15 approximately thirty (30) minutes until they decided to eat at the Sirricos restaurant inside  
16 the Casino.

17 Ms. Vaine was inside the restaurant at the pizza counter. Her purse was hanging off  
18 her right forearm and was sitting at waist level. Her wallet was in her purse and her purse  
19 was open. Ms. Vaine had both hands on her tray and was standing in line to pay. While  
20 standing in line, Ms. Vaine was approached again by the Defendant. He approached her on  
21 her right side, leaned over her and was extremely close but not touching her. He asked the  
22 clerk a question and quickly walked away. Ms. Vaine's husband paid for the Pizza and they  
23 left the restaurant. Within seconds, Ms. Vaine noticed that her purse was lighter and  
24 discovered that her wallet was missing.

25 On January 10, 2006, seventy-eight (78) year old Gloria Kirkpatrick was vacationing  
26 at the Fremont Hotel here in Las Vegas. See Exhibit C. She was gambling and was just paid  
27 out on two (2) jackpots she had won. A black female and black male sat down to her left  
28 and began talking to her while the Defendant and a Hispanic female stood to her right. She

1 was distracted by the two (2) on her left. Shortly after the four (4) left, she realized that  
2 \$500.00 that she had in her purse that was sitting on her slot machine was now missing. She  
3 reported the incident and security and metro officers reviewed the video surveillance.

4 The surveillance tape showed the Defendant walking around the casino with a black  
5 female. He walked past Ms. Kirkpatrick and turned around and came back towards her. The  
6 black female sat to Ms. Kirkpatrick's left side and began to speak with her. The Defendant  
7 then sits at a slot machine adjacent and to the right of Ms. Kirkpatrick. Another black male  
8 and Hispanic or Caucasian female appeared. The Defendant is then seen getting up, placing  
9 his coat over his right shoulder. He spoke to the Hispanic/Caucasian female and then moved  
10 in close to Ms. Kirkpatrick while using the female as a shield. The Defendant was then seen  
11 to quickly move in with his left hand, reached into Ms. Kirkpatrick's purse and removed  
12 some cash. The Defendant then quickly left the area followed by the Hispanic/Caucasian  
13 female. Shortly thereafter, the black female and black male got up and left the area as well.

14 Earlier in the day on January 10, 2006, the Defendant was working his distract  
15 scheme near a cage on the casino floor still inside the Fremont Street Hotel. See Exhibit D.  
16 Sixty-two (62) year old Joyce Kobayakawa was gambling inside the casino. She had  
17 \$400.00 and \$250.00 worth of meal tickets in her wallet inside her purse. She had removed  
18 some money and proceeded to the cage to get change. A few moments after leaving the  
19 cage, she noticed that her wallet was missing and notified security. Security and metro  
20 reviewed the surveillance tapes.

21 The tape showed the Defendant inside the casino with his coat draped over his arm in  
22 what we can now say is his style. He then approached the cashier's cage. He approached  
23 Ms. Kobayakawa and distracted her by talking with her and extending his left arm out in  
24 front of her face. He then placed his right hand inside of her purse and removed her wallet,  
25 all of which was shielded by his coat draped over his arm. The Defendant then quickly left  
26 the area. He could then be seen, however, going through her wallet and counting the money.

27 It should be noted that in both videos from Fremont from January 10, 2006, the  
28 Defendant was well dressed and wearing cornrows or braids in both videos. Additionally,

1 the Defendant was identified off the surveillance videos by Metro's Tourist Safety Unit by  
2 his Crime Webb photograph. Furthermore, the Defendant is a known pick-pocket to TSU  
3 and is very recognizable.

4 Case Number C220915 was originally dismissed by Judge Halverson after the  
5 Defense filed a frivolous and untimely Motion to Dismiss. The State appealed and the  
6 Supreme Court reversed and remanded. The Defendant is currently awaiting trial on this  
7 case in Department XVIII. His trial date is currently set for March 9, 2009.

8 3. C220385 /C220916

9 The Defendant is currently charged in Case Number C220916 by way of Indictment  
10 with Burglary, Larceny from the Person, Victim 60 Years of Age or Older, Grand Larceny,  
11 and Conspiracy to Commit Larceny From the Person. See Exhibit E. That case arises from  
12 two (2) separate events. The Defendant was initially arraigned on Case Number C220385,  
13 however, the State subsequently took the case to the Grand Jury and the Defendant was  
14 subsequently arraigned on the new Indictment under Case Number C220915 on April 11,  
15 2006. Case Number C220385 was subsequently dismissed.

16 On January 11, 2006, seventy-four (74) year old Irene MacCready was shopping at  
17 the J.C. Penny at the Boulevard Mall. See Exhibit F. While she was looking at earrings, she  
18 was approached by the Defendant. He asked her to help him pick out some earrings. Ms.  
19 MacCready had her purse on her left shoulder and it hung down against her lower back. The  
20 Defendant was standing on her left side with his suit jacket draped over his right arm. The  
21 Defendant then moved in with his coat-covered arm and removed her wallet from her purse.  
22 Ms. MacCready had approximately \$500.00 in her wallet. Ms. MacCready eventually  
23 handed the Defendant a pair of earrings while he moved his coat from one arm to the next.  
24 The Defendant then approached the counter as if to pay for the earrings. He handed the  
25 earrings to the clerk, adjusted his jacket and immediately walked away. He was then seen  
26 from the surveillance tape counting money while quickly exiting the store. The Defendant  
27 was with his charged co-defendant Jerome Ford. While the Defendant was distracting and

28 //

1 stealing from Ms. MacCready, Jerome Ford acted as a look out. The two (2) then exited the  
2 store together.

3 Ms. MacCready noticed that her wallet was missing shortly after the Defendant left.  
4 She went to the counter to pay for some items and then realized her wallet was gone. She  
5 had just used her wallet moments prior to purchase an item in another part of the store.

6 On January 16, 2006, Marion Renaud was in Las Vegas for a birthday party. See  
7 Exhibit G. Her daughter, Deborah Cole, came along with her. On this afternoon, the two (2)  
8 went to the Golden Nugget Casino to gamble. When they arrived, they signed up for a  
9 player's card and began walking around the casino. Ms. Renaud was then approached by the  
10 Defendant. The charged co-defendant Jerome Ford followed closely behind. The Defendant  
11 once again had his coat draped over his arm. He grabbed Ms. Renaud by the arm for a brief  
12 moment and directed her attention to another part of the casino. While doing so, he slipped  
13 his hand inside her purse, removing her entire wallet. He quickly handed off the wallet to  
14 Jerome Ford who then quickly ran from the casino, literally running over a patron on his way  
15 out. Ms. Renaud felt the Defendant in her purse and immediately called out to alert her  
16 daughter. The Defendant left in a different direction than Jerome Ford. Both Ms. Renaud  
17 and Ms. Cole tried to run after and follow the Defendant

18 The Defendant and his charged co-defendant Jerome Ford are currently awaiting trial  
19 in this case as well. This case was initially a Department V case but now has been retracked  
20 to Department XVII. The current trial date is February 2, 2009.

#### 21 4. *Current Case*

22 The case that the Defendant is currently before this Court for sentencing on was the  
23 final case that he was charged with in. It is important to note at this point that the Defendant  
24 committed these crimes while he was out on bond and awaiting trial in Case Number  
25 C220916 and sentencing in Case Number C219404.

#### 26 5. *Additional Arrests*

27 In addition to the cases the Defendant is currently charged with, he was arrested  
28 numerous times between 2005 and 2008. Most of the arrests were for the same or similar

1 conduct he is charged with Case Numbers C220915 and C220916 and convicted of in Case  
2 Number C219404 and the instant case.

3 **C. Defendant's Prior Criminal History<sup>1</sup>**

4 The Defendant has been living the life of crime since the late 1980's. His criminal  
5 behavior continues almost consistently up until he was finally arrested and placed in custody  
6 on this Case. The State would first mention that the Defendant has been known to use over  
7 twenty aliases over the course of his criminal career:

- 8 1. Robert Cornish
- 9 2. Anthony Johnson
- 10 3. Kev Johnson
- 11 4. Ronald Johnson
- 12 5. Derrick Little
- 13 6. Ronald Murray
- 14 7. Ronald Johnson Murray
- 15 8. Ronald J. Ross
- 16 9. Kevin Smith
- 17 10. Kevin Wright
- 18 11. Tyrone James
- 19 12. Anthony Day
- 20 13. Curtis Hall
- 21 14. Anthony Robert Johnson
- 22 15. Kevin Johnson
- 23 16. Kevin Lewis
- 24 17. Anthony Ross
- 25 18. Ronald Troy Ross
- 26 19. Tyrone Williams
- 27 20. Tyrone Wright
- 28 21. Ronald Kindreds<sup>2</sup>
- 29 22. Ronald Kendricks<sup>3</sup>

30 Additionally, the Defendant has used over eight (8) Social Security Numbers and eight (8)  
31 additional dates of birth. His last form of legal employment came in 2006. The Defendant  
32 has no assets, no debts, and no ties to any community.

33 According to the Presentence Investigation Report for Case Number C219404, as of  
34 November 2, 2006, the Defendant has fifteen (15) prior felony convictions. Therefore, he  
35 has a total of at least sixteen (16) since he was later adjudicated guilty of a felony in Case  
36

37 <sup>1</sup> The following information was obtained by the State from the Department of Parole and Probations Presentence  
38 Investigation report for the Defendant's conviction and sentencing in case C219404 as at the time of the writing of this  
motion, the current PSI has yet to be completed. The PSI is attached as Exhibit H.

<sup>2</sup> See Exhibit P.

<sup>3</sup> See Exhibit Q.

1 Number C219404. The PSI also reflects that the Defendant has been to prison eleven (11)  
2 times. Additionally, he currently has a warrant for his arrest out of New Jersey. Finally, the  
3 Defendant's felony record spreads over at least three (3) states.

4 The Defendant's prior felony convictions are as follows. For the purposes of  
5 sentencing as a habitual criminal, the State would note that the original Judgment of  
6 Convictions and associated documents for these cases are attached to this memorandum.

- 7 1. **Robbery and Criminal Conspiracy** – Adjudicated May 7, 1993 in  
8 Pennsylvania on case MC 89-02-1864/CP 8903-0181. Exhibits I and J.
- 9 2. **Robbery** – Adjudicated February 27, 2002 in Pennsylvania on Case  
10 CP0109-0161 1/1. Exhibits I and K.
- 11 3. **Robbery** – Adjudicated September 24, 1993 in Pennsylvania on case  
12 MC 91/11-398 1/41/CP 9201-3672. Exhibits I and L.
- 13 4. **Bail Jumping – Third Degree** – Adjudicated August 23, 2002 in New  
14 Jersey on Indictment number 01-06-1123-A-CP. Exhibits M and N.
- 15 5. **Theft by Unlawful Taking** – Adjudicated August 23, 2002 in New  
16 Jersey on Indictment number 94-07-1697-A-CP. Exhibits M and O.
- 17 6. **Attempt Theft from the Person** – Adjudicated September 14, 1990 in  
18 New Jersey on Indictment number 88-06-1501-A-CP. Exhibits M and  
19 P.
- 20 7. **Burglary** – Adjudicated December 23, 1988 in New Jersey on  
21 Indictment number 88-08-1929-C. Exhibits M and Q.
- 22 8. **Theft from the Person, two (2) counts** – Adjudicated September 14,  
23 1990 in New Jersey on Indictment number 88-10-2796-A-CP. Exhibits  
24 M and R.
- 25 9. **Theft by Unlawful taking, two (2) counts** – Adjudicated August 23,  
26 2002 in New Jersey on Indictment number 92-06-01676-A-CP.  
27 Exhibits M and S.
- 28 10. **Attempt Larceny from the Person** – Adjudicated May 22, 2007 in  
Nevada on case C219404. Exhibit T.

24 **D. Defendant's Active New Jersey Cases**

25 In addition to his two (2) active cases here in Nevada, the Defendant has active cases  
26 out in New Jersey.<sup>4</sup> There are currently three (3) open cases: 05-10-2248, Theft from the

27  
28 <sup>4</sup> This information came from a phone call to the Prosecutor's Office in New Jersey, from Ms. Maher of the Casino  
Prosecution Unit. After speaking with the prosecutor, the information learned was e-mailed to Public Defender Craig  
Jorgenson.

1 Person, Third Degree<sup>5</sup>, 05-10-2215, Forgery<sup>6</sup>, and 05-12-2597, Theft from the Person, Third  
2 Degree.<sup>7</sup> The Defendant was initially charged by way of Indictment in each of these cases.  
3 He subsequently entered into a global negotiation to plead guilty to these three (3) charges  
4 and the State agreed to dismiss the remaining counts. The Defendant agreed to provide  
5 testimony against a co-defendant. The State agreed to a four (4) year sentence on each case  
6 to run concurrently. The Defendant pled guilty on January 4, 2006. A sentencing date was  
7 set for March 31, 2006. The Defendant failed to appear for that sentencing date. In fact, the  
8 Defendant was out here in Las Vegas only four (4) days later, on January 10, 2006, inside  
9 the Fremont Street committing new crimes.

10 New Jersey thought they had placed a detainer on the Defendant. However,  
11 apparently it was never followed through with since the Defendant was released from the  
12 Clark County Detention Center to the streets early in 2007. The Defendant currently has  
13 warrants from that jurisdiction and they will be following up with him once he is finished  
14 dealing with his cases here in Las Vegas.

15 **E. Argument**

16 The Defendant is a habitual pick pocket and thief. He simply cannot keep his greedy  
17 little fingers to himself. He has shown and proven to this Court that no amount of  
18 incarceration is going to "teach him a lesson;" but rather when he is released from custody  
19 he will almost immediately go back to victimizing the elderly and ruining their lives by  
20 lifting their wallets to earn his living. This behavior cannot be tolerated and it is time for this  
21 Court to finally send him that message.

22 It is important to note something that is contained in Exhibit Q. This is the Judgment  
23 of Conviction for the Defendant's first adult offense from 1988. In the Statement of Reasons  
24 on the second page of this exhibit, it was noted that the "Defendant is a very poor probation  
25 risk – in view of juvenile record, any violation should be met with lengthy incarceration."  
26 Furthermore, it states "[t]his is first adult offense, however, presumption against  
27

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28 <sup>5</sup> Exhibits M and U

<sup>6</sup> Exhibits M and V

<sup>7</sup> Exhibits M and W

1 incarceration not overcome, in view of nature of offense." In his first adult conviction, the  
2 Defendant was already viewed as a serious criminal and it was cautioned that any type of  
3 probation violation should be met with significant incarceration. Instead of taking this  
4 warning, the Defendant went on to commit numerous additionally felony crimes over the  
5 next twenty (20) years.

6 The Defendant has been shown leniency from just about every sentencing judge he  
7 has previously come before. It is time to stop giving the Defendant a break simply because  
8 of the nature of the charges. While on the surface, it does appear that the Defendant is just a  
9 lowly pick-pocket. But combine that with his twenty (2) plus years experience, his twenty  
10 (20) plus years committing these crimes, and the ten (10) plus times he was convicted, it's  
11 time for the breaks to stop. It is time to start punishing the Defendant for his life of crime.  
12 It's time to adjudicate him as a habitual criminal.

13 The Defendant may argue that a maximum sentence on the charges he was recently  
14 convicted of would be sufficient punishment. This would be approximately four (4) to ten  
15 (10) years if the Defendant was sentenced to the maximum sentence on all counts and all  
16 counts were run concurrent. The State would point out, however, that the Defendant in New  
17 Jersey was set to receive a four (4) year sentence. The possibility of that sentence caused the  
18 Defendant to flee back to Las Vegas and simply change his venue for a while. The  
19 Defendant never appeared back in New Jersey to face his four (4) years. The possibility of a  
20 four (4) year sentence did absolutely nothing to deter the Defendant's criminal conduct,  
21 except to cause him to flee that jurisdiction to a new one where he could continue his  
22 criminal activity almost uninterrupted.

23 Additionally, the Defendant doesn't just choose anyone to be his victim, he chooses  
24 elderly women who appear to be alone and on vacation. Furthermore, the Defendant is an  
25 accomplished criminal. He has his routine of his distract down to a science. He always uses  
26 props, either the coat over the arm or another person to help distract. He sometimes works  
27 with another person who will either be the distractor or the look out. He has his routine

28 //



1 down to such a degree that the majority of the time the victim is not aware anything was  
2 stolen from her.

3 The Defendant has time and time again shown his willingness to break the law, his  
4 disrespect for the Courts of three (3) different states and for those communities, and his  
5 blatant disregard for the consequences of his actions. The Defendant did more than just steal  
6 money or wallets from his victims, in some cases, he stole their whole lives. The victim in  
7 the instant case lost the center of her universe: her driver's license, her credit cards,  
8 important personal and financial information, insurance information, and her social security  
9 card. Many other victims, from charged and uncharged events, lost similar information.  
10 After their wallets were stolen, their lives will never be the same. They constantly have to  
11 question if someone has their personal and financial information; will someone open a new  
12 line of credit in their name, will someone try and use an old credit card, will someone write a  
13 check and cash it, will someone steal their identity completely, these are all lifelong concerns  
14 of his victims.

15 The Defendant is a habitual criminal and it is time that a Court starts treating him like  
16 one. Life in prison will not help the Defendant and probably will not deter any future  
17 criminal conduct. This is clearly evidenced by his constant criminal activity upon each  
18 release from custody; especially the fact that once he was released on Case Numbers  
19 C220916 and C219404, he almost immediately went out and committed the crime for which  
20 he is currently being sentenced on. The Defendant simply laughs at the system. The State  
21 and this Court's interest can no longer be helping and seeking rehabilitation for this  
22 Defendant.

23 The State and Court's interest should now turn to the community. Our interests  
24 should be on the countless number of victim's that have had their lives absolutely destroyed  
25 by the Defendant, those for which he was charged, those that to this day go uncharged, and  
26 those that he will victimize in the future upon his eventual release from custody. The  
27 Defendant's victims were sentenced to a lifetime of worry and constant concern and he

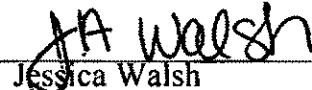
28 //

1 shouldn't get any less than a lifetime of punishment from this Court under large habitual  
2 criminal treatment for his actions.

3 DATED this 5th day of January, 2009.

4 DAVID ROGER  
5 Clark County District Attorney  
6 Nevada Bar #002781

7 BY

  
8 Jessica Walsh  
9 Deputy District Attorney  
10 Nevada Bar #009640  
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# **EXHIBIT A**

000182

ORIGINAL

FILED

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*Christine E. Ruggione*  
CLERK

1 IND  
2 DAVID ROGER  
3 Clark County District Attorney  
4 Nevada Bar #002781  
5 JAMES R. SWEETIN  
6 Chief Deputy District Attorney  
7 Nevada Bar #005144  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

12 DISTRICT COURT  
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,

15 Plaintiff,

16 -vs-

17 RONALD ROSS #1970026,

18 Defendants.

Case No. C220915  
Dept. No. XVIII

INDICTMENT

19 STATE OF NEVADA }  
20 COUNTY OF CLARK } ss.

21 The Defendant above named, RONALD ROSS, accused by the Clark County Grand  
22 Jury of the crimes of BURGLARY (Felony - NRS 205.060); LARCENY FROM A  
23 PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 205.270, 193.167);  
24 and GRAND LARCENY (Felony - NRS 205.220, 205.222), committed at and within the  
25 County of Clark, State of Nevada, on or between January 9, 2006 and January 10, 2006, as  
26 follows:

27 COUNT 1 - BURGLARY

28 Defendant RONALD ROSS and/or others unknown, did, on or about January 10,  
2006, then and there willfully, unlawfully, and feloniously enter, with intent to commit  
larceny, that certain building occupied by the FREMONT HOTEL & CASINO, located at

100183

COUNTY CLERK

MAR 31 2006  
RECEIVED

1 200 East Fremont Street, Las Vegas, Clark County, Nevada.

2 COUNT 2 - GRAND LARCENY

3 Defendant, together with one or more accomplices did, on or about January 10, 2006,  
4 then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
5 permanently thereof, steal, take, carry, lead or drive away property owned by GLORIA  
6 KIRKPATRICK, having a value of \$250.00, or more, to-wit: United State's Currency,  
7 Defendant being liable under one or more of the following principles of criminal liability: (1)  
8 by Defendant directly committing the offense of grand larceny; and/or (2) by Defendant,  
9 together with one or more accomplices, conspiring with each other to commit the offense of  
10 grand larceny whereby each conspirator is vicariously liable for the acts of the other  
11 conspirators when the acts are done in furtherance of the conspiracy; and/or (3) by  
12 Defendant, together with one or more accomplices, aiding or abetting each other in the  
13 commission of the crime by meeting together and planning the commission of the crime,  
14 thereafter accompanying each other to the scene, entering the said FREMONT HOTEL &  
15 CASINO, Defendant actually taking the said property owned by GLORIA KIRKPATRICK,  
16 the said accomplices acting as a distract by drawing GLORIA KIRKPATRICK'S attention  
17 away from the said property and/or by standing closely to the said Defendant, acting as a  
18 blocker while the said Defendant actually took the property, the said Defendant and/or the  
19 said accomplices then fleeing the scene one right after another, Defendant and the said  
20 accomplices acting in concert throughout, each supporting, counseling and encouraging, the  
21 other in the commission of the crime by their presence, words and actions.

22 COUNT 3 - BURGLARY

23 Defendant RONALD ROSS did, on or about January 10, 2006, then and there  
24 willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain  
25 building occupied by the FREMONT HOTEL & CASINO, located at 200 East Fremont  
26 Street, Las Vegas, Clark County, Nevada.

27 COUNT 4 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

28 Defendant RONALD ROSS did, on or about January 10, 2006, then and there

1 willfully, unlawfully, and feloniously, under circumstances not amounting to robbery, with  
2 intent to steal or appropriate to his own use, take from the person of another, to-wit: JOYCE  
3 KOBAYAKAWA, a person 60 years of age or older, without her consent, personal property,  
4 to-wit: wallet and contents.

5 COUNT 5 - GRAND LARCENY

6 Defendant RONALD ROSS did, on or about January 10, 2006, then and there  
7 willfully, unlawfully, and feloniously with intent to deprive the owner permanently thereof,  
8 steal, take, carry, lead or drive away property owned by JOYCE KOBAYAKAWA, having a  
9 value of \$250.00, or more, to-wit: wallet and contents.

10 COUNT 6 - BURGLARY

11 Defendant RONALD ROSS did, on or about January 9, 2006, then and there  
12 willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain  
13 building occupied by SCIARICO'S RESTAURANT, located at 3790 South Las Vegas  
14 Boulevard, Las Vegas, Clark County, Nevada.

15 COUNT 7 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

16 Defendant RONALD ROSS did, on or about January 9, 2006, then and there  
17 willfully, unlawfully, and feloniously, under circumstances not amounting to robbery, with  
18 intent to steal or appropriate to his own use, take from the person of another, to-wit:  
19 PRISCILLA VAIN, a person 60 years of age or older, without her consent, personal  
20 property, to-wit: wallet and contents.

21 COUNT 8 - GRAND LARCENY

22 Defendant RONALD ROSS did, on or about January 9, 2006, then and there  
23 willfully, unlawfully, and feloniously with intent to deprive the owner permanently thereof,

24 //

25 //

26 //

27 //


28 //

1 steal, take, carry, lead or drive away property owned by PRISCILLA VAIN, having a value  
2 of \$250.00, or more, to-wit: wallet and contents.

3 DATED this 31 day of March, 2006.

4 DAVID ROGER  
5 DISTRICT ATTORNEY  
6 Nevada Bar #002781

7 BY

  
8 JAMES R. SWEETIN  
9 Chief Deputy District Attorney  
10 Nevada Bar #005144

11 ENDORSEMENT: A True Bill

12   
13 Foreperson, Clark County Grand Jury  
14  
15  
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18  
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Names of witnesses testifying before the Grand Jury:

KOBAYAKAWA, JOYCE, c/o District Attorney, 200 Lewis Ave., LVN 89155

TOPPING, JEFFREY, BOYD GAMING SURVEILLANCE

TYLER, JOHN, FREMONT HOTEL INVESTIGATOR, LVN 89101

JONES, EDWARD, LVMPD P#5099

KIRKPATRICK, GLORIA, 6787 BRENTWOOD DR. NE, WINTERHAVEN, FL 33881

VAIN, PRISCILLA, 5751 S. KINGS, SPRINGFIELD, MO 65810

STOPKA, DAN, LVMPD #4063

Additional witnesses known to the District Attorney at the time of filing this Indictment:

LEE, RUSSEL, LVMPD P#3290

RENAUD, MARION, 15 ELSON DR, RIVERSIDE, RI 02915

MACCREADY, IRENE, 10 REGENCY PARK DR #402, HALIFAX, NOVA SCOTIA  
B3S1P2

COLE, DEBORAH, 15 ELSON DR, RIVERSIDE, RI 02915

HUTTNER, KATHLEEN, 3 WILLIAMS ST, MANORVILLE, NY 11949

FULLER, DONALD, MAIN/FREMONT, LVN 89101

HAMPTON, ROBERT, 129 FREMONT ST, LVN 89101

MACDONALD, ALAN, 129 FREMONT ST, LVN 89101

CARR, SHERI, LVMPD P#4923

MILDEBRANDT, BRIAN, LVMPD P#5449

ANDERSON, RYAN, LVMPD P#6006

BOSS, NATHAN, LVMPD P#6241

GALLUP, BRADLEY, LVMPD P#8729

RADER, WILLIAM, LVMPD #5468

DOMINGEZ, PAUL, JC PENNY'S SURVEILLANCE, 3542 S. MARYLAND PKWY,  
LVN 89102

05BGJ073X/06F01036B/06F01247X/06F05784X/dd

LVMPD EV# 0601111815; 0601162105

0601170898; 0510122082

BURG; GL; LARC PRSN >60 - F



# **EXHIBIT B**

000188

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 07/13/93)

EVENT: 060110-1145

STATE OF NEVADA                     )  
  ) ss:     ROSS, RONALD ID# 1970026  
COUNTY OF CLARK                 )

Dan Stopka, being first duly sworn, deposes and says:

That Dan Stopka is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of 14 years, assigned to investigate the crime(s) of BURGLARY, LARCENY FROM PERSON committed on or about 1-9-06 at approximately 23:30 hours to , which investigation has developed ROSS, RONALD as the perpetrator thereof.

**THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME TO WIT:**

1. That a Burglary/Larceny from Person occurred at the New York New York Hotel located at 3790 S. LVBLVD, Las Vegas, Nevada 89109.
2. That the victim is Priscilla Vaine who is 65 years of age and at the time of theft she was a tourist visiting the New York New York Hotel with her husband.
3. On 1-9-06 at approximately 23:20 hours victim Vane was with her husband Donald Vane in the casino area at the New York New York hotel. That victim Vane sat at the \$ .25 cent slot machines and played them. Victim Vane's husband went to another slot bank a couple of rows away, leaving victim Vane by herself. Victim Vane had her purse with her, containing her wallet at her feet, between her legs. This was the last time she saw her wallet.
4. The suspect , Ronald Ross, sat next to her and made small talk with her. Suspect Ross appeared to be alone. Suspect Ross had a tan jacket on.
5. Suspect Ross asked victim Vane how the slots were treating her, and continued making small talk. Approximate time suspect Ross talked to victim was 1 to 2 Minutes. Victim Vane then left the slot area still in possession of her purse.
6. Victim Vane and her husband and walked around the casino area for approximately 30 minutes.
7. Victim Vane along with her husband entered Sirricos restaurant area of the New York New York Hotel. Victim Vane was at the pizza counter with her purse open. The purse was hanging on her right forearm by two purse straps at her waist level. She had both hands on a food tray waiting to pay at the cash register.
8. Suspect Ross, who earlier had sat near the victim at the \$ .25 cent slot machines, appeared behind victim Vane at the pizza counter. Suspect Ross stood behind victim Vane to her right side.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 2

EVENT: 060110-1145

9. Suspect Ross leaned over victim Vane's right side , where she was holding her purse. Suspect Ross was extremely close to victim Vane, but was not touching her. Suspect Ross was still wearing the tan sports coat. Suspect Ross asked the restaurant employee , " What's that pepperoni made out of beef or pork ?"

10. After the employee answered the question , suspect Ross walked away , leaving the area. After suspect Vane's husband paid for their pizza. Within 30 seconds, victim Vane noticed that her purse was lighter and discovered that her wallet was missing.

11. Victim Vane and her husband went back to the Sirricos restaurant and asked the cashier about the male that was just there thinking he might have taken the wallet. The restaurant employee called security officers to the restaurant. A security report of lost property was completed by hotel security under # IN20060000686.

12. Victim Vane cancelled out her credit cards and later made a police report of Larceny from Person Victim Over 65, LVMPD event# 060110-1145.

13. Items missing was the following:

- |   |                  |
|---|------------------|
| 1) Clutch wallet , navy blue in color                               | Value: \$ 10.00  |
| 2) Missouri state drivers licence Priscilla Vane                    | Value:-----      |
| 3) Commerce Bank checkbook  | Value:-----      |
| 4) U.S. Currency  | Value: \$ 300.00 |
| 5) State farm Insurance card  | Value:-----      |
| 6) AT&T credit card/Citi Bank South Dakota<br># 5491-1303-1629-5229 | Value:-----      |
| 7) Medicare ID card   | Value:-----      |
| 8) Mutual of Omaha insurance card                                   | Value:-----      |
| 9) Missouri auto registration #243FKE                               | Value:-----      |

**TOTAL VALUE: \$ 310.00**

00190

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 3

EVENT: 060110-1145

14. Your Declarant found that on four purchases were made on the victims AT&T credit card # 5491-1303-1629-5229 on 1-9-06 at a unknown Las Vegas Walgreens store. Your Declarant contacted the Citi Bank South Dakota. They could not give your Declarant the appropriate Walgreen's store number where the charges came from.

15. Charges were as follows:

- 1) On 1-9-06 at 23:37 hours .....unknown Las Vegas Walgreens purchase:\$ 100.00
- 2) On 1-9-06 at 23:48 hours.....unknown Las Vegas Walgreens purchase:\$ 242.00
- 3) On 1-9-06 at 23:50 hours.....unknown Las Vegas Walgreens purchase: \$ 44.71
- 4) On 1-10-06 at 02:07 hours.....unknown Las Vegas Walgreens denied purchase\$200.00

16. There is no surveillance available of the above incident.

17. Your Declarant put together a photo lineup with suspect Ross in the number #2 position.

That your Declarant mailed the photo lineup to victim Vane's address in Missouri.

Victim Vane positively identified suspect Ross as the same person that sat and talked to her at the \$ .25 cent slot machine area, then later appeared behind her at Sirricos pizza.

The original photo lineup was mailed back to your Declarant.

18. Your Declarant has knowledge that suspect Ross's method of operation from his previous arrests. Suspect Ross will work alone or with a partner to act as a shield . Note that a shield distracts the victim in conversation or shields the suspect from video surveillance while he takes the item from the victim. Suspect Ross will choose elderly female victims and engage them in conversation. He will drape a jacket over his arm to conceal the theft while he is lifting out a wallet from the victims purse. Suspect Ross will get extremely close to the victim to lift the victim's wallet from the victim's purse. After the crime is completed he will leave the area.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect ROSS, RONALD on a charge(s) of BURGLARY, LARCENY FROM PERSON.

**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

Executed on this 17th day of February, 2006.

DECLARANT: Dan Stopka # 4063

WITNESS:

W 4077 DATE: 2-17-06

00191

# **EXHIBIT C**

000192

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 07/13/93)

EVENT: 060213-0897

STATE OF NEVADA                )  
                                      ) ss:     ROSS, RONALD  
COUNTY OF CLARK            )     ID# 1970026

Det. V. Jones, being first duly sworn, deposes and says:

That he is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of ten years, assigned to investigate the crime(s) of GRAND LARCENY and CONSPIRACY committed on or about 1/10/06, which investigation has developed ROSS, RONALD as the perpetrator thereof.

**THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME TO WIT:**

1. That on 1/10/06, tourist Gloria Kirkpatrick, date of birth 11/3/27, stated she became the victim of Grand Larceny while gambling at the Fremont Hotel located at 200 Fremont St, Las Vegas NV 89101. Kirkpatrick filed an incident crime report with the Las Vegas Metropolitan Police Department under event number 060213-0897.
2. That Kirkpatrick stated she had just been paid out on two jackpots she had won and noticed a black female and black male sit down to her left and began talking to her. Kirkpatrick also noticed another black male and Hispanic female come and stand to her right. Kirkpatrick believes that she was "Distracted" while the black male on her right, later identified as Ronald Ross stole her cash totaling \$500.00 dollars from her purse that was sitting on her slot machine. Kirkpatrick filed an incident report with hotel security under report number 06-0042. Kirkpatrick advised declarant that the unknown suspects seen the attendant pay her for winning two jackpots.
3. That declarant was contacted by Fremont Hotel investigator John Tyler who advised declarant of the theft and provided declarant with a copy of the incident report and video surveillance. Tyler also advised declarant that the same suspect (Ross) was seen later the same day committing a "Pickpocket" at the Fremont Hotel. That declarant re-booked Ross into CCDC under event number 060117-0898 reference the "Pickpocket" incident.
4. That declarant reviewed the video tape and discovered the following: Suspect Ross is seen walking past victim with an unknown Black female adult and stop and turn around. The black female then goes and sits down next to Kirkpatrick on her left and begins to talk to Kirkpatrick. Ross is then seen sitting at a slot machine adjacent and to the right of Kirkpatrick. A few seconds later, an unknown black male and Hispanic or white female appears. Ross then gets up and places his suit coat over his right shoulder. Ross then speaks into the Hispanic/white females ear while the black male sits down next to the black female. Ross then moves in close to Kirkpatrick while using the Hispanic female as a "Shield". Kirkpatrick is then seen conversing with the black female. **Ross then quickly and swiftly with his left hand, turns and reaches into kirkpatrick's purse and steals her cash.** Ross is then seen quickly exiting the hotel with his suit jacket now on followed by the Hispanic/white female. The black female then gets up and leaves followed by the black male.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 2

EVENT: 060213-0897

5. That the video shows Ross wearing corn rows/braids and the same suit and tie he is seen wearing when he committed a "Pickpocket" later the same day under event number 060117-0898.

6. That declarant, being familiar with "Distract Thefts", conclude that Ross and his co-conspirators are very skilled due to the fact that all elements such as engaging the victim in conversation, crowding the victim, targeting elderly victims and the use of a suit coat to "Shield" the taking of property, allowed Ross to successfully deprive Kirkpatrick of her cash monies.

7. That probable cause exists, based on the victims statement and video surveillance, which does in fact show, Ronald Ross did commit Grand Larceny by stealing, taking and carrying away cash monies belonging to Gloria Kirkpatrick. In addition, Ross did in fact commit Conspiracy by conspiring with unknown suspects to help facilitate the theft of Kirkpatrick's monies.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect ROSS, RONALD on a charge(s) of GRAND LARCENY and CONSPIRACY.

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

Executed on this 14th day of February, 2006.

DECLARANT: V. J. P. #5099

WITNESS: J. H. P. #2194 DATE: 2/14/06

000194

# EXHIBIT D

000195



## ARREST REPORT

☒ City☐ County☒ Adult☐ JuvenileSector/Beat A2

ID/EVENT# 1970026	ARRESTEE'S NAME (Last, First, Middle) ROSS, RONALD		Metropolitan Police S.S.# 163-56-4968	
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code) UNKNOWN		Records Distribution Dist: <u>118024</u>		
CHARGES: BURGLARY, NRS 205.060 LARCENY FROM PERSON VICTIM GREATER THAN 65, NRS 205.270		WVS		
OCCURRED: DATE 01/19/06	DAY OF WEEK THURS	TIME 0930 HRS	LOCATION OF ARREST (Number, Street, City, State, Zip Code) CCDC REBOOKING	
RACE B	SEX M	D.O.B. 01/20/70	HT 5'8"	WT 180
HAIR BLK	EYES BRO	PLACE OF BIRTH PA		

## CIRCUMSTANCES OF ARREST

## OFFICERS INVOLVED:

Detective E. Jones, P# 5099  
 Detective Russ Lee, P# 3290

## VICTIM:

Kobayakawa, Joyce  
 SSN 575-44-6974, DOB 071743  
 Resident phone number 808-235-4020  
 Cell phone number 808-258-4642  
 Residential address: 46-420 Kuneki St  
 Kaneohe, HI 96793

## VICTIM RELATED WITNESSES:

John Tyler  
 Employment address: 200 Fremont St,  
 LVN 89101 (Investigator)  
 Employment phone number: 385-1222

## DETAILS:

That on 01/10/06, tourist Joyce Kobayakawa (DOB 071743) became the victim of larceny from person greater than 60 at the Fremont Street Hotel located at 200 Fremont Street, LVN 89101. Kobayakawa filed an Incident Crime Report with the LVMPD under Event# 060117-0898.

That Kobayakawa stated that she had just removed \$100 from her wallet and placed her wallet back into her purse and proceeded to the cashier's cage to get change for the \$100 bill. A few minutes after leaving the cashier's cage, Kobayakawa noticed that her wallet was missing from her purse. Kobayakawa immediately notified hotel security and filed a report under incident number 06-0041. Kobayakawa stated that she didn't see anyone take her wallet containing \$400 and \$250 worth of hotel meal tickets.

ARRESTING OFFICER(S)	P#	APPROVED by certify the true and correct copy of the original hard copy on file with the Las Vegas Metropolitan Police Department	CONNECTING RPTS. (Type or Event Number) 060117-0898 060112-2082 060111-1815 060116-2105
E. JONES	5099	<i>Vonnie S. Smith</i>	APR 4 2006

LVMPD 602 (REV. 12-90) - AUTOMATED

Manager of Police Records  
 Records Custodian

Date

00196

## CONTINUATION REPORT

ID/Event Number: 1970026

Page 2 of 2

That declarant was contacted by Fremont Hotel Investigator John Tyler who advised declarant that Kobayakawa had been pickpocketed by an unknown well dressed black male adult wearing cornrows or braids. Tyler also stated that the unknown black male adult was also seen stealing another wallet from an elderly lady's purse on the same day. That Tyler provided declarant with a copy of the incident report and video surveillance of the incident.

That declarant reviewed the videotape with Tourist Safety detectives and was advised by Detective Russ Lee (P# 3290) that the suspect seen on video is, in fact, Ronald Ross (ID# 1970026). Lee advised declarant that he rebooked Ross into CCDC under Event# 051013-1434 for committing burglary and larceny from person greater than 65.

That declarant obtained a photograph of Ross through LVMPD's Crime Web. That the video review showed the following. That Ross is seen wearing cornrows/braids, dress slacks, white shirt and tie with his suit coat draped over his right arm "Matador style". Ross is then seen approaching the cashier's cage where the victim is standing, waiting behind another patron. Ross quickly approached Kobayakawa and distracts her by speaking to her briefly while extending his left hand in front of Kobayakawa's face. Ross is then seen placing his right hand inside of Kobayakawa's purse and removing her wallet, which is now shielded by Ross' suit coat. Ross then quickly turns and begins to walk away and is seen quickly going through Kobayakawa's wallet and counting the money. The entire theft took less than five seconds. The photograph obtained of Ross does, in fact, show that Ross is the same person who "pickpocketed" Kobayakawa.

That declarant, being familiar with the methodology of pickpocket suspects discovered that Ross is a very skilled professional pickpocket artist. Ross' use of his suit coat draped over his forearm, the distraction of engaging the victim in conversation, his style of dress, quick slight of hand and elderly targeted victims allows Ross to be an accomplished pickpocket.

That declarant also discovered that Ross was recently arrested for warrants under Event number 051012-2082 and Event number 060111-1815 and Event number 060116-2105. All events are pickpocket related with Ross conducting the pickpockets upon elderly victims at various locations.

That a Records check of Ross revealed that he is, in fact, a career criminal and has several, several theft related arrests and convictions and is currently being screened by LVMPD's Repeat Offender Detail for prosecution as a habitual offender.

That the evidence, per the victim's statement, video surveillance and Ross' actions does, in fact, show that Ross did commit burglary by entering the Fremont Hotel and committed larceny from person on Joyce Kobayakawa. Wherefore declarant prays that the finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing or for trial.

EJ/k8024s (Records)  
Job# 36359

cc: Detective E. Jones, Tourist Safety

Date and time dictated: 01/19/06 1144 hours  
Date and time transcribed: 01/19/06 2105 hours

hard copy on file with the Las Vegas  
Metropolitan Police Department  
APR 4 2006

*Vone Savini*  
Manager of Police Records Date  
Records Custodian

00197

# EXHIBIT E

ORIGINAL

FILED

MAR 31 12 37 PM '06

*Shirley L. Langston*  
CLERK

1 IND  
2 DAVID ROGER  
3 Clark County District Attorney  
4 Nevada Bar #002781  
5 JAMES R. SWEETIN  
6 Chief Deputy District Attorney  
7 Nevada Bar #005144  
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  
11 THE STATE OF NEVADA,

12 Plaintiff,

13 -vs-

14 RONALD ROSS #1970026,  
15 JEROME FORD #1991973,

16 Defendants.

Case No. C220916  
Dept. No. XVIII

INDICTMENT

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

19 The Defendants above named, RONALD ROSS and JEROME FORD, accused by the  
20 Clark County Grand Jury of the crimes of BURGLARY (Felony - NRS 205.060);  
21 LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS  
22 205.270, 193.167); GRAND LARCENY (Felony - NRS 205.220, 205.222) and  
23 CONSPIRACY TO COMMIT LARCENY FROM THE PERSON (Gross Misdemeanor -  
24 NRS 205.270, 199.480), committed at and within the County of Clark, State of Nevada, on  
25 or between January 9, 2006 and January 16, 2006, as follows:

26 COUNT 1 - BURGLARY

27 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 11,  
28 2006, then and there willfully, unlawfully, and feloniously enter, with intent to commit

COUNTY CLERK

MAR 31 2006

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1 larceny, that certain building occupied by J. C. PENNY, located at 3542 South Maryland  
2 Parkway, Las Vegas, Clark County, Nevada.

3 COUNT 2 - CONSPIRACY TO COMMIT LARCENY FROM THE PERSON

4 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 11,  
5 2006, then and there meet with each other and between themselves, and each of them with  
6 the other, willfully and unlawfully conspire and agree to commit a crime, to-wit: larceny  
7 from the person, and in furtherance of said conspiracy, Defendants RONALD ROSS and/or  
8 JEROME FORD did commit the acts as set forth in Count 3, said acts being incorporated by  
9 this reference as though fully set forth herein.

10 COUNT 3 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

11 Defendants RONALD ROSS and/or JEROME FORD did, on or about January 11,  
12 2006, then and there willfully, unlawfully, and feloniously, under circumstances not  
13 amounting to robbery, with intent to steal or appropriate to their own use, take from the  
14 person of another, to-wit: IRENE MACCREADY, a person 60 years of age or older, without  
15 her consent, personal property, to-wit: wallet and contents, Defendants RONALD ROSS  
16 and/or JEROME FORD being liable under one or more of the following principles of  
17 criminal liability: (1) by Defendants RONALD ROSS and/or JEROME FORD directly  
18 committing the offense of larceny from a person 60 years of age or older; (2) by Defendants  
19 RONALD ROSS and/or JEROME FORD conspiring with each other to commit the offense  
20 of larceny from a person 60 years of age or older whereby each conspirator is vicariously  
21 liable for the foreseeable acts of the other conspirators when the acts are done in furtherance  
22 of the conspiracy; and/or (3) Defendants RONALD ROSS and/or JEROME FORD aiding or  
23 abetting each other in the commission of the offense of larceny from a person 60 years of  
24 age or older by meeting together and planning the commission of the crime, thereafter  
25 accompanying each other to the scene, entering J.C. PENNY'S, Defendant RONALD ROSS  
26 actually taking the said property from IRENE MACCREADY, Defendant JEROME FORD  
27 remaining in a close proximity Defendant RONALD ROSS while Defendant RONALD  
28 ROSS actually took the said property from IRENE MACCREADY in such a manner that

CASE NO.

DEPT. NO. 3

**ORIGINAL**

CLERK OF THE COURT

OCT 10 12 32 PM '07

**FILED**IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP  
COUNTY OF CLARK, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS,

Defendant.

Case No. 07F09465X

VOLUME II

REPORTER'S TRANSCRIPT  
OF  
PRELIMINARY HEARINGBEFORE THE HONORABLE TONY L. ABBATANGELO  
JUSTICE OF THE PEACE

Friday, August 17, 2007, 9:00 a.m.

## APPEARANCES:

For the State:

JESSICA WALSH, ESQ.  
Deputy District Attorney  
200 Lewis Avenue, 9th Floor  
Las Vegas, Nevada 89155

For the Defendant:

CRAIG JORGENSEN, ESQ.  
Deputy Public Defender  
309 South Third Street, #226  
Las Vegas, Nevada 89155

Reported by: RENEE SILVAGGIO, C.C.R. NO. 122

ACCUSCRIPTS (702) 391-0379

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OCT 10 2007  
CLERK OF THE COURT

## I N D E X

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Redirect Examination by Ms. Walsh	14
CAUWELL, Charles	
Direct Examination by Ms. Walsh	15
Cross-Examination by Mr. Jorgenson	17
Redirect Examination by Ms. Walsh	21
Recross-Examination by Mr. Jorgenson	21

\* \* \* \* \*

Las Vegas, Nevada, Friday, August 17, 2007, 9:00 a.m.

.....

THE COURT: Let's call 07F09465X, State versus Ronald

Ross.

Let the record reflect the presence of Mr. Ross and

Mr. Jorgenson.

This is the continuation of the preliminary hearing.

I have an amended criminal complaint here.

Miss Walsh is present for the State.

MS. WALSH: Yes, Judge.

If I could make some representations: The amended criminal complaint we filed, I actually had it typed out before the July 23rd date. It adds some language in Count VIII. The victim testified he was 60 years of age March 23rd, '07, so we added victim 60 years of age or older to conform to the testimony.

We also changed one of the dates in the conspiracy counts. Off the top of my head, I can't remember, but I believe it's Count XIX -- both Counts XIX and XX, I believe, had March 23rd. Those amendments are reflected in the amended complaint filed today.

THE COURT: Slow down. You said March 19th.

MS. WALSH: Count XIX is amended, I believe, to reflect the amended date of March 23rd.

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to August 17th. When our out-of-state desk called, she indicated she's no longer willing to come to court.

I called her, was on the phone with her for a lengthy period of time. I was, at first, very nice, explaining to her the ramifications of her not testifying, that it would end up in a dismissal of nine felony counts against this defendant and one gross misdemeanor count, and tried to explain that it was more than just about him picking her pocket that date. That didn't encourage her to come to court.

I then informed her that a subpoena was a court order. It was not an invitation to come to court, that we could compel her to come to court.

She basically ended the phone call saying that I could just go ahead and send an officer to the door to drag her down to Nevada.

Given the fact that she is an 84 year old woman and we do have two other incidents on this defendant, the State is not willing to do that at this time, to compel an 84 year old woman to come to Nevada against her will.

So, therefore, today, we're not going to be proceeding on Counts IX through XVII and Count XX.

I also informed her that Your Honor said no more continuances for the victim. That's why I'm not seeking a continuance of the preliminary hearing today for her non-appearance.

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THE COURT: That's what I -- I thought you said two counts. But, anyway, I'm clear on that.

Go ahead.

MS. WALSH: Your Honor, we have had the case continued twice before -- or once before for the victim Bertha Lundquist.

If I could just make some representations about that.

Miss Lundquist was present in court on July 23rd. The State was ready to proceed. The defendant was not transported from Nevada State Prison, despite the fact we had completed a transfer order.

Both Mr. Sweetin and I were scheduled to start a trial the next day and we were actually both in another courtroom at that time.

We were unable to find any other DA who could familiarize themselves with the case in that short amount of time to put it on. So we had Your Honor reschedule it to August 8th.

I contacted the victim, Bertha Lundquist. She indicated, given her age, she couldn't travel alone and had nobody to come with her.

We came in on that date. Your Honor gave us a continuance until August 17th, because I had previously contacted the victim and asked her to give me a date, any date. What date can you come to court? She said between August 15th and August 17th would be fine.

I called the victim back, after we had the case continued

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THE COURT: So IX through XVII and XX will be dismissed per the State.

MS. WALSH: That's correct.

THE COURT: For the record, the last representation Miss Walsh made is correct, I will not continue the case because the defendant is in custody and because we've already tried to get Miss Lundquist, or any witness is my policy, because the State still has another remedy. If she changes her mind, you could always go to the Grand Jury. So that will be noted.

MS. WALSH: And, Your Honor, I also would note Detective Flenner has already testified regarding the incidents of March 31st at the Paris and at Macy's. That testimony was subject to be stricken. I have the page numbers and lines, if you want that, for the record, of his testimony that will be stricken.

THE COURT: Potentially stricken?

MS. WALSH: Well, it will be because we're not proceeding on those counts.

THE COURT: That pertains to Miss Lundquist?

MS. WALSH: Correct.

THE COURT: Okay.

MS. WALSH: It's page 96, after line 18, where the State begins its questioning regarding Miss Lundquist, all the way through the testimony ending on page 101 with line 10.

That begins Mr. Jorgenson's cross-examination of Detective Flenner's other incident.

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1 And then on page 104, line seven, is where you begin to  
2 strike his testimony again to page 105, through line four.  
3 In my review of the record, that is the only time  
4 Detective Flenker talked about the other incident.

5 THE COURT: Mr. Jorgenson, is there any other pages or  
6 lines that were not referred to that refer to Miss Lundquist's  
7 testimony that will be part of the record that should be stricken,  
8 because, obviously, the State at this time is not going forward?

9 We don't want your client prejudiced, so if there is  
10 anything else out there besides those particular references, then  
11 just let the Court know.

12 MR. JORGENSEN: Right.

13 THE COURT: All right. So that leaves us with --

14 MS. WALSH: Two short witnesses, Judge.

15 THE COURT: I'm five foot three and a half, on a good  
16 day. Do you have a problem with short witnesses?

17 MS. WALSH: No, Judge. I like them.

18 THE COURT: Okay. First witness.

19 MS. WALSH: Paul Simeon.

20 (Witness sworn.)

21 THE CLERK: Okay. You may be seated.

22 Please state your name for the record.

23 THE WITNESS: Paul Simeon.

24 THE CLERK: And spell your first and last name, please.

25 THE WITNESS: P-a-u-l; and last name S-i-m-e-o-n.

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1 well?

2 A Yes.

3 Q Can you briefly describe to the Court what kind of  
4 surveillance system the Tropicana has in general.

5 A The heart of the system is the Bill and Legion TC 7800  
6 series marker process base control switch.

7 Q Okay. That would be a little too technical for us.

8 Do you have some cameras that may be monitoring parts of  
9 the casino?

10 A We have close to 400 cameras. I can't give an exact  
11 number at present, but close to 400 cameras covering the casino  
12 floor and the other parts of the casino where money is present.

13 Q And do those cameras feed what it is capturing live onto  
14 monitors up in the surveillance room?

15 A Monitors, through video recording.

16 Q So can you then view what's happening in live time on  
17 some monitors in the surveillance room and it's also being  
18 recorded as well?

19 A Yes.

20 Q Do you have the ability to record a date and time along  
21 with that video feed?

22 A Yes, we do.

23 Q Is that date and time stamp monitored for accuracy?

24 A Yes. It's part of my monthly scheduled maintenance. I  
25 check the date against the website, a government website, that has

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1 PAUL SIMEON  
2 called as a witness on behalf of the State,  
3 having been first duly sworn,  
4 was examined and testified as follows:

6 DIRECT EXAMINATION

7 BY MS. WALSH:

8 Q Sir, how are you currently employed?

9 A I'm the surveillance technical supervisor for the  
10 Tropicana casino.

11 Q Is that the Tropicana Hotel & Casino located on the Strip  
12 here in Las Vegas, Clark County, Nevada?

13 A Yes, it is.

14 Q And how long have you been the technical supervisor?

15 A Four and a half years, approximately.

16 Q And what are your duties in that capacity?

17 A Maintaining the many closed circuit TV system for both  
18 the surveillance department and the security department.

19 Q At the Tropicana?

20 A Yes.

21 Q Okay. In your capacity as the supervisor, then, you are  
22 familiar with the surveillance system that the Tropicana has in  
23 place?

24 A Yes.

25 Q Is it a part of your duties to monitor the system then as

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1 the time blocked.

2 Q And in your regular monthly checks is the date and time  
3 stamp ever off by more than a couple of seconds?

4 A I think ten seconds is the most that I have ever had to  
5 recalibrate.

6 Q And do you, as part of your duties, regularly maintain  
7 the other aspects of the surveillance system to insure the  
8 accuracy, as in the cameras and the feed and the monitors?

9 A Yes, ongoing maintenance and repairs is my  
10 responsibility.

11 MS. WALSH: Nothing further, Judge.

12 THE COURT: Cross-examination.

14 CROSS-EXAMINATION

15 BY MR. JORGENSEN:

16 Q You were in that job last March?

17 A Yes, I was.

18 Q You said you had been doing that for how many years?

19 A Four and a half years, I think. Oh, sorry, sorry.  
20 March 2003. So that would be --

21 Q Until now?

22 A Yes.

23 Q How many cameras?

24 A It's close to 400.

25 Q And each camera has built into it its own unique ID

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1 number?

2 A The camera themselves are purely providing video and the  
3 video will tune-up in my surveillance room and be fed through on a  
4 particular channel.

5 Q All right. If you are looking at a tape later on, for a  
6 recording, how will you know, from moment to moment, what camera  
7 you were watching of those 400 cameras?

8 A The video itself, having gone through a channel, is  
9 assigned a channel number and that number is present at the  
10 operative console, so the operator knows what camera he's looking  
11 at; and the video was then passed through to the video recording  
12 site.

13 So we have a list of what VCR is monitoring what -- or is  
14 recording what video from a particular camera.

15 Q So you would be able to recreate or be able to get -- you  
16 are watching a video tape that was a compilation of shots from  
17 something taken three weeks ago?

18 A Yes.

19 Q You would be able to use the information on this  
20 recording, tell us eventually, by whatever means, which camera was  
21 being used in each one of the shots?

22 A Yes.

23 Q So, in a sense, they all have a unique identifier; they  
24 just may not be displayed on its picture somehow?

25 A Exactly, yes. It's not -- the camera is not providing

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1 the ID. It's the system that provides the channel ID.

2 Q How often do you -- or do you have provisions to do self  
3 tests on each one of these cameras to see that they're, in fact,  
4 doing a good job of -- of picturing whatever they're pointing at?

5 A Yes. There is no actual self test. The proof is in  
6 the -- the proof in the pudding is in the video quality that the  
7 operators can do.

8 Q In other words, if, on a certain day, while they're  
9 paging through camera angles, if one comes up blank, then you know  
10 that camera has a problem?

11 A Yes. And they will log that in a maintenance log that we  
12 keep in the room.

13 Q Is it possible for a camera to get stuck so its -- so  
14 it's not showing a live feed anymore, but showing a loop in the  
15 previous recording -- or maybe not the camera, but the recording  
16 equipment -- without you knowing that that's what was happening?

17 A Okay. Without me knowing --

18 MR. JORGENSEN: Let me back up.

19 THE COURT: One second.

20 Do you understand the question?

21 THE WITNESS: Yes, I do.

22 And I'm just trying to think of particular scenarios that  
23 would bring up something like that in a camera that actually  
24 determined what situation would bring up a call like that.

25

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1 BY MR. JORGENSEN:

2 Q Let me ask then a different question.

3 How often do you actually verify that the video recorders  
4 are working fine? How do you know that they're recording what the  
5 camera shows?

6 A Each operator has a responsibility that if he finds  
7 anything wrong with the -- with the video recording, it will be  
8 noted in the maintenance log.

9 Well, I periodically check video quality, but it's not on  
10 the scheduled maintenance sheet that I do.

11 I routinely go back through a number of -- a number of  
12 videos, different things like tape tension, that the system is in  
13 good order and I'll view the quality of the recording, the video.  
14 But, as a scheduled maintenance check, I don't -- it's not a  
15 formal scheduled check. But I do view picture quality.

16 Q Each camera is connected to its recorder by a physical  
17 cable?

18 A Yes.

19 Q And you have a VCR for every camera or does every camera  
20 go to one particular VCR, although one VCR may do more than one  
21 camera?

22 A I'll just backtrack.

23 Each camera is connected to the system, the CT TV system,  
24 by a cable. From there, determined by its priority in the -- in  
25 the system, it will either be channeled to a dedicated VCR or else

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1 It would go through what other -- another processes involved,  
2 sub-boxes (ph) -- sub-boxes they are called. Quad processes  
3 allows them to show four images off of one VCR, or 16 images off  
4 of the one VCR. It's all dependent on the camera.

5 If you can't understand me --

6 MR. JORGENSEN: I do.

7 Nothing further.

8 THE COURT: Redirect.

9 MS. WALSH: Just one brief question.

10

# REDIRECT EXAMINATION

11 BY MS. WALSH:

12 Q You said that there were operators that view the camera's  
13 feed.

14 They do that daily?

15 A Yes, 24 hours a day.

16 Q Is that their only duty is to view the camera monitors?

17 A Yes, yes. That would -- the main duty is to cover the  
18 monitoring -- monetary flow in the casino and the gaming aspects  
19 of the casino; and to do that, they must monitor those -- those  
20 cameras 24 hours a day.

21 Q And you said, if they had a problem, they would write it  
22 down in the maintenance log.

23 Is it part of your duty to regularly check that  
24 maintenance log for problems?

25

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1 A Yes, my first line of duty as I come into work.  
 2 MS. WALSH: Nothing further, Your Honor.  
 3 THE COURT: Anything else?  
 4 MR. JORGENSEN: No.  
 5 THE COURT: Mr. Simeon, thank you for waiting and  
 6 testifying. You are free to go.  
 7 THE WITNESS: Thank you very much.  
 8 THE COURT: You are welcome.  
 9 MS. WALSH: Thank you, Your Honor.  
 10 The State calls Chuck Cauwel.  
 11 (Witness sworn.)  
 12 THE CLERK: You may be seated.  
 13 Please state your name for the record.  
 14 THE WITNESS: Charles Cauwel.  
 15 THE COURT: Spell your first and last name, please.  
 16 THE WITNESS: C-h-a-r-l-e-s, C-a-u-w-e-l.

CHARLES CAUWEL

19 called as a witness on behalf of the State,  
 20 having been first duly sworn,  
 21 was examined and testified as follows:

DIRECT EXAMINATION

24 BY MS. WALSH:

25 Q Sir, how are you currently employed?

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1 Q And as part of your investigation and cooperation with  
 2 Metro, do you ever provide evidence and video tapes to them?  
 3 A Yes.  
 4 Q Did you provide a copy of the video tape of this incident  
 5 to Metro?  
 6 A Yes, I did.  
 7 Q And would you have provided them the original or would  
 8 you have made them a copy?  
 9 A I have the dubs, so I probably gave Detective Earl  
 10 Flemming the original.  
 11 MS. WALSH: Nothing further, Judge.  
 12 THE COURT: Cross.

CROSS-EXAMINATION

15 BY MR. JORGENSEN:

16 Q You give the closed circuit TV workers a description of a  
 17 particular patron at a particular time at a particular machine and  
 18 say please bring up the camera that would show that view or those  
 19 views and track backwards and forwards to people who were there at  
 20 that particular time and this tape is a compilation of that?  
 21 A I'm sorry. Could you repeat that? I apologize.  
 22 Q Sure.  
 23 You said you asked the video surveillance people to make  
 24 a compilation of this event?  
 25 A Yes.

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1 A I'm the senior investigator at the Tropicana.  
 2 Q And what are your duties as a senior investigator?  
 3 A I look into any crimes that happen on our property, guest  
 4 injuries, employee injuries; investigate them by gathering  
 5 evidence, such as video evidence, voluntary statements, witness  
 6 statements.  
 7 Q Were you working in that capacity on March 17th of this  
 8 year?  
 9 A Yes.  
 10 Q And were you aware of an incident that possibly occurred  
 11 on that date between a Ronald Ross and Georgia Stephanopolis?  
 12 A Yes.  
 13 Q And how did you become aware of this incident?  
 14 A We had a report from one of our guests. She was playing  
 15 a slot machine and she reported that two males had been talking to  
 16 her while she played the machine and then, later, she found her  
 17 wallet, I believe, missing.  
 18 I got the location. I called surveillance. They were to  
 19 pull up coverage of that incident.  
 20 Q Did they provide you a copy of the surveillance tape of  
 21 the incident?  
 22 A Yes.  
 23 Q And as part of your duties as an investigator, also, were  
 24 you working closely with Metro regarding these incidents?  
 25 A Yes.

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1 Q You didn't watch any of the event yourself?  
 2 A I did when they provided me the tape.  
 3 Q Okay. But, originally, you didn't watch any of it?  
 4 A No. That's not my -- I don't man those cameras.  
 5 Q How do you know what to tell them when you say I want the  
 6 event? How do you describe the event?  
 7 A From the report and, usually, as well, there is a  
 8 security officer who will respond to that area. He, in fact,  
 9 will, as well, call surveillance and say: I'm heading to this  
 10 machine or whatever area. Please get me up. So they can look at  
 11 the person reporting the incident and see the area that it  
 12 occurred. Then they write a report, authoring the report, saying  
 13 the phone call and it will say no, yes, so they will know about it  
 14 or when they go to court.  
 15 Q When they look for it, they're going to get taped  
 16 evidence from what occurred minutes or tens of minutes prior to  
 17 the security guard saying I'm here at this machine, with this  
 18 victim; please back up and see what we got on tape?  
 19 A Yes.  
 20 Q What we have in terms of coverage?  
 21 A Yes, sir.  
 22 Q And if you see approximately the minutes earlier, in  
 23 which the victim says a crime occurred, you would back it up -- or  
 24 you would have those people back it up -- and see if you can  
 25 actually see people in there doing what the victim described,

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1 right?

2 A Yes, sir.

3 Q And you actually have them go back in time to see if you

4 can see how those people come into the Tropicana and go up to that

5 machine?

6 Is that what you are trying to do by the --

7 A That's what they do.

8 Q And they can do that because they can see, by looking at

9 the victim, minutes earlier, and listening to the victim's

10 description of two guys, two women, whatever, they can say: All

11 right. We're five minutes earlier. There is two women or two men

12 standing back here and let's see if we can track it back as they

13 come in.

14 And then it becomes this compilation; is that right?

15 A I suppose so. I mean, I don't -- I don't review -- I

16 review what they give me.

17 Q And when they do give it to you, it is jumbled up in time

18 or does it start early and go as time flows normally?

19 A Oh, I'm assuming that they go back as far as they can and

20 look for it, yeah.

21 Q Following whoever you think is possibly the one who is

22 involved in the event?

23 A Yes, sir.

24 Q So your main job is to coordinate getting this so

25 compilation taken care of, looking at it, making sure it looks

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1 like it's what you are interested, in terms of an event of a

2 potential crime, and then securing it to give to Metro?

3 A Yes.

4 Q Never in any of this are you actually -- or do you

5 normally question the victims or do you leave that to somebody

6 else who calls up?

7 A Normally, the responding officer has -- speaks to the

8 victim and gets all of their information.

9 Within the course of my duties, there are times I do

10 follow up by telephone or in person, but not usually.

11 THE COURT: Did you talk to the victims actually?

12 THE WITNESS: No, no, I did not.

13 BY MR. JORGENSEN:

14 Q One other question: From looking at this tape, can you

15 identify anybody in the courtroom who you saw on that date?

16 A I haven't watched that since March when the incident

17 occurred -- I believe it was in March -- so, no.

18 Q Well, am I right in saying -- well, okay. Since you

19 haven't seen it for four or five months, you don't have present

20 memory of the tape?

21 A I remember looking at the tape, I remember what I saw,

22 but if you are asking me for facial recognition, I can't do that

23 because -- I can't do that.

24 MR. JORGENSEN: Okay. Nothing else.

25 MS. WALSH: Just briefly on that, Your Honor.

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1

2

3 REDIRECT EXAMINATION

4 BY MS. WALSH:

5 Q Have you viewed a number of tapes since this incident at

6 the casino?

7 A Absolutely, yes.

8 Q And have you investigated a number of other incidents

9 that occurred at the casino regarding a number of other suspects?

10 A Yes, ma'am.

11 MS. WALSH: Nothing further, Judge.

12 MR. JORGENSEN: One last question.

13

RECROSS EXAMINATION

15 BY MR. JORGENSEN:

16 Q Did it look to you, when you looked at this compilation,

17 that there actually was some crime going on?

18 A Yes.

19 Q And what was that?

20 A They used a jacket to -- a blocking method. It's

21 classic, a pickpocket or bucket theft method to go into this

22 woman's purse and remove something from the purse.

23 Q Was the camera angle such that you could see a hand reach

24 into the bucket or you could just see what is surrounding it, if

25 you can remember?

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1 A I remember reviewing the tape and coming to the

2 conclusion that the people on tape had pickpocketed this woman,

3 from her purse.

4 Q Based on the tape alone or based on looking at the tape

5 and then recalling what the victim said?

6 A The tape -- the tape alone.

7 Q Okay.

8 A Because I -- yeah, on the tape alone, yes.

9 Q And then Metro has this tape now?

10 A Yes, sir.

11 MR. JORGENSEN: Nothing else.

12 MS. WALSH: Nothing further, Judge.

13 THE COURT: Thank you, sir, for waiting and testifying.

14 You are free to go.

15 THE WITNESS: Thank you.

16 THE COURT: You are welcome.

17 Anything else from the State today?

18 MS. WALSH: No, Judge. The State rests.

19 THE COURT: Any evidence or testimony to be presented by

20 the defense today?

21 MR. JORGENSEN: No.

22 THE COURT: And does your client wish to testify?

23 MR. JORGENSEN: At trial.

24 THE COURT: Okay. Does the State reserve closing?

25 With all the other amendments and everything -- the

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1 amendments: you've already done, does the State reserve closing for  
2 rebuttal?

3 MS. WALSH: Yes, Judge.

4 THE COURT: Mr. Jorgenson.

5 MR. JORGENSEN: Judge, I would ask the Court to recognize  
6 that what we basically have here is victims who know something  
7 happened to them, but don't really know exactly what happened to  
8 them and surveillance people who say they think the victims  
9 actually got victimized somehow, but they're not sure if it's my  
10 client or not. I think there is simply not enough evidence to  
11 bind this over on these two counts.

12 We're talking about the 17th, which is the Tropicana, and  
13 the 31st, which is Safeway -- no, the Santa Fe.

14 Do I have that right?

15 THE COURT: The 31st will be dismissed. Those are the  
16 ones Miss Lundquist was the victim.

17 MR. JORGENSEN: Oh, the 17th and the 23rd. The 23rd is  
18 Santa Fe.

19 THE COURT: Yes.

20 MR. JORGENSEN: Well, either way, I would ask the Court  
21 to conclude that there is not probable cause.

22 THE COURT: The State's response?

23 MS. WALSH: Judge, this is a preliminary hearing, slight  
24 or marginal evidence, and the State feels that there is more than  
25 that to show that the defendant is the one who committed these

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1 crimes.

2 The victims testified that very shortly after seeing the  
3 defendant, they noticed that their money was missing. They  
4 testified that they knew their money was there almost immediately  
5 before they saw the defendant.

6 There was no one else in close proximity to them, in the  
7 time frame of when their wallet was lost.

8 In looking at the review of the tape of the Tropicana, I  
9 believe there was testimony that when this defendant and another  
10 black male adult were in that extreme close proximity to the  
11 victim, a hand went into the wallet -- excuse me -- there was an  
12 exchange of a wallet between the hands of the defendant and the  
13 other black male adult.

14 As in the Santa Fe, there was testimony that the  
15 defendant, this other black male adult and a black female adult  
16 came into the casino together, left the female at the sports book,  
17 the defendant and this other individual were kind of circling  
18 around the victim.

19 Eventually, the defendant kind of comes up to his left,  
20 gets really close, the victim moves his money and the casino  
21 surveillance tape shows that hand comes in and takes the money  
22 while the defendant and this other individual are in close  
23 proximity to him. Immediately then, the victim realizes his money  
24 is gone; nobody else in close proximity at that time.

25 And we'd submit it on that, Judge.

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1 THE COURT: All right. Mr. Ross, please stand up.

2 This concludes your preliminary hearing. I do not  
3 determine your innocence and I do not determine your guilt. I  
4 determine if sufficient evidence exists that you committed the  
5 alleged crimes.

6 The evidence that has been presented, from the testimony  
7 from the witnesses, I do find that the following crimes of  
8 burglary, three counts -- and correct me if I'm wrong -- Counts I,  
9 III, VII -- larceny from the person, Count II, possession of  
10 credit card without owner's consent, Count IV, fraudulent use of  
11 credit or debit card, which is also Count V, one count of theft,  
12 which is Count VI, one count of grand larceny, victim 60 years of  
13 age or older, Count VIII, and conspiracy to commit larceny, two  
14 counts -- wait a minute. Yeah, two counts, XVIII and XIX --

15 MR. JORGENSEN: They will become, I guess, IX and X.

16 THE COURT: Correct.

17 -- have been committed by you, I hereby order you to  
18 answer to said charges in the Eighth Judicial District Court,  
19 State of Nevada, County of Clark -- and that will be reflected in  
20 the Information in District Court, those ten counts.

21 Before I give a return date, Mr. Jorgenson?

22 MR. JORGENSEN: All right. First off, my client wants to  
23 be considered for an OR.

24 And based on what you do, if that's not something you do,  
25 then I'd like the Court to give me a bail amount on each count.

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1 THE COURT: My question to you, Mr. Ross, is: Are you  
2 doing time at NSP still?

3 Because we've been going on for a while now.

4 THE DEFENDANT: I'm doing time at NSP. I'm eligible for  
5 camp. They're not giving me camp with open bail. I can pay the  
6 bail if it's low enough. I don't have -- they sent a cash bail.  
7 I could possibly be out of NSP soon. I only have like three more  
8 months and I can be out of NSP, so I don't have a long time to do  
9 at NSP.

10 THE COURT: With or without the camp, you could get  
11 out --

12 THE DEFENDANT: No. I have 19 to 48 months with 18  
13 months credit.

14 THE COURT: Okay.

15 THE DEFENDANT: I can be out in 45 days, 90 days. I can  
16 go to a camp and be out in 30 days.

17 THE COURT: I understand what you are saying.

18 THE DEFENDANT: Okay.

19 MS. WALSH: And for the record --

20 THE COURT: Miss Walsh, go ahead.

21 MS. WALSH: For the record, Your Honor, he is being held  
22 without bail in that District Court case. I believe it's C220916  
23 or somewhere close to that.

24 THE COURT: C220916 is what I have.

25 MS. WALSH: Yeah. That's the correct case number.

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1 He is being held without bail in that case.

2 The State does not have a problem with bail being set to  
3 reflect the counts that he's now charged with, the ten counts.

4 And, for the record, Your Honor, he also does have 17  
5 prior felonies coming out of 13 separate cases. He has a criminal  
6 record going all the way back to the day he turned 18. I'm sure  
7 if we looked into his juvenile record, it would start much sooner  
8 than that.

9 He's a career criminal. It's clear that, once he gets  
10 out of custody, he's going to go out and he's going to pick the  
11 pockets of elderly women and men who are taking vacations in our  
12 casinos.

13 He's clearly shown that by the fact that, once he was out  
14 of custody on that District Court case that he's currently being  
15 held with no bail on, he committed these theft charges, Your  
16 Honor.

17 THE COURT: My position is the following:

18 You are entitled to bail. This is not a capital case.

19 That is per statute and the Constitution.

20 I will set standard bail on all the counts that are being  
21 bound up to District Court.

22 The return date in District Court will be the  
23 following --

24 THE CLERK: That would be September 5th, 10:30, lower  
25 level Courtroom A, Track XVII.

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1 crime. She's saying I go out and commit a crime all the time.

2 These charges I am being charged with right now, I  
3 believe I'm still innocent of them until proven guilty of them,  
4 so, actually, I haven't committed a crime in over 12 years.

5 She said I go out and steal stuff from people in casinos.  
6 I've never been convicted of stealing anything from anybody in a  
7 casino, nothing.

8 MR. JORGENSEN: We'll go to trial on this, Judge.

9 MS. WALSH: And, for the record, Your Honor, he is  
10 serving that 18 to 48 --

11 THE DEFENDANT: For attempted larceny.

12 \*\*\*\*\*

15 ATTEST: Full, true and accurate transcript of proceedings.

16   
17  
18 RENEE SILVAGGIO, C.C.R. 122

19 Official Court Reporter.

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1 MR. JORGENSEN: Count I, burglary, what is the standard  
2 bail?

3 THE COURT: 5,000.

4 MR. JORGENSEN: Grand larceny from the person, Count II?

5 THE COURT: I believe is 3,000.

6 MR. JORGENSEN: Okay.

7 THE COURT: Possession of credit card, I believe, is  
8 3,000 as well.

9 MR. JORGENSEN: Now, three burglaries is going to be  
10 another 5,000, right?

11 THE COURT: Right. Three burglaries are \$15,000 total.

12 I believe all the other ones are 3,000, except for the  
13 conspiracies. Those are gross misdemeanors, right?

14 MS. WALSH: Yes.

15 THE COURT: So those are 1,000.

16 The bail should be 32,000.

17 THE DEFENDANT: Your Honor, can I ask for any type of  
18 bail reduction to 25 -- 20 at least?

19 THE COURT: I agree with Miss Walsh. Due to your prior  
20 criminal convictions, I'm not going to go any lower than that.

21 It has to be a formal written motion presented to lower  
22 level or the District Court judge assigned to this case, plus you  
23 still have to deal with the other no bail situation.

24 THE DEFENDANT: For the record, Judge, I ain't had no  
25 case for 12 years. I ain't been arrested in 12 years for any

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ORIGINAL

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CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

RONALD ROSS,  
#1970026

Defendant.

CASE NO: C236169  
DEPT NO: XVII

ORDER FOR PRODUCTION OF INMATE  
RONALD ROSS, BAC #1003485

DATE OF HEARING: JULY 8, 2008  
TIME OF HEARING: 8:00 A.M.

TO: DWIGHT NEVEN, Warden of the High Desert State Prison;

TO: DOUGLAS C. GILLESPIE, Sheriff of Clark County, Nevada

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by DAVID ROGER, District Attorney, through FRANK M. PONTICELLO, Chief Deputy District Attorney, and good cause appearing therefor,

IT IS HEREBY ORDERED that DWIGHT NEVEN, Warden of the High Desert State Prison shall be, and is, hereby directed to produce RONALD ROSS, in Case No. C236169, on a charge wherein THE STATE OF NEVADA is the Plaintiff, inasmuch as the said RONALD ROSS is currently incarcerated in the High Desert State Prison located in Indian Springs, Nevada and his presence will be required in Las Vegas, Nevada commencing

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DEPT. 17 ON JUN 18 2008  
CLERK OF THE COURT

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1 on JULY 8, 2008, at the hour of 8:00 o'clock A.M. and continuing until completion of the  
2 prosecution's case against the said Defendant.


3 IT IS FURTHER ORDERED that DOUGLAS C. GILLESPIE, Sheriff of Clark  
4 County, Nevada, shall accept and retain custody of the said RONALD ROSS in the Clark  
5 County Detention Center, Las Vegas, Nevada, pending completion of said matter in Clark  
6 County, or until the further Order of this Court; or in the alternative shall make all  
7 arrangements for the transportation of the said RONALD ROSS to and from the Nevada  
8 State Prison facility which are necessary to insure the RONALD ROSS's appearance in  
9 Clark County pending completion of said matter, or until further Order of this Court.

10 DATED this 13 day of June, 2008.

11  
12   
13 DISTRICT JUDGE

14  
15 DAVID ROGER  
16 DISTRICT ATTORNEY  
Nevada Bar #002781

17  
18 BY

  
19 Frank M. Ponticello  
20 Chief Deputy District Attorney  
21 Nevada Bar #000370  
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● ORIGINAL ●

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FILED IN DEEN COURT  
NOV 12 2008

EDWARD A. FRIEDLAND  
CLERK OF THE COURT

BY Kristen Brown DEPUTY  
KRISTEN BROWN

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 RONALD ROSS,  
16 #1970026

17 Defendant.

Case No. C236169  
Dept No. XVII

THIRD AMENDED  
INFORMATION

18 STATE OF NEVADA }  
19 COUNTY OF CLARK } ss:

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

22 That RONALD ROSS, the Defendant(s) above named, having committed the crimes  
23 of BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony -  
24 NRS 205.270); POSSESSION OF CREDIT CARD WITHOUT CARDHOLDER'S  
25 CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT CARD (Felony  
26 - NRS 205.760); THEFT (Felony - NRS 205.0835, 205.0832) and CONSPIRACY TO  
27 COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222, 199.480), on or  
28 between March 17, 2007, and March 31, 2007, within the County of Clark, State of Nevada,  
contrary to the form, force and effect of statutes in such cases made and provided, and  
against the peace and dignity of the State of Nevada,

1 COUNT 1 - BURGLARY

2 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
3 enter, with intent to commit larceny, that certain building occupied by TROPICANA  
4 HOTEL & CASINO, located at 3801 Las Vegas Boulevard South, Las Vegas, Clark County,  
5 Nevada.

6 COUNT 2 - LARCENY FROM THE PERSON

7 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously,  
8 under circumstances not amounting to robbery, with intent to steal or appropriate to his own  
9 use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her  
10 consent, personal property, to-wit: wallet and contents.

11 COUNT 3 - BURGLARY

12 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
13 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
14 felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at  
15 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

16 COUNT 4 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
17 CONSENT

18 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
19 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
20 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
21 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
22 STATHOPOULOS, and/or the issuer of said credit or debit card.

23 COUNT 5 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

24 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
25 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
26 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
27 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of

28 //



1 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
2 cardholder to use said card.

3 COUNT 6 - THEFT

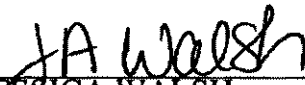
4 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
5 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
6 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
7 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
8 deprive that person of the property, in the following manner, to-wit: by the said defendant  
9 falsely representing that he was in lawful possession of a VISA credit card and that he had  
10 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
11 by a material misrepresentation with intent to deprive them of the property.

12 COUNT 7 - CONSPIRACY TO COMMIT LARCENY

13 did, on or about March 17, 2007, then and there meet with another and between  
14 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
15 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
16 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
17 reference as though fully set forth herein.

18  
19 DAVID ROGER  
DISTRICT ATTORNEY  
Nevada Bar #002781

20  
21 BY

  
JESSICA WALSH  
Deputy District Attorney  
Nevada Bar #009640

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25  
26 DA#07F09465X/rj  
27 LVMPD EV#0704021711;  
28 0703272927; 0703172449  
(TK3)

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FILED IN OPEN COURT  
NOV 12 2008

EDWARD A. FRIEDLAND  
CLERK OF THE COURT

DISTRICT COURT

BY

*Kristen Brown*

CLARK COUNTY, NEVADA

KRISTEN BROWN

DEPUTY

STATE OF NEVADA

Plaintiff(s),

CASE NO. C236169

-vs-

DEPT. NO. XVII

RONALD ROSS

Defendant(s).

**AMENDED JURY**

1. RAVI DAVIS
2. FRANK FIORELLO
3. KAREN GENOVESE
4. DONG LEE
5. JEAN HERTZMAN
6. ALICIA MARASCO

7. MORISE SMITH
8. MARIA KENNEMER
9. REGINA CONLEY
10. ARNOLD SILVA
11. MARY HEADLEY
13. CECILE TENNANT

1 JURL

FILED IN OPEN COURT  
NOV 12 2008

EDWARD A. FRIEDLAND  
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

BY

*Kristen Brown*

KRISTEN BROWN

DEPUTY

7 STATE OF NEVADA

Plaintiff(s),

CASE NO. C236169

DEPT. NO. XVII

-vs-

11 RONALD ROSS

Defendant(s).

JURY

1. RAVI DAVIS

8. MARIA KENNEMER

2. FRANK FIORELLO

9. REGINA CONLEY

3. KAREN GENOVESE

10. ARNOLD SILVA

4. DONG LEE

11. MARY HEADLEY

5. JEAN HERTZMAN

12. LUIS GONZALES

7. MORISE SMITH

13. CECILE TENNANT

ALTERNATES

6. ALICIA MARASCO

1 INST

FILED IN OPEN COURT

NOV 13 2008 @ 6:50 pm

EDWARD A. FRIEDLAND  
CLERK OF THE COURT

BY Kristen Brown  
KRISTEN BROWN DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 RONALD ROSS,

12 Defendant.

CASE NO: C236169

DEPT NO: XVII

13 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. I)

14 MEMBERS OF THE JURY:

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

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

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28 000123

INSTRUCTION NO. 2

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

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

00124

INSTRUCTION NO. 3

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

In this case, it is charged in an Information that on or between March 17, 2007 and March 31, 2007, the Defendant committed the offense of BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony - NRS 205.270); POSSESSION OF CREDIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT CARD (Felony - NRS 205.760); THEFT (Felony - NRS 205.0835, 205.0832) and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222, 199.480).

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

COUNT 1 - BURGLARY

did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by TROPICANA HOTEL & CASINO, located at 3801 Las Vegas Boulevard South, Las Vegas, Clark County, Nevada.

COUNT 2 - LARCENY FROM THE PERSON

did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously, under circumstances not amounting to robbery, with intent to steal or appropriate to his own use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her consent, personal property, to-wit: wallet and contents.

COUNT 3 - BURGLARY

did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

1 COUNT 4 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
2 CONSENT

3 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
4 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
5 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
6 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
7 STATHOPOULOS, and/or the issuer of said credit or debit card.

8 COUNT 5 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

9 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
10 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
11 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
12 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of  
13 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
14 cardholder to use said card.

15 COUNT 6 - THEFT

16 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
17 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
18 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
19 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
20 deprive that person of the property, in the following manner, to-wit: by the said defendant  
21 falsely representing that he was in lawful possession of a VISA credit card and that he had  
22 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
23 by a material misrepresentation with intent to deprive them of the property.

24 COUNT 7 - CONSPIRACY TO COMMIT LARCENY

25 did, on or about March 17, 2007, then and there meet with another and between  
26 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
27 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did

28 //

1 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
2 reference as though fully set forth herein.  
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INSTRUCTION NO. 4

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

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

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

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

INSTRUCTION NO. 5

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

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

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

INSTRUCTION NO. 6

Every person who, by day or night, enters any building, with the intent to commit a larceny and/or a felony therein is guilty of Burglary.

Force or a "breaking" as such is not a necessary element of the crime.

INSTRUCTION NO. 7

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

INSTRUCTION NO. 8

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

In the State of Nevada, the following crimes are a felony: Larceny from the Person, Fraudulent Use of a Credit or Debit Card, and Theft of \$250 or more.

INSTRUCTION NO. 9

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

A person who enters an establishment with the intent to commit a larceny and/or a felony therein is guilty of burglary even though the entry was made through the public entrance during business hours.

The authority to enter a building open to the public extends only to those who enter with a purpose consistent with the reason the building is open. An entry with intent to commit a larceny and/or a felony therein cannot be said to be within the authority granted customers of a business establishment. The fact, therefore, that the establishment is open to the general public is not a defense to the charge of burglary so long as the defendant is shown to have made the entry with the intent to commit a larceny and/or a felony therein.

INSTRUCTION NO. 11

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

00135



INSTRUCTION NO. 12

Every person who, under circumstances not amounting to robbery, with intent to steal or appropriate to his own use, takes from the person of another, without his consent, any money, property or thing of value is guilty of Larceny From the Person.

00136

INSTRUCTION NO. 13

For the purposes of larceny, property is deemed taken "from the person" of the victim if the property was within the victim's reach, inspection, observation, disposition or control, so that the victim could dispose of it if the victim's will power was not overcome.

INSTRUCTION NO. 14

The term "taking" as that term is used as an element of the crime of larceny means that the personal goods or property of another are taken from the possession of the person who is entitled to them and into the possession of the person accused of the crime.

The term "carrying away" as that term is used as an element of the crime of larceny means that the taking is followed by an asportation or carrying away of the property so as to supersede the possession of the owner.

The "taking" element is separate and distinct, and a "taking" which is not followed by a carrying away or asportation cannot itself support a larceny conviction.

In order to constitute an asportation or carrying away, it is not necessary that personal property be removed from the building in which it is located, but any removal of the property from its original status, such as would constitute a complete severance from the possession of the owner, constitutes an asportation or carrying away, even though the transfer of possession existed for a very brief period of time. What constitutes sufficient asportation to support a conviction for larceny is a question of fact for the jury.

INSTRUCTION NO. 15

Any person who possesses a credit card without consent of the cardholder and with the intent to circulate, use, sell, or transfer the credit card with intent to defraud is guilty of Possession of Credit Card Without Cardholder's Consent.

INSTRUCTION NO. 16

A person who, with the intent to defraud, uses a credit card where the person possesses the credit card without the consent of the cardholder is guilty of Fraudulent Use of Credit Card.

INSTRUCTION NO. 17

Any person who, without lawful authority, knowingly obtains property of another person, of a value greater than \$250.00, by a material misrepresentation, with the specific intent to permanently deprive the other of the property, is guilty of theft.

Material misrepresentation means the use of any pretense, or the making of any promise, representation or statement of present, past or future fact which is fraudulent and which, when used or made, is instrumental in causing the wrongful control or transfer of property. The pretense may be verbal or it may be a physical act.

The amount involved in a theft shall be deemed to be the highest value by any reasonable standard of the property which is obtained.

INSTRUCTION NO. 18

Conspiracy is an agreement or mutual understanding between two or more persons to commit a crime. To be guilty of conspiracy, a defendant must intend to commit, or to aid in the commission of, the specific crime agreed to. The crime is the agreement to do something unlawful; it does not matter whether it was successful or not.

INSTRUCTION NO. 19

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



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

The act of one conspirator pursuant to or in furtherance of the common design of the conspiracy is the act of all conspirators. Every conspirator is legally responsible for an act of a co-conspirator that follows as one of the probable and natural consequences of the object of the conspiracy even if it was not intended as part of the original plan and even if he was not present at the time of the commission of such act.

INSTRUCTION NO. 21

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

INSTRUCTION NO. 22

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

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

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

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

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

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

INSTRUCTION NO. 23

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

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

INSTRUCTION NO. 24

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

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

INSTRUCTION NO. 25

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

INSTRUCTION NO. 26

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

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

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

INSTRUCTION NO. 27

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

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



INSTRUCTION NO. 28

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

GIVEN: 

DISTRICT JUDGE

1 was he in relation to you?

2 A He was behind him, but I really didn't get a look at him  
3 or anything because it was only this person that spoke to me.

4 Q Did there come a point in time when the defendant and  
5 this other person left you?

6 A Yeah. After they approached me and asked me what did I  
7 win and how -- you know, this game, how it works, then shortly  
8 after, they left.

9 Q About how long did they spend asking you questions about  
10 your game?

11 A Probably, you know, five minutes; maybe not even that.

12 Q Were you able to tell which direction they went?

13 A I think they went towards the left again, on the left  
14 side.

15 Q After they left, what did you do next?

16 A You know, all we won was 15 more tries. We played them  
17 and then we went to our hotel room, which was down that hallway.

18 Q Did there come a point in time when you realized anything  
19 was missing?

20 A Very shortly. As soon as I got into my room, I noticed  
21 that my wallet was missing immediately and I went back to the  
22 buffet, thinking maybe I dropped it there.

23 Q So the last time you saw your wallet was at the buffet  
24 then for lunch?

25 A Right.

ACCUSCRIPTS (702) 391-0379

1 Q What did you do when you noticed your wallet was missing?

2 A I ran back to the buffet, the luncheon buffet room, asked  
3 the hostess, the waitress, and neither one of them had seen it.

4 So I realized that it was those two young men that had  
5 approached me. At least that's -- that's what I figured happened,  
6 that they took my wallet when I was sitting there and they  
7 approached me and asked me questions about the machine and that.

8 Q What, if anything, was inside your wallet?

9 A I had a lot of stuff in my wallet. My wallet is the  
10 center of my purse. I had my driver's license, my credit cards.

11 Q Do you know about how many credit cards you had inside  
12 your wallet?

13 A How many? I had ten.

14 Q And did that include a Chase Visa with the last four  
15 digits of 1281?

16 A Yes.

17 Q Did you also have any money inside of your wallet?

18 A Yes, I did. I had approximately about \$150 in cash and I  
19 had a \$50 Shell gas card.

20 Q Did you contact security at the casino then?

21 A Immediately. And they came to the hotel and filled out  
22 the report.

23 Q Did you ever become aware if any of your credit cards  
24 were used then after they were stolen?

25 A Yes. Immediately, we called Chase, because my husband

ACCUSCRIPTS (702) 391-0379

1 had the phone number, he had the same credit card on him, and they

2 told me right away --

3 MR. JORGENSEN: Objection; hearsay.

4 THE COURT: Sustained.

5 MS. WALSH: That's fine, Your Honor.

6 BY MS. WALSH:

7 Q Did you have to do anything with your credit cards after  
8 they were stolen? Did you change your credit card number at all?

9 A Yes.

10 Q Did you give the defendant or this other person who came  
11 up with him permission to take your wallet?

12 A No.

13 Q Did you give them permission to use or take your credit  
14 cards?

15 A No.

16 Q Did you use any of your credit cards to make a purchase  
17 at the Shiek Shoes on March 17th?

18 A No.

19 MS. WALSH: Court's indulgence, Your Honor.

20 We'll pass the witness.

21 THE COURT: Cross.

22

23 CROSS-EXAMINATION

24 BY MR. JORGENSEN:

25 Q You were sitting down at a slot machine about one o'clock

ACCUSCRIPTS (702) 391-0379

1 after eating lunch.

2 A Shortly after one, it might have been, yes.

3 Q Why do you remember that it was one o'clock?

4 A That was the time we went for lunch. It was around  
5 12:30. I just remember that was the time we went.

6 Q In other words, when all of this -- after you noticed the  
7 things missing and you talked to security and the police, thinking  
8 back, that's when you reconstructed and said I went to lunch at  
9 12:30. I must have been at the slot machine at about one o'clock,  
10 as opposed to looking at your watch the whole time?

11 A Right.

12 Q Your purse was missing or your wallet out of your purse  
13 was missing?

14 A My wallet.

15 Q Did you -- when did you see your wallet last, prior to  
16 noticing that it was missing?

17 A When we paid at the Tropicana buffet lunch, I used my  
18 wallet to pay and to leave a tip, so that would have been right  
19 around that time.

20 Q Just right around one o'clock?

21 A Or shortly after.

22 Q You immediately leave the restaurant after paying and  
23 then headed over to this one machine that you were at when the guy  
24 sitting next to me came up to you?

25 A He wasn't sitting next to me. He walked up to me.

ACCUSCRIPTS (702) 391-0379

1 Q No. The guy sitting next to me came up to you?  
 2 A Oh, yes.  
 3 Q You already said this, but I wasn't sure if I caught it:  
 4 He came up to you on your left as you were looking at the machine,  
 5 correct?  
 6 A Right.  
 7 Q And your purse with the wallet in it was on your left  
 8 also?  
 9 A That is correct.  
 10 Q In between two machines?  
 11 A There was a machine -- there were three machines to my  
 12 left and there was an oriental lady playing the far end machine.  
 13 So there were three empty machines on my left side.  
 14 Q So you had placed your wallet -- your purse on the chair  
 15 that you sit on for the next machine at the left or in between the  
 16 two machines?  
 17 A In between the two machines and it was very close to me.  
 18 Q Right.  
 19 Big purse or a little purse?  
 20 A This purse right here. (Indicating)  
 21 Q Okay. How do you close it up?  
 22 A It has a big zipper.  
 23 Q That's my next question.  
 24 Why do you remember it was open?  
 25 A Because I know -- I had left it open and I had just stuck

ACCUSCRIPTS (702) 391-0379

1 my wallet in real quick and I played the dollar.  
 2 Q In other words, when you sat down at this machine, you  
 3 retrieved your wallet, used it to put some money into the machine  
 4 and put your wallet back into the open purse?  
 5 A That's correct.  
 6 Q And that's why you think it was open, because you didn't  
 7 have time to close it?  
 8 A I know for sure it was open.  
 9 Q You play a little longer on this machine that was making  
 10 loud noises, giving you some free plays; the person who is to my  
 11 left leaves the area; you pick up your purse, head to your -- and  
 12 head to your room, right?  
 13 A That is correct.  
 14 Q Why don't you notice something missing out of your purse  
 15 as soon as you pick it up and start to walk back towards your  
 16 room?  
 17 A I just didn't look in my purse. I just put it on my  
 18 shoulder and walked with my husband back to my room.  
 19 Q Compared to the weight of your purse, your wallet being  
 20 in it doesn't make that much difference in terms of how it feels  
 21 like when you are lifting it up?  
 22 A Oh, no, it was a pretty packed wallet, so it would have  
 23 been -- I just, you know, didn't focus on that. I just grabbed my  
 24 purse. We went walking back towards our room. And once I got  
 25 into the hotel room, then I looked and I saw that it wasn't there.

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1 Q To get into your room, you had to use a card?  
 2 A Right.  
 3 Q Was that card something that you kept in your wallet?  
 4 A Well, my husband had -- he used his card. I don't know.  
 5 Q So you didn't -- so you didn't actually focus your  
 6 attention onto your wallet until you got into your room, sat down,  
 7 looked in your purse and it was -- should have been there on top  
 8 and it wasn't?  
 9 A Right away.  
 10 Q Did you ever fill out a handwritten report?  
 11 A I did.  
 12 Q Your handwritten report listed all your credit cards?  
 13 A Yes.  
 14 Q Did you do another paper that just had a description,  
 15 other than that list of your credit cards?  
 16 A Well, I gave a report at the police station, when we  
 17 walked down to the police station down the street from the  
 18 Tropicana, and I wrote what happened.  
 19 Q And gave that to the police?  
 20 A Right.  
 21 MR. JORGENSEN: Nothing else.  
 22 THE COURT: Redirect.  
 23 MS. WALSH: Just briefly, Judge.  
 24  
 25

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REDIRECT EXAMINATION

1 BY MS. WALSH:  
 2 Q I just want to clarify: You told Mr. Jorgenson here that  
 3 the last time you saw your wallet was at lunch, but then you said  
 4 when you sat down at the machine, you took the dollar out of your  
 5 wallet?  
 6 A That is correct.  
 7 Q Is that correct?  
 8 A Yes.  
 9 Q So when you sat down at the machine, you did have your  
 10 wallet then?  
 11 A Right. I used it to take the dollar out and then I put  
 12 -- I just placed it in my purse and I didn't zipper the purse.  
 13 Q And then you said your purse was to your left, at your  
 14 hip, but it was -- between the machines. You would seem to think  
 15 it was up here, but you said it was back here? (Indicating)  
 16 A Right. I placed it on my side.  
 17 Q Your left side?  
 18 A It wasn't in my lap; it was on my side, right next to me.  
 19 Q And I want to ask you about your Chase Visa card. Do you  
 20 recall the entire credit card account number of your Chase Visa  
 21 card that you had in your wallet?  
 22 A No.  
 23 Q Would looking at that statement you wrote to the police  
 24 help refresh your recollection as to the entire account number?  
 25

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1 A I don't have the account number. I have it at home.  
 2 THE COURT: Well, she has the police report that you  
 3 filled out. If you looked at it, would that remind you or refresh  
 4 your recollection of the credit card number?  
 5 THE WITNESS: Well, it ended in 1281.  
 6 THE COURT: That's not the question. The question is:  
 7 If you look at the police report you wrote out, would it make you  
 8 think, oh, this is the number on that credit card or there is no  
 9 way you can remember it?  
 10 THE WITNESS: I really can't say that I would, even if I  
 11 looked at it. I have it at home and I have the purchase that was  
 12 made on there. I know it ended in 1281, but I don't have the  
 13 whole number.  
 14 THE COURT: If you would like to approach, you may.  
 15 MS. WALSH: I would, Judge.  
 16 BY MS. WALSH:  
 17 Q I'm showing you this document.  
 18 Is this what you wrote to the police that day about your  
 19 credit cards in your pocket -- or in your wallet? (Indicating)  
 20 A Yes. That is correct.  
 21 Q And at the time you wrote this, these would have been the  
 22 accurate credit card numbers that you had in your wallet?  
 23 A Right.  
 24 Q Okay. And looking at that, does it have an account  
 25 number for a Chase Visa?

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1 A Yes.  
 2 Q And is that account number 4388527000121281?  
 3 A Right.  
 4 Q And is that, in fact, the account number for the Chase  
 5 Visa that had you stolen from your wallet?  
 6 A Yes, it is.  
 7 Q Does that help refresh your memory that that's it?  
 8 A Yes.  
 9 MS. WALSH: Pass the witness, Judge.  
 10 THE COURT: Any cross?  
 11 MR. JORGENSEN: No, Judge.  
 12 THE COURT: Is she free to go?  
 13 MR. SWEETIN: If we could just have her wait outside,  
 14 Judge.  
 15 THE COURT: You can wait in the courtroom or outside  
 16 because the exclusionary rule is not invoked. So whatever you  
 17 prefer, but just stick around.  
 18 THE WITNESS: Thank you.  
 19 MR. SWEETIN: The State would call Deja Jarmon.  
 20 (Witness sworn.)  
 21 THE CLERK: You may be seated.  
 22 Please state your name for the record.  
 23 THE WITNESS: Deja Jarmon.  
 24 THE COURT: Spell your first and last names.  
 25 THE WITNESS: Deja --

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1 THE COURT: Speak up.  
 2 THE WITNESS: D-e-j-a, J-a-r-m-o-n.  
 3  
 4 DEJA JARMON  
 5 called as a witness on behalf of the State,  
 6 having been first duly sworn,  
 7 was examined and testified as follows:  
 8  
 9 DIRECT EXAMINATION  
 10 BY MR. SWEETIN:  
 11 Q Good morning, Mr. Jarmon.  
 12 I want to turn your attention to March 17th, earlier this  
 13 year, 2007.  
 14 How were you employed on that day?  
 15 A I'm a third key at Sheikh Shoes.  
 16 Q That's S-h-e-i-k-h; is that correct?  
 17 A That's correct.  
 18 Q And you said third key.  
 19 What exactly is a third key?  
 20 A It's a supervisor. I don't have the responsibility of  
 21 the assistant manager. I'm under the assistant manager. I do  
 22 some supervising and some cashiering.  
 23 Q So your duties would include ringing people up, as well  
 24 as supervising other employees; would that be accurate?  
 25 A Yes.

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1 Q And that Shiekh Shoes is located at 3525 South Maryland  
 2 Parkway here in Las Vegas, Clark County, Nevada; is that correct?  
 3 A Right.  
 4 Q Now, I want to turn your attention to the early afternoon  
 5 on that same day, March 17th of 2007.  
 6 Were you on duty on that day?  
 7 A Yes, I was.  
 8 Q Did you see anyone on that day, as you were on duty,  
 9 that's present in the courtroom today?  
 10 A Yes, the defendant in the blue shirt. (Indicating)  
 11 Q You made reference -- you pointed to an individual in the  
 12 courtroom.  
 13 Could you again point that individual out and identify  
 14 something that he's wearing.  
 15 A The defendant over here in the blue top with the corn  
 16 rows.  
 17 Q And that is at the table next to me?  
 18 A Yes.  
 19 MR. SWEETIN: May the record reflect the witness has  
 20 identified the defendant.  
 21 THE COURT: That will be noted.  
 22 BY MR. SWEETIN:  
 23 Q Had you seen the defendant prior to that day?  
 24 A Yeah. He had visited our store, I think, maybe twice  
 25 prior within a two or three week period.

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1 Q On those prior occasions, had you waited on him or  
2 cashiered or anything of that sort?  
3 A I spoke to him, but I never — I hadn't actually waited  
4 on him; someone else did.  
5 Q And on those prior occasions, were you aware whether he  
6 conducted transactions at your store or not?  
7 A Yes. Well, on one occasion, he did, that I remember.  
8 Q Now, I want to turn your attention again to that early  
9 afternoon on March 17th of 2007.  
10 Could you tell us your observations of the defendant on  
11 that day when he entered your store.  
12 A I recall that he had on — I believe it was a T-shirt and  
13 maybe a jersey when he walked in with his friend.  
14 Q So he entered with a friend?  
15 A Yes, he did.  
16 Q And could you describe that friend.  
17 A The friend, I don't remember exactly what he had on.  
18 Q Was he white or —  
19 A No, he was black — black guy; a little shorter than the  
20 defendant.  
21 Q Okay. And could you describe what they did when they  
22 entered the store?  
23 A They came in, spoke to me and the assistant manager,  
24 picked out a few items and made a purchase.  
25 Q Now, at the time that you indicated they came into the

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1 store, picked out some items, how long were they in there prior to  
2 finalizing their purchase?  
3 A Maybe 20, 30 minutes.  
4 Q Okay. And at the time that they finalized the purchase,  
5 were you involved in that at all?  
6 A Yes, I was.  
7 Q What was your involvement?  
8 A Actually, the defendant was the customer that I — that I  
9 had and I also rang up his purchase.  
10 Q So he presented you with some merchandise he had  
11 selected?  
12 A Yes, he did.  
13 Q And do you recall how the defendant intended to pay for  
14 the merchandise?  
15 A He produced a credit card.  
16 Q Okay. Now, do you have a normal procedure that you go  
17 through when people present with you a credit card?  
18 A We do.  
19 Q What would the normal procedure be?  
20 A With a credit card, we usually check ID to match the name  
21 of the — of the ID on the credit card.  
22 Q Did you do that in this case, on March 17th, with the  
23 defendant?  
24 A No, I did not.  
25 Q And why is that?

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1 A Because he had been there prior and he also used a credit  
2 card the last time that he came in. And this time, I just  
3 overlooked it and I didn't do it because he's a regular customer.  
4 Q So how did you use the credit card at that time to ring  
5 up the sale?  
6 A I swiped the credit card and then I made a printout of  
7 the credit card.  
8 Q So you just sort of swiped it through a machine that you  
9 have; is that right?  
10 A Yes, it is.  
11 Q All right. And as a result of you swiping the credit  
12 card, did the transaction ring up at that time?  
13 A Yes, it went through.  
14 Q Do you recall the amount of that transaction?  
15 A I don't know offhand, but I do have a receipt.  
16 Q Did you bring some evidence with you today?  
17 A Yes, I did.  
18 Q What did you bring?  
19 A This is actually a copy of the receipt and a printout.  
20 Q Okay. I'm showing you what's been marked as State's  
21 Proposed Exhibit Number 1.  
22 Are these the documents that you brought to court today?  
23 A Yes.  
24 Q And do those, in fact, document the sale that occurred on  
25 this particular day of the defendant?

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1 A Yes, it does.  
2 Q And what was the total amount of the sale?  
3 A 490.07.  
4 Q 490 and some cents?  
5 A Yes.  
6 Q And you indicated that that was run on a credit card; is  
7 that correct?  
8 A Yes, it was.  
9 Q And does that, in fact, document the credit card as well?  
10 A Yes, it does. It states it's a Visa.  
11 Q Now, these particular documents, these are the actual  
12 documents that were produced as a result of this sale; is that  
13 correct?  
14 A Yes, it is.  
15 MR. SWEETIN: Okay. The State would move for the  
16 admission of what's been marked as State's Proposed Exhibit 1.  
17 THE COURT: Any objection?  
18 MR. JORGENSEN: No objection.  
19 THE COURT: That will come in.  
20 (State's Exhibit 1 admitted into evidence.)  
21 BY MR. SWEETIN:  
22 Q You indicated there was a card number on there as well, a  
23 card that the defendant used?  
24 A Yes, there is the number.  
25 Q And what is the card number?

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1 A It is 4388527000121281.  
 2 Q Okay. And what kind of a card is that?  
 3 A It's Visa card.  
 4 Q Now, after ringing up this sale, what happens next?  
 5 A The defendant -- we usually offer a reward type thing  
 6 for -- for our customers, our regular customers. We get like a --  
 7 what is it called? Like a favorite customer type thing. So we'll  
 8 write their number down and their name.  
 9 He gave me the name and the number, but I don't have that  
 10 paper here with me.  
 11 Q So you are not sure what that name and number might have  
 12 been that he gave you?  
 13 A No. I have a book but it's at my job.  
 14 Q Okay. Does the defendant leave subsequent to ringing up  
 15 the transaction then?  
 16 A Yes, he does.  
 17 Q Okay. Do you have any other concern in regards to this  
 18 transaction that same day?  
 19 A No.  
 20 Q Does anybody contact you in regards to that transaction?  
 21 A Yes. Shortly after the purchase, maybe an hour or so  
 22 later, I got a call from Miss -- I can't say her last name, but  
 23 Georgia.  
 24 Q And that's the lady who you just observed testify; is  
 25 that correct?

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1 A Yes, it is.  
 2 Q And did you have a conversation with her at that time?  
 3 A Yes, I did.  
 4 Q And as a result of that conversation, what did you do?  
 5 A She mentioned that her card had been used at our store  
 6 and it was a stolen card. I got her name and phone number.  
 7 She said that she had spoken to detectives and spoke to  
 8 the security at the hotel she was staying at and she would get in  
 9 contact with me or have the detective get in contact with me.  
 10 Q Based upon the information that she gave you in regards  
 11 to that card, did you locate the information you've just  
 12 described?  
 13 A Yes, I did.  
 14 Q Did you do anything else?  
 15 A After I got the information, I just waited for the  
 16 detective.  
 17 Q Do you have a surveillance system in your store?  
 18 A Yeah, we do.  
 19 Q And that surveillance system, there is cameras in your  
 20 store; would that be accurate?  
 21 A Yeah, there is.  
 22 Q Now, you indicated that you are a manager there at the  
 23 store; is that correct?  
 24 A Yes.  
 25 Q Do you use the surveillance system in the course of your

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1 duties from time to time?  
 2 A Yes, we do.  
 3 Q To what, observe transactions?  
 4 A Yeah. Sometimes we have to check and make sure that  
 5 nobody is stealing merchandise or, you know, we have to check on  
 6 if someone comes into the store and they're doing something  
 7 they're not supposed to.  
 8 Q On this particular day, did you have occasion to observe  
 9 the video in regards to this transaction?  
 10 A Yeah. After I spoke to Georgia, I spoke to my district  
 11 manager, who was present at the time, and the assistant manager.  
 12 We then went back to look at the video, to find out if it was the  
 13 defendant who made the purchase.  
 14 Q And did you -- did you subsequently observe that video?  
 15 A Yes, we did.  
 16 Q And did the video depict a clear and accurate depiction  
 17 of what you have described to the Court as occurring on that date?  
 18 A Yes.  
 19 Q At some point in time, did the police talk to you in  
 20 regards to this incident?  
 21 A Yes, they did.  
 22 Q Do you recall a Detective Flenner?  
 23 A Yes, I do.  
 24 Q Did Detective Flenner talk to you specifically about this  
 25 incident at your store?

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1 A Yes, he did.  
 2 Q Did you, at any point in time, talk about the video  
 3 within the store when you were talking to Detective Flenner?  
 4 A Yes, we did.  
 5 Q Did Detective Flenner have an opportunity to review that  
 6 video?  
 7 A Yes.  
 8 Q And that was the same video that clearly and accurately  
 9 depicts what you have just described as occurring to the Court?  
 10 A Yes.  
 11 MR. SWEETIN: The State passes the witness.  
 12 THE COURT: Cross-examination.  
 13  
 14 CROSS-EXAMINATION  
 15 BY MR. JORGENSON:  
 16 Q You said you were the third key manager at the shoe  
 17 store.  
 18 A Yes, I am.  
 19 Q What does that mean?  
 20 A It's a supervisor. When the manager or the assistant  
 21 manager is not in, then I'm the manager in charge.  
 22 Q So third key means you are third in charge?  
 23 A Exactly.  
 24 Q Got it.  
 25 And on that day, the 17th, you were working eight to

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1 five?  
 2 A I worked the whole day, from nine until -- from nine to  
 3 9:30.  
 4 Q Where is this store, cross streets?  
 5 A Charleston -- I'm sorry.  
 6 Maryland Parkway in between Twain and Desert Inn, at the  
 7 Boulevard Mall.  
 8 Q Inside the mall?  
 9 A It's actually -- our store is on the outside of the mall,  
 10 but it's still part of it.  
 11 Q You waited on my client, the man that is standing to  
 12 the -- or sitting to the left of me, on the 17th in the afternoon,  
 13 correct?  
 14 A Yes.  
 15 Q Are the time stamps on these receipts right or are they  
 16 right, but maybe off by an hour?  
 17 A I believe the one that's on the credit card machine is  
 18 off by an hour.  
 19 Q So if the credit card machine says 1253, if it hadn't  
 20 been adjusted for Daylight Savings Time, which had just occurred a  
 21 couple days earlier on a day different than it normally happens,  
 22 it really would say 1353?  
 23 A Yeah.  
 24 Q Does that sound about right, almost two o'clock?  
 25 A Yeah.

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1 Q Now, this last page you have here, this comes from the  
 2 computer, your inventory computer?  
 3 A Yes, it is.  
 4 Q That shows 1349 and that's what you think is the -- the  
 5 accurate time that this sale was generated?  
 6 A Exactly.  
 7 Q So things are being rung up at a register at about ten  
 8 minutes before two o'clock and then the credit card transaction  
 9 goes through maybe seven minutes before two o'clock?  
 10 A Before two -- before one. That's an hour -- it should  
 11 be like an hour off.  
 12 Q Well, the credit card receipt says ten to one, but it was  
 13 really, more accurately, ten to two.  
 14 A I'm not understanding the question.  
 15 Q The big sheet is the one you say is more accurate?  
 16 A Right.  
 17 Q All right. The point is a person starts to hand some  
 18 shoes across the counter; it takes a little bit of time to enter  
 19 them into the computer, scan them, whatever; and then, finally, a  
 20 person hands over a card; you swipe the card and that's why the  
 21 transaction time on the beginning of the transaction is going to  
 22 occur before the credit card sale because that comes last.  
 23 A Right.  
 24 Q Now, you were asked later on to identify a picture of my  
 25 client.

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1 A Yes, I was.  
 2 Q Although, to be honest, you'd seen him enough in the past  
 3 that you -- is it fair to say you didn't need to see that to know  
 4 who -- to remember who it was?  
 5 A The picture -- actually, no, because we have it -- we  
 6 have a surveillance camera.  
 7 Q Well, aside from the surveillance camera, the fact that  
 8 you had seen him in your store often enough, you recognized him as  
 9 an ongoing customer?  
 10 A Exactly.  
 11 Q The guy -- was there a guy with him?  
 12 A Yes, there was.  
 13 Q And he was somebody you did not recognize?  
 14 A No. I hadn't seen -- I don't recall seeing him before,  
 15 but he made a purchase that day too. He paid cash.  
 16 Q Have you seen him before or since, to your knowledge?  
 17 A No, I don't remember seeing him.  
 18 Q Now, my client comes in, slides across \$450 worth of  
 19 shoes and hands you a credit card that has a female -- a lady's  
 20 name on it.  
 21 You don't know that name on it at all?  
 22 A I didn't observe the credit card at all. I just took it  
 23 out of his hand and swiped it.  
 24 Q Is that the way you normally do it?  
 25 A No.

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1 Q You got in trouble for doing it this way?  
 2 A Yeah, I got in trouble for it.  
 3 Q And when the printout was signed with a lady's name, you  
 4 similarly had already set aside in your mind that this was a  
 5 legitimate transaction, so you didn't look close at that either?  
 6 A No, I didn't.  
 7 Q But you are positive that these two receipts and this  
 8 printout comes from you seeing my client on the 17th of March  
 9 around two o'clock when he came in and bought almost \$500 worth of  
 10 shoes?  
 11 A Yes.  
 12 Q And this blue ink signature is something the guy sitting  
 13 to my left put on this piece of paper? (Indicating)  
 14 A Yes, it is.  
 15 Q No question about that?  
 16 A No question.  
 17 Q You don't remember what kind of card he gave you, whether  
 18 it was a Master or debit card?  
 19 A It was a Visa Card.  
 20 Q How do you recall that?  
 21 A Because our statement shows that it is a Visa Card.  
 22 Q If you didn't have a statement, would you have remembered  
 23 what kind of card?  
 24 A From this date, no, I wouldn't remember. I just remember  
 25 from what I have on the printout.

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- 1 Q But you do remember he gave you some kind of a credit  
2 card?
- 3 A Yeah, he gave me --
- 4 Q And then by looking at the papers, you know what kind it  
5 is?
- 6 A Exactly.
- 7 Q How soon after you get -- you got the call from -- well,  
8 how soon after my client leaving your store did you get a call  
9 from a lady saying, hey, I think somebody used my credit card at  
10 your store?
- 11 A Between one to two hours afterwards.
- 12 Q And then it was after that that you talked to the police?
- 13 A Yeah. Well, I didn't talk to them that day. I spoke to  
14 her. Several days later, I was contacted by the police.
- 15 Q All right. When, in reference to speaking to the police  
16 or to the lady on the phone, did you actually look at the video  
17 tape?
- 18 A After I spoke to her, that's when we looked -- me and the  
19 district manager and the assistant manager looked at the tape.
- 20 Q So you found out -- or you heard a visitor to Las Vegas  
21 calling up and saying I think someone fraudulently used my card at  
22 your place, and then you turned around and in addition to looking  
23 it up, you contacted your supervisors?
- 24 A Yes.
- 25 Q They all got together with you before your shift ended?

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- 1 A Yes.
- 2 Q And, among other things, you gathered up these papers and  
3 ran the video tape for the time you remembered him -- you remember  
4 the transaction possibly to have happened?
- 5 A From the time that's on the credit card machine, from the  
6 time I talked to her.
- 7 She called me and said that she had talked to her -- her  
8 credit card company and they reported that the purchase was made  
9 for a certain amount with her card.
- 10 She gave me the number and that's when I found it. It  
11 was a match. That's how I knew.
- 12 Q Okay. So that's how you got the papers and that is  
13 where -- this surveillance is a running surveillance; it just  
14 continues to take a picture?
- 15 A Yes.
- 16 Q More than one camera or one camera?
- 17 A There is cameras all over the store, but it's one central  
18 unit in the back.
- 19 Q So then you go to it, back it up to the time you think  
20 this transaction was supposed to have occurred and watched the  
21 cameras that would have focused on wherever you would have been  
22 standing; and that's what you said you looked at and it showed  
23 what you remembered to have happened a couple hours earlier?
- 24 A Right.
- 25 Q At this time, it's like three or four o'clock in the

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- 1 afternoon or what?
- 2 A From my knowledge, it's probably around three something;  
3 yeah, maybe around three.
- 4 Q And at that point, your two managers are with you?
- 5 A Yeah, they there at the time of the transaction, but they  
6 were busy doing other things.
- 7 Q Oh, okay.
- 8 And something allows you to then put onto a video tape  
9 whatever you were watching?
- 10 A Well, we just go to the back where the central computer  
11 is and just rewind it to back to the time.
- 12 Q How do you make a copy of it?
- 13 A I don't know, because I've never given them a copy. I  
14 don't know how to make a copy.
- 15 Q Somebody else did?
- 16 A Yeah. That has to all go through the district manager.
- 17 Q Okay. So as far as you know, the police received a copy,  
18 but you don't know exactly the details of how they made it?
- 19 A I don't know if they got a copy. I just know that the  
20 police came to the store and they reviewed the tape. They  
21 reviewed the screen, because it's all digital, so they reviewed  
22 the computer.
- 23 Q Okay. And you were in with the detective while you, for  
24 the second or third time, watched the same scene and he's watching  
25 the scene you already looked at and recognized as being an

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- 1 accurate picture of what you remember happened at just about two  
2 o'clock earlier that day?
- 3 A Yeah.
- 4 MR. JORGENSEN: Nothing else.
- 5 THE COURT: Any redirect?
- 6 MR. SWEETIN: Nothing further.
- 7 THE COURT: Is Mr. Jarmon free to go or do you want him  
8 to stay in the courtroom or outside?
- 9 MR. SWEETIN: He is free to go, Judge.
- 10 THE COURT: You can leave if you want, as you heard, or  
11 you can stay. If you do leave, no matter what, do not state  
12 anything about your testimony until the end of the preliminary  
13 hearing. Thank you for waiting.
- 14 (Recess in proceedings.)
- 15
- 16
- 17 THE COURT: State's next witness.
- 18 MS. WALSH: The State calls James Violette.
- 19 (Witness sworn.)
- 20 THE CLERK: Please state your name for the record and  
21 spell your first and last name.
- 22 THE WITNESS: J-a-m-e-s, V-i-o-l-e-t-t-e.
- 23
- 24
- 25

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JAMES VIOLETTE

called as a witness on behalf of the State,  
having been first duly sworn,  
was examined and testified as follows:

DIRECT EXAMINATION

BY MS. WALSH:

Q Sir, do you live here in Las Vegas?

A Yes.

Q And I want to direct your attention to March 23rd, 2007,  
around 6:50 in the evening.

Do you recall where you were on that date and time?

A Santa Fe Station.

Q And is that here in Las Vegas, Clark County, Nevada?

A Rancho and -- yes.

Q Yeah. Okay.

And what were you doing inside the Santa Fe?

A Playing slot machines.

Q Was that in the high limit slot poker room?

A In the high limits.

Q Did you have anything on you or with you while you were  
playing?

A You mean money?

Q If you had money, did you have money or cigarettes or a  
wallet or anything like that?

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A Yeah. I had money and my cigarettes sitting on the table  
in front of me.

Q So you had money and cigarettes; is that correct?

A Correct.

Q And that was off to your left-hand side in the ash tray?

A The money was under an ash tray and the cigarettes were  
right next to it.

Q And that was off to your left?

A Right.

Q While you are playing the slot machines, did you see  
anyone present that you see here in the courtroom today?

A Next to him. (Indicating)

Q Is it the man that has a tie or no tie?

A No tie.

MS. WALSH: Can the record reflect the witness has  
identified the defendant.

THE COURT: That will be noted.

BY MS. WALSH:

Q And when the defendant came up to you, did he come up to  
you on your left side?

A He came up on the left.

Q What was he asking you about?

A If the two machines next to me were paying off any good.

Q Okay. About how close to you did he get?

A About as close as she is.

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THE COURT: For the record, that's about four or five  
feet.

THE WITNESS: Yes, sir.

MS. WALSH: Thank you, Judge.

BY MS. WALSH:

Q And did you move your money based upon the defendant  
coming up?A Yeah. He acted like he was going to play it, so I took  
my money off my left and stuck it over onto the right and put my  
cigarettes on top of it.Q Okay. And that's -- you were sitting at an aisle  
machine; is that correct?

A Yes.

Q Okay. So your money was kind of then out in the aisle?

A Well, it wasn't hanging out.

Q Right. But still, your money was then on top of your  
cigarettes?

A Yes.

Q And you had about \$800?

A Well, no. My cigarettes were on top of the money.

Q Okay. I apologize.

A And I had \$800 there.

Q And that was -- is this the point when someone hit a  
jackpot in the slot room?

A Yeah. The guy on the machine to the left, the machine

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just dealt him a straight flush, so we were all looking at that.

Q So is it fair to say that your attention was then  
directed away from your money?

A Yes.

Q Towards the machine?

A Yeah.

Q Did there come a point in time when you noticed that your  
money and your cigarettes were missing?A We exchanged a couple of words and I reached over to get  
a cigarette and I noticed something was wrong. There was a \$100  
bill left on the counter. It took a second or two to register  
what happened.

Q So you are --

A Then I noticed my cigarettes were gone, before I noticed  
my money was gone.Q So you indicated that your cigarettes were missing, along  
with about \$700?A Yeah, because I pulled a thousand dollars out of my  
pocket and put two in the machine.Q Could you tell if there was anyone with the defendant or  
not or were you just talking to the defendant?

A No, I never saw anybody else except him.

Q Once you realized your money was missing, did you report  
this to the slot personnel?

A Yes.

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1 Q And what, if anything, did they do?  
 2 A They reimbursed me and filled out a police report.  
 3 Q And was the police department contacted as well?  
 4 A I suppose. I couldn't tell you.  
 5 Q So you had contact mostly with the casino security then;  
 6 is that correct?  
 7 A Well, yeah. Somebody did come out to my house and  
 8 interview me.  
 9 Q And that would be later on then from this date?  
 10 A Yeah.  
 11 MS. WALSH: Pass the witness, Judge.  
 12 THE COURT: Cross.

CROSS-EXAMINATION

15 BY MR. JORGENSEN:  
 16 Q You were at the Santa Fe Casino On March 23rd, about  
 17 seven o'clock in the afternoon, right?  
 18 A Yes, sir.  
 19 Q My cell phone says that's a Friday.  
 20 Does that sound right or do you know?  
 21 A Probably.  
 22 Q Okay.  
 23 A I couldn't tell you for sure.  
 24 Q Were you working regularly back then or retired?  
 25 A No, I worked.

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1 Q Monday through Friday or do you know?  
 2 A Uh-huh.  
 3 Q Were you working Monday through Friday?  
 4 A Yeah, Monday through Friday.  
 5 Q But you don't remember if this was the end of the week or  
 6 not?  
 7 A I only go in on Friday, Saturday and Sunday.  
 8 Q Okay. Now, you were in a section of the Santa Fe that's  
 9 the high limit slot machines.  
 10 Does that mean they're five or ten dollar slots or what  
 11 does that mean?  
 12 A Anywhere from 50 cents to \$25.  
 13 Q And you sat down on a row that had how many slots?  
 14 A Four.  
 15 Q And you sat down on the slot machine that was furthest to  
 16 your right?  
 17 A Yes.  
 18 Q And you had pulled a thousand -- or ten one hundred  
 19 dollar bills out of your pocket?  
 20 A Yes.  
 21 Q And put it with your left hand in between the end slot  
 22 that you were looking at and the slot just next to you?  
 23 A No. I put -- I pulled a thousand dollars out, put \$200  
 24 in the slot machine and then stuck 800 on the counter in front of  
 25 me, with my cigarettes and ash tray on top of it.

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1 Q Are you right-handed or left-handed?  
 2 A Right-handed.  
 3 Q So you set them down with your right or with your left  
 4 hand or do you remember?  
 5 A No, I couldn't -- I don't know.  
 6 Q But you put it to your left?  
 7 A Yeah. It was in my line of vision.  
 8 Q And you put it away from the open aisle?  
 9 A Yes.  
 10 Q Do you remember why you put it there or does that -- is  
 11 that what you were thinking --  
 12 A That's where I always put it.  
 13 Q Out of the aisle?  
 14 A Yes.  
 15 Q The person who is sitting next to me came up to you from  
 16 behind, from your left, and started to ask you a question.  
 17 A Yeah.  
 18 Q You turned, while you were seated in your seat, and  
 19 answered him?  
 20 A Well, actually, I was kind of like already turned,  
 21 because the guy had already hit that straight flush, so we were  
 22 talking and then he kind of like jumped in the middle.  
 23 Q Did he actually sit down at the --  
 24 A No, he never did play. He went back to the counter and  
 25 acted like he was going to get some change and somebody told me

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1 later he had a one dollar bill in his hand.  
 2 Q Just so I have this right: You are sitting at the far  
 3 right slot; the guy who is my client comes up to you and asks you  
 4 about the two machines that are immediately to your left, some  
 5 question about how well they're doing?  
 6 A Yes.  
 7 Q And as he's standing there or because he's standing  
 8 there, you take your cigarettes and your eight \$100 bills and move  
 9 it to your left -- to your right?  
 10 A Yes.  
 11 Q Automatically or consciously?  
 12 A No, he was acting like he was going to sit down, so I was  
 13 getting it out of his way.  
 14 Q Got it.  
 15 But he never actually sat down?  
 16 A No, he never did.  
 17 Q And during this time while he's talking to you and you  
 18 are moving the bills, there is somebody to your left hitting a  
 19 jackpot?  
 20 A Yes.  
 21 Q In that same row of four?  
 22 A He's on the first machine.  
 23 Q So there is the two empty machines between you and the  
 24 guy who hit the straight flush?  
 25 A Yes.

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1 Q Now, you move the -- my client comes up close to your  
2 left, off your left shoulder, behind you; you reach, move your  
3 \$800 in hundred dollar bills and cigarettes from one side of the  
4 machine to the other side of the machine. The jackpot is hit.  
5 You are looking to your left over at the jackpot. You then focus  
6 again on your machine.  
7 Do I have all this right so far?  
8 A Yeah.  
9 Q You, at some point, notice that the guy who you thought  
10 was going to sit down next to you no longer is in the area.  
11 A Well, he went back over to the -- to the change counter.  
12 Q You could see him walk out?  
13 A Well, sure, yeah.  
14 Q Is the change counter to your left or to your right?  
15 A To my left.  
16 Q Did you ever see him walk over to the right side of you?  
17 A Never did.  
18 Q So as far as you know, you were always -- the moment you  
19 grabbed your bills and set them on the right part of your machine,  
20 you were always in between the money and him?  
21 A Until -- yeah.  
22 Q Did you ever -- you never saw him walk down that aisle  
23 close --  
24 A No, I never did see him go down the aisle.  
25 Q Okay. And then what causes you to notice -- oh, you said

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1 that you reached for a cigarette?  
2 A Yes.  
3 Q The one that you were smoking was getting low or you just  
4 wanted to start smoking?  
5 A I chain smoke.  
6 Q Okay.  
7 A Couldn't have been too long.  
8 Q All right. So that's my last -- just about my last  
9 question; and that is: From the time you see my client walking  
10 off to some change area, how long is it from then do you notice  
11 your cigarettes gone?  
12 A Probably just a couple seconds, because as soon as I  
13 reached for them and noticed they was gone, I was out of my chair  
14 and running out the back door and looking for him.  
15 Q And the back door is in the same direction as the change  
16 machine?  
17 A No. There is like a front door and a back door.  
18 Q Why did you run to the back door?  
19 A That's the last direction I saw him go in.  
20 Q Okay. So you saw him leave your area, go toward a change  
21 place and then, out of the corner of your eye, noticed that he  
22 went past it toward the back door?  
23 A Yes.  
24 Q You noticed your cigarettes are gone; then immediately  
25 after that, you noticed that the money is gone?

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1 A Yeah. As soon as I noticed the money was gone, I ran out  
2 that back door looking for him.  
3 Q Never saw him?  
4 A Never saw him.  
5 MR. JORGENSEN: Nothing else.  
6 THE COURT: Redirect.  
7 MS. WALSH: Very briefly.  
8

REDIRECT EXAMINATION

9 BY MS. WALSH:  
10 Q What is your date of birth, sir?  
11 A January 12th, 1947.  
12 Q So in March of this year, would that make you 60 years  
13 old?  
14 A Yes.  
15 MS. WALSH: Nothing further, Judge.  
16 THE COURT: Recross?  
17 MR. JORGENSEN: Nothing.  
18 THE COURT: And is Mr. Violette free to go?  
19 MS. WALSH: Yes, Judge.  
20 THE COURT: You are free to go; you can remain, find out  
21 what happens. Either way, thank you for waiting and testifying.  
22 You may step down from the witness chair.  
23 THE WITNESS: Thank you.  
24 THE COURT: You are welcome.  
25

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1 MS. WALSH: The state calls Dennis McCann.  
2 (Witness sworn.)  
3 THE CLERK: You may be seated.  
4 Please state your name for the record.  
5 THE WITNESS: Dennis Keith McCann.  
6 THE CLERK: And spell your first and last name, please.  
7 THE WITNESS: First name, D-e-n-n-i-s; last name  
8 M-c-C-a-n-n.

DENNIS MCCANN

9 called as a witness on behalf of the State,  
10 having been first duly sworn,  
11 was examined and testified as follows:  
12  
13

DIRECT EXAMINATION

14 BY MS. WALSH:  
15 Q How are you currently employed?  
16 A I'm the director of surveillance at the Santa Fe Station  
17 Hotel & Casino.  
18 Q Is that the Santa Fe at 4949 North Rancho here in Las  
19 Vegas, Clark County, Nevada?  
20 A That would be correct.  
21 Q And what are your duties as the director of surveillance?  
22 A Maintain surveillance equipment, training, observing.  
23 I'm a working director.  
24 Q Okay. So part of your duties are to monitor the  
25

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1 surveillance system at the Santa Fe?

2 A That is correct.

3 Q So it's fair to say you are very familiar with that

4 system?

5 A That is correct.

6 Q Could you briefly describe to the Court what kind of

7 surveillance system you have?

8 A It's a broad switch; it's 1024 by 64. It can handle up

9 to 1,024 cameras, 64 monitor outputs. It covers the casino floor,

10 VP slots, the pit, the cage, soft count, total casino basically,

11 including the hotel tower and the hallways and that.

12 Q So you have cameras on the casino floor that -- do those

13 cameras feed any video up to a certain room on a monitor?

14 A Yes, they do. We have working monitors, which are

15 cameras we can call up and see, and then, in the back, we have

16 VCRs that record cameras that are everywhere.

17 Q The feed that the cameras are catching on a video are

18 recorded on a system as well?

19 A Correct.

20 Q Do you have a date and time stamp on the video feed

21 that's reported as well?

22 A All video goes through time, date generators and it's

23 automatically imprinted on the video tape.

24 Q And is the date and time stamp checked for accuracy

25 regularly?

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1 A Yes. An inaccuracy would be if there is no time -- if

2 there would be no time/date there, then there is a problem with

3 the time/date generator.

4 Q Okay. And the surveillance system is maintained so it's

5 accurate and functioning on a regular basis?

6 A According to the Nevada Gaming statutes, that is correct.

7 Q And are you aware of an incident that occurred on March

8 23rd with an individual by the name of Ronald Ross and James

9 Violette?

10 A I was aware of the name Violette, yes.

11 Q And were you contacted by anyone in reference to a

12 surveillance video regarding this incident?

13 A To review an incident of a tape of a distract and grab

14 theft that had happened in the VIP slot section of the hotel.

15 Q Did you record any video surveillance that documented

16 this incident?

17 A Several recordings.

18 Q And are those recordings -- are those recordings a clear

19 and accurate depiction of what occurred on that date and time?

20 A Yes.

21 Q You indicated you had several recordings; is that

22 correct?

23 A That is correct.

24 Q And is that because the camera only captures a small

25 portion of what's going on in the casino, so you would have to

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1 move from different camera to camera to track some of these

2 movement through the entire casino?

3 A Correct. And that's what would be on the composite tape

4 that you have.

5 Q And did you provide this tape to anyone in reference to

6 this investigation?

7 A Detective Julie Hall from the Metropolitan Police

8 Department.

9 Q And you provided that tape that clearly and accurately

10 depicts what occurred that evening involving Mr. Violette?

11 A Correct.

12 MS. WALSH: Pass the witness, Judge.

13 THE COURT: Cross.

CROSS-EXAMINATION

16 BY MR. JORGENSEN:

17 Q On the 23rd of March of this year, you were at the Santa

18 Fe on a shift doing your job?

19 A Well, I don't actually work a shift. I'm the director.

20 I could work any time I want. I just -- you know, I just like

21 doing it.

22 Q Do you remember what time you got to work on the 23rd of

23 March?

24 A I don't clock in and out. My days can be -- you know, I

25 can show up at nine in the morning and leave -- or one that next

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1 morning; or I'll show up at six in the morning and leave at eleven

2 o'clock that night.

3 You know, it just depends. I like to work. I like to

4 catch bad guys. I like to look at tape. I like to watch cameras.

5 Q All right. Watching these cameras and looking at tape,

6 that occurs in one central room?

7 A That is correct.

8 Q Not on the gaming floor, but in a different area of the

9 casino -- of the hotel?

10 A I'm not sure -- quite sure I understand the question.

11 Q Okay. You have some room set up with a lot of monitors

12 and equipment to record what those monitors are watching?

13 A The surveillance room, yes.

14 Q And that's like they show on TV, some dark room somewhere

15 in the casino that's not a place where people normally walk in and

16 out?

17 A No. And it's nothing like TV.

18 Q Okay. But there is a whole bunch of monitors?

19 A Yes.

20 Q How many monitors in the room?

21 A I have 34 working.

22 Q How many cameras are they ultimately hooked up to?

23 A Those 34 working, you only can see the cameras you pull

24 up on each monitor.

25 Q Sure. How many cameras do you have to choose from?

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1 A I think the better question would be how many VCRs do we  
2 have that record cameras that tape on the casino floor.

3 Q How many is that?

4 A That would probably be in excess of 600.

5 Q You have a VCR for every camera?

6 A Some of them are quads, meaning that there is four  
7 cameras — shots on one video screen.

8 Q But the — the idea is that every single camera is being  
9 recorded either full screen or a quarter screen somewhere on one  
10 of those tapes?

11 A The dream wish of every surveillance director is that  
12 every camera in the casino would be recorded, all the time.

13 THE COURT: The question is: Are all 600 of those  
14 getting recorded?

15 THE WITNESS: No, they are not.

16 BY MR. JORGENSEN:

17 Q Most of them?

18 A Well, a good majority of them, yes.

19 Q Okay. Now, when this occurred, when this man said he had  
20 money taken from him at the high limits area, do you recall if you  
21 were in that surveillance room when it happened?

22 A I believe I was.

23 Q But you didn't hear about the theft until a couple of  
24 minutes — or 10, 15 minutes later; is that right?

25 A That would be correct.

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1 Q So you would have to have someone tell you, look, slot  
2 number so and so or row number so and so just could have been the  
3 location of a theft; and then you, based on that information, go  
4 rewind whatever camera was focused on that -- whatever VCR was  
5 recording whatever the camera was focusing on and put it up on  
6 monitors?

7 A We would just review it on another monitor, pull the tape  
8 out of the system and look at them.

9 Q And that's what you did in this case?

10 A That is correct.

11 Q Now, you were not at the scene of this high slot machine  
12 when the money was taken because you were up in the surveillance  
13 room, correct?

14 A Correct.

15 Q How do you know then that what you then looked at, this  
16 recording, 10 or 20 minutes later, and how — do you know how much  
17 later after this was supposed to have happened that you actually  
18 first watched the tape?

19 A No, sir. I can't remember.

20 Q Half an hour or you had no idea?

21 A It could have been, you know, a half an hour. I mean, I  
22 don't remember. I can't give you an answer to that.

23 Q Let's say a half an hour just for the sake of the  
24 discussion —

25 A Okay.

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1 Q — knowing that you are not sure.

2 A Okay.

3 Q How do you know that what you are watching a half an hour  
4 after it actually occurred really accurately demonstrates what  
5 that tape is supposed to be showing because you weren't there?

6 A Sir, you are saying because I wasn't — I don't  
7 understand the question again.

8 Q I'll ask it again.

9 You told the prosecutor that these cameras and tape  
10 accurately reflect what was going on in front of what the camera  
11 is focused on.

12 A Correct, in real time.

13 Q You watched 30 minutes later, possibly what the camera  
14 showed in that particular high slot area where the victim, who  
15 made the complaint, was playing, but you didn't watch it until 30  
16 minutes after it actually happened, if 30 minutes is the right  
17 amount; is that correct?

18 A Okay. If we can go by, say, 30 minutes, sure.

19 Q How do you know that's accurate, given the fact that you  
20 weren't anywhere close to that slot machine when the tape is  
21 running? How do you know that's what is really happening on that  
22 slot machine?

23 A Because that's what is recorded on the tape.

24 Q All right. So you are telling me this because of your  
25 experience of watching the tapes.

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1 What experience gives you the idea that these are  
2 accurate — the camera is an accurate video tape?

3 A I've done this for 17 years.

4 Q Have you actually, during that time, been in the scene of  
5 a camera and then later on watched yourself and say to yourself:  
6 This is accurate?

7 A If it has happened, it's happened by accident.

8 MR. JORGENSEN: I understand that.

9 THE COURT: I think the question is: Have you ever  
10 viewed the tape, like set up a practice mode, and then, you, for  
11 example, saying: Okay. We're going to be in this courtroom and  
12 we're going to want Mr. Jorgenson sitting there video taping it  
13 and make sure it's accurate. He knows it's there; he waves to  
14 you.

15 THE WITNESS: Oh, yes, yes.

16 THE COURT: Or has it come back where he's tried to focus  
17 on him and the recording is actually for a different area of the  
18 casino?

19 THE WITNESS: In this instance, these are absolutely  
20 accurate.

21 BY MR. JORGENSEN:

22 Q And you know that because of your working with these  
23 particular cameras and these particular tape machines?

24 A Correct. Because we researched it, once we had  
25 ascertained where the theft had occurred, it's always been my

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1 practice to go back to where did the individuals come in.  
 2 Now, we know what they look like, so now we start -- we  
 3 don't start at the end; we start back at the beginning: When did  
 4 they come in the casino?

5 We track them through the casino, using the various  
 6 cameras that record, that put them in that area, in that location,  
 7 at that time, when that theft occurred.

8 Q And then you make some kind of compilation of those  
 9 camera angles and give that to the police?

10 A That is correct.

11 Q And you did that in this case?

12 A That is correct, sir.

13 Q And you make that on a computer disc or on a VHS tape?

14 A A VHS tape.

15 Q Are they stored at your casino on VHS tapes, long-term  
 16 storage or how are they stored?

17 A In this particular case, they were locked in my office in  
 18 the surveillance room.

19 Q No, I mean, these -- these cameras are running 24 hours a  
 20 day?

21 A That is correct.

22 Q The tape goes for six hours or whatever, you pull it out  
 23 and put a fresh tape in?

24 A Correct.

25 Q You are keeping the history of these tapes -- the history

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1 of these cameras on VHS tapes somewhere in a big storage room?

2 A Not all of them. In this particular incident, we kept  
 3 all the tapes involved this incident; but, normally, they would  
 4 record for seven days and then -- or a little more than seven days  
 5 and then they're recorded over again.

6 Q And that keeping them for seven days before you reuse  
 7 them, the gaming board gives you those rules on how long they want  
 8 you to keep a tape before you reuse it?

9 A Correct, on the standards for surveillance.

10 Q Okay. In this case, you knew it would be of interest, so  
 11 you pulled these out of the normal stream and haven't reused them?

12 A No, we have not.

13 Q And those are at your place or at the --

14 A Those are in my office at the Santa Fe.

15 Q And you made a compilation of the important parts of that  
 16 and handed them to the police?

17 A That is correct.

18 Q And you watched the compilation; the compilation is every  
 19 bit as accurate as each one of the tapes you took the compilation  
 20 from?

21 A Correct, sir.

22 MR. JORGENSEN: Nothing else.

23 THE COURT: Redirect?

24 MS. WALSH: Nothing further, Judge.

25 THE COURT: And is Mr. McCann free to go?

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1 MR. SWEETIN: Yes.

2 THE COURT: Mr. McCann, thank you for waiting and  
 3 testifying. You are free to go. Do not discuss your testimony  
 4 with anybody until the end of the preliminary hearing.

5 THE WITNESS: Thank you, Your Honor.

6 MR. SWEETIN: The State would call Detective Holl.  
 7 (Witness sworn.)

8 THE CLERK: You may be seated.

9 Please state your name for the record.

10 THE WITNESS: It's Julie Holl; H-o-l-l.

11  
 12 JULIE HOLL

13 called as a witness on behalf of the State,  
 14 having been first duly sworn,  
 15 was examined and testified as follows:

16  
 17 DIRECT EXAMINATION

18 BY MR. SWEETIN:

19 Q Detective Holl, how are you currently employed?

20 A I'm employed with the Las Vegas Metropolitan Police  
 21 Department, working as a detective in the tourist safety unit.

22 Q How long have you been employed by the police department?

23 A I've been employed with Metro for nine years; and prior  
 24 to that, Indiana for almost 11 years.

25 Q You indicated you were assigned to a tourist safety unit?

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1 A Yes.

2 Q What exactly does that do?

3 A We work any crimes that should happen to tourists,  
 4 especially within the tourist corridor, that being on the Strip or  
 5 within any of the casinos.

6 Q And based on your assignment to the tourist safety unit,  
 7 have you had training and experience in regards to various theft  
 8 techniques that occur in the tourist corridor?

9 A Yes, I have.

10 Q Would those include distraction theft and pick pocket  
 11 type thefts?

12 A Yes.

13 Q Now, I want to turn your attention to March of 2007.

14 You were assigned to the tourist safety unit during that  
 15 period of time; is that correct?

16 A Yes.

17 Q Over that period of time, did you have occasion to become  
 18 familiar with an individual by the name of Ronald Ross?

19 A Yes, I have.

20 Q Do you see that person in the courtroom today?

21 A Yes, I do. He's the gentleman sitting over here.

22 (Indicating)

23 Q Would you identify something he's wearing today?

24 A Yeah, he's wearing a dark blue CCDC jumpsuit.

25 MR. SWEETIN: May the record reflect the witness has

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1 identified the defendant.

2 THE COURT: That will be noted.

3 BY MR. SWEETIN:

4 Q And how did you become familiar with the defendant?

5 A Upon coming to the unit, we are familiarized with certain  
6 people that have committed certain types of distract crimes, with  
7 Mr. Ross being one of those.

8 There are many different subjects that were on a list of  
9 people who have either been arrested prior or had recently gotten  
10 out of jail that everybody has dealt with within the unit.

11 Q And based upon your knowledge of Ronald Ross, in March of  
12 2007, did you take any action in regards to him, particularly in  
13 notification of anyone?

14 A Just prior to being contacted by the Santa Fe Hotel,  
15 there was an attempt to distract that had occurred at the Venetian  
16 Hotel; the victim in that case did not want to pursue a report,  
17 but I did have video and good pictures of the subjects who were  
18 involved. With that, I put out what we call a critical reach,  
19 portraying three subjects that were involved in that, for all the  
20 other casinos to be on the look out for them.

21 Q Was one of the individuals that you put out then the  
22 defendant?

23 A At that time, no.

24 A critical reach had been put out on Mr. Ross after he  
25 was released from -- from jail. I believe that was back in either

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1 January or February.

2 Q All right. So you are indicating that this critical  
3 reach -- where does the critical reach disperse to?

4 A We disperse it to many different areas; all the jewelry  
5 stores are on that; all the casinos, police departments, CAT bus.  
6 It just depends on where you decide to send it out at that  
7 particular moment.

8 Q And that would include a photo of the defendant, as well  
9 as a description of what to be on the look out for in regards to  
10 that person; is that correct?

11 A Yes, it would.

12 Q Now, based upon that critical reach that was sent out,  
13 did you have any contacts on or about March 24th of this year,  
14 2007?

15 A Yes. I received a phone call from Dennis -- I honestly  
16 don't remember his last name --

17 Q Was that the individual who just left?

18 A Yes. He would be the surveillance director at the Santa  
19 Fe Hotel.

20 Q Okay.

21 A He had contacted me and said that they had had a distract  
22 theft at their hotel and they had video on it; and if I would  
23 like, to come and view the video and see if possibly I could make  
24 any identification of the persons who were involved.

25 Q Okay. And based upon that information, what did you do

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1 next?

2 A I responded over to the Santa Fe and viewed the video.

3 MR. JORGENSEN: Judge, may we approach?

4 THE COURT: Absolutely.

5 (Unreported discussion at the bench.)

6 THE COURT: All right. For the record, what we were  
7 discussing here at the bench was if the State was going to produce  
8 a tape today.

9 We may address that first and then we will go from there  
10 and hear the testimony and see if there is any objection.

11 Mr. Sweetin, what would be.

12 Would we be viewing a video tape that Detective  
13 Holl viewed?

14 MR. SWEETIN: No, Your Honor. The State does not intend  
15 to produce that today. We intend to elicit testimony out of this  
16 witness in regards to her viewing of that video.

17 The State would submit that that's -- that's proper. We  
18 have laid a foundation in regards to the reliability of the video  
19 tape through the prior witness. That witness indicated that the  
20 composite tape that he described is being made of various areas of  
21 the casino and the defendant, from the time he enters the casino  
22 and for the entire time that he's in the casino was put together,  
23 provided to the police, particularly this particular detective.

24 This detective will testify as to all the happenings on  
25 that tape; and based upon her training and experience in the

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1 tourist safety unit and her knowledge of the type of crimes that  
2 we have here, she'll describe the significance of the activity.

3 That's what the State intends to produce.

4 THE COURT: And the activity would also be what McCann  
5 testified to about the compilation of the tape, but also to what  
6 James Violette testified happened to him.

7 MS. WALSH: That is correct.

8 THE COURT: I presume that's what we're talking about.

9 MR. SWEETIN: That is correct, Judge.

10 THE COURT: MR. JORGENSEN.

11 MR. JORGENSEN: Judge, I would object to this witness  
12 describing what she sees on a computer monitor or a TV screen as  
13 not being relevant in this case because it's not the best  
14 evidence.

15 If they have the tape, they ought to play it and,  
16 hopefully, at trial, they will play it. But I think that, in a  
17 sense, it's hearsay. It isn't literally hearsay, but she's going  
18 to stand here and just repeat what she saw in flashes of light on  
19 a computer screen. And I just think that we could be doing it  
20 better and I think the rules of evidence indicate that if the  
21 State has a better way to do it, then they should be doing it the  
22 better way and not having her say what she saw.

23 THE COURT: I'm going to overrule the objection by the  
24 defense. If we did not have James Violette's testimony as to what  
25 occurred, then I might take a different approach, but this is

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1 corroboration of Mr. Violette's testimony.  
 2 So at this stage, you may proceed with questioning over  
 3 defense objection.  
 4 MR. SWEETIN: Thank you, Judge.  
 5 THE COURT: You are welcome.  
 6 BY MR. SWEETIN:  
 7 Q You indicated that you had an opportunity to obtain a  
 8 tape from the witness who just testified, who you know as Dennis;  
 9 is that correct?  
 10 A Yes.  
 11 Q And upon receiving that tape or that composite tape, did  
 12 you have an opportunity to review it?  
 13 A Yes, I did.  
 14 Q Could you describe what you observed on that tape?  
 15 THE COURT: I'm taking this over defense objection.  
 16 Go ahead.  
 17 THE WITNESS: The beginning of the tape, you see a white  
 18 vehicle that's pulling into the parking lot. It appears to be an  
 19 older white vehicle, possibly a Thunderbird.  
 20 BY MR. SWEETIN:  
 21 Q Now, the tape that you observed, did it have a date and  
 22 time stamp on it?  
 23 A Yes, it did.  
 24 Q And what was the approximate -- or what was the time that  
 25 was detailed on that tape as that car was pulling up into the

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1 parking lot?  
 2 A I can only give you a round about time. To give you the  
 3 exact time, I would need to actually see my report.  
 4 Q Would it refresh your recollection to review your report?  
 5 A Yes, it would.  
 6 Q I'm showing you a report.  
 7 Is this the report you are making reference to?  
 8 A Yes, it is.  
 9 Q Go ahead and take a look at that report and let me know  
 10 when you are done.  
 11 A Okay.  
 12 Q Does that refresh your recollection?  
 13 A Yes, it does.  
 14 Q And what was the time of that vehicle pulling up in the  
 15 parking lot?  
 16 A It was at 1833 hours or 6:33.  
 17 Q And could you describe what you -- what you observed as  
 18 that vehicle pulled up?  
 19 A The white vehicle pulls up, pulls around; waits for  
 20 another car to pull out, which would be closer to the casino area.  
 21 As the vehicle parks, two males and a female exit the  
 22 vehicle. The video wasn't clear enough to be able to get a plate  
 23 number on the vehicle.  
 24 Q Did you recognize any of the individuals that got out of  
 25 the vehicle at that time?

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1 A At that time, I wasn't a hundred percent. I thought  
 2 possibly I knew who one of them was.  
 3 Q As you continued to view the video, did it become more  
 4 clear?  
 5 A Yes, it did.  
 6 Q And is one of those individuals present in the courtroom  
 7 today?  
 8 A Yes. It would be Mr. Ross.  
 9 Q The defendant?  
 10 A Yes.  
 11 Q Okay. Describe what you observed after these individuals  
 12 exited the vehicle.  
 13 A They walk into the casino. As they walk into the casino,  
 14 they go over to the sports book and the female that was with them,  
 15 they seat her in the front row of the sports book.  
 16 At that time, then they walk off. I'm not that familiar  
 17 with the casino, so I couldn't tell you the exact areas that they  
 18 were walking through at that particular time.  
 19 Q Now, as you said they walked off.  
 20 That would be the defendant and the other male that you  
 21 made reference to?  
 22 A Another male.  
 23 Q A black male?  
 24 A Yes.  
 25 Q Go ahead. Continue.

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1 A Okay. As they started walking through, there was one  
 2 particular spot where I could see Mr. Ross very clearly as he  
 3 walked through. In fact, he had a black baseball cap that was on  
 4 and it was turned around backwards. (Indicating)  
 5 Q Okay.  
 6 A As they continued walking through the casino, they went  
 7 into what they call the high limit slot area.  
 8 Mr. Ross is standing near the same side of the slot banks  
 9 that Mr. Violette was playing at and the other subject walked  
 10 around to the back side of it. Once he got to the back side of  
 11 it, I actually lost sight of exactly where he was.  
 12 Q Let me stop you there for a minute.  
 13 You indicated that you have training and experience in  
 14 regards to this distract type of pick pocket incidents; is that  
 15 correct?  
 16 A Yes.  
 17 Q Did you receive specific training in that regard on the  
 18 tourist safety unit?  
 19 A Yes.  
 20 Q And, in fact, you investigated a number of these cases, I  
 21 suppose; is that correct?  
 22 A Yes, I have.  
 23 Q About how many of these sort of distract pick pocket  
 24 cases have you investigated?  
 25 A Probably somewhere around 15 to 20.

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1 Q And in regards to these sorts of cases, are there certain  
2 procedures or things that are done that are common in these sorts  
3 of crimes?

4 A Normally, it's at least two people together, although  
5 they have been known to do it by themselves, with one person --  
6 one of the two person crew -- if it is a two person crew -- will  
7 do what we call the distract; and by doing that, they will get the  
8 subject to look away from whatever they want to take.

9 In this case, that's what Mr. Ross was doing. Mr. Ross  
10 was actually doing the distract to take Mr. Violette's attention  
11 off of his money.

12 And then the other subject would actually go through and  
13 take the money and then they would both leave.

14 Q Okay. So now, you indicated that as they come to -- the  
15 defendant and this other individual to the high stakes slot area,  
16 that they separated; is that correct?

17 A Yes.

18 Q And the significance of that, you said that that is a  
19 normal procedure in these sorts of crimes; is that correct?

20 A Yes.

21 Q Okay. At that time, besides observing both the defendant  
22 and this other individual, did you observe an individual by the  
23 name of James Violette?

24 A Yes.

25 Q And where was James Violette located in relation to the

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1 defendant and this other individual, as you observed these  
2 individuals enter the high stakes room?

3 A They were facing the slot bank that the camera was  
4 actually on, on the same side that Mr. Ross had walked up to.  
5 Mr. Violette would be sitting on the end machine to the right of  
6 the slot bank. Mr. Ross then came up to his left and, according  
7 to Mr. Violette's statement, asked how the the machine was doing.

8 Q And did you observe where the other individual was in  
9 relation to the defendant Mr. Violette?

10 A You could see a little bit of a head moving around in the  
11 back. It appeared as if that subject had come in and was actually  
12 across the slot bank on the other side of Mr. Violette.

13 Q Okay. What did you observe happen next?

14 A As you could see, Mr. Ross goes up, has some type of  
15 conversation and then he backed -- seemed to back away a little  
16 bit. Mr. Violette, you can see him taking something from the left  
17 side of his machine, place it to the right side of his machine on  
18 the -- on the aisle area.

19 Then there is some type of commotion, which I later found  
20 out from Mr. Violette that the subject on the left end of the slot  
21 bank had hit a -- either hit a Royal Flush or hit something big.

22 Q And you observed something that --

23 A Yeah, you can tell, all of a sudden, everybody started  
24 looking over to that side.

25 Q And when you say everybody, would that be Mr. Violette,

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1 as well as the defendant.

2 A Oh, yeah, yeah.

3 Q What happens next?

4 A They all paid attention to what was happening over there.

5 And then you can see a hand come around the -- I guess it  
6 would be the other side of where Mr. Violette was sitting. You  
7 see a hand come up and then him -- the other subject and Mr. Ross  
8 leave the casino.

9 Q And you observed them at that time leaving the casino  
10 together; is that correct?

11 A Yes. They, again, walked back through the casino, went  
12 into the sports book, picked up the female that they had dropped  
13 off in there and then walked back out to the car and then left.

14 Q What was the amount of time that the defendant, this  
15 other individual and this female were in the casino?

16 A It was right around 15 minutes from the time that they  
17 parked until the time that they pulled out.

18 Q And you indicated that this composite that you viewed  
19 showed the defendant and this other individual for the entire time  
20 they were in the casino; is that correct?

21 A Yes.

22 Q At any point in time, did they -- did they do any gaming?

23 A No.

24 Q At any point in time, did they try to get any change,  
25 anything of that sort?

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1 A No.

2 Q So they literally just went directly to this high stakes  
3 area, hand goes around and they both leave?

4 A Yes.

5 MR. SWEETIN: Nothing further.

6 THE COURT: Cross.

7

8 CROSS-EXAMINATION

9 BY MR. JORGENSEN:

10 Q Do you work Monday through Friday, weekends or what?

11 A At that time, I was working swing shift. I was working  
12 Tuesday through Friday and every other Saturday.

13 Q The 24th, I think, is a Saturday.

14 Does that sound right?

15 A I'd have to see. I couldn't tell you for sure, but  
16 possibly could have been.

17 Q Because you -- every other Saturday, you were on duty.

18 A Yes.

19 Q You get called out to the Santa Fe; you go there, go to  
20 their security office?

21 A Yes.

22 Q And they queue up a tape that you watch, that you have  
23 just described for us?

24 A Yes.

25 Q You pop the tape out or they pop the tape out, you

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1 book -- you take it into your possession and then put it into  
 2 evidence? .  
 3 A No. At that time, they kept the video.  
 4 Q Later on, they gave you a copy of it?  
 5 A Yes, they did.  
 6 Q Have you watched the copy of the video?  
 7 A Yes, I have.  
 8 Q And to your memory, it's exactly the same thing you just  
 9 described to us?  
 10 A Yes. There was nothing added, nothing deleted.  
 11 Q The 15 minutes of tape -- or 15 minutes of time that  
 12 we're describing is dozens and dozens of different camera angles?  
 13 A Yes.  
 14 Q The actual victim that you are focusing on, along with my  
 15 client in the same frame, that's just one angle though?  
 16 A Yes.  
 17 Q And it is from above and from behind?  
 18 A Yes.  
 19 Q So what you are watching -- what you can see then in that  
 20 angle, among other things, is what is actually being played on  
 21 the slot that the victim is facing.  
 22 A The slot bank. I believe it was four -- four machines,  
 23 maybe five machines that was in a row.  
 24 Q And that camera angle that you are referring to, you  
 25 could see all --

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1 A Four or five, yes.  
 2 Q All in one picture?  
 3 A Yes.  
 4 Q And on the left-hand portion -- or the right-hand portion  
 5 of the screen, you see the guy who said his money was taken?  
 6 A Yes.  
 7 Q And on the left-hand portion, you see what came to be the  
 8 focus of everyone's attention for a brief amount of time?  
 9 A Yes.  
 10 Q By looking at this video -- this tape, could you actually  
 11 tell what he hit or just some blur?  
 12 A Couldn't tell.  
 13 Q Okay. But you could see the machine he's at?  
 14 A Yeah.  
 15 Q And the person who is sitting at the machine may or may  
 16 not be blocking exactly what you are looking at because it's taken  
 17 from behind?  
 18 A What's taken from -- oh, you mean the video is taken from  
 19 behind?  
 20 Q Yeah.  
 21 A And blocking what?  
 22 Q Okay. Why can't you tell exactly what this guy, who is  
 23 on the far left, what he -- what came up on his -- on his screen  
 24 to make everyone happy?  
 25 A Well, the machine is about that big on what he hit and

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1 it's just really hard to tell what he actually hit.  
 2 THE COURT: You are saying the machine is that big; you  
 3 are talking about six inches?  
 4 THE WITNESS: Well, yeah, it's a poker machine so the  
 5 screen is maybe a foot -- one by one maybe.  
 6 BY MR. JORGENSEN:  
 7 Q Just so I have this right, the angle that you are  
 8 watching on this compilation shows all four machines, but they're  
 9 too small in comparison with the entire field of view to make out  
 10 the details of what's on that one particular machine.  
 11 A Right.  
 12 Q It's not so much that the angle is too low that it --  
 13 that the person playing the machine, his torso blocks the machine.  
 14 The machine is just too indistinct because it's too far away?  
 15 A Yeah. And to be honest, I'm not paying so much attention  
 16 to what's going on on this other guy's machine that's not even  
 17 involved. I'm paying more attention to what's going on over at  
 18 Mr. Violette's machine so that I didn't even pay attention to that  
 19 much.  
 20 I mean, I know something happened over there, but when  
 21 I'm viewing a video -- I mean, I'm viewing my victim and the other  
 22 guy wasn't my victim.  
 23 Q But you could go back possibly and look at it again and  
 24 maybe get more information because it's all there on the tape?  
 25 A Yeah, possibly.

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1 Q All right. So you see my client come, stand to the left  
 2 of the guy who made the complaint, who is playing on the right  
 3 end; and at that point, you are looking at the shoulder and the  
 4 back of both the victim and my client.  
 5 A In that view, more so the back of him; and at times,  
 6 Mr. Ross does turn a little sideways. I mean, he doesn't always  
 7 have his back to me.  
 8 Q Okay.  
 9 A And at times, when Mr. Violette went to look over to his  
 10 left to what was happening, I could see the side of Mr. Violette's  
 11 face.  
 12 Q But the camera angle is not so high up that you can see  
 13 who was playing on the opposite bank of machines?  
 14 A No.  
 15 Q Could you see anybody who is standing or sitting directly  
 16 behind where these two --  
 17 A Sitting, no.  
 18 Standing, you could see -- depending how tall the person  
 19 was, you could see the top of their head.  
 20 Q All right. Now, directing your attention to exactly when  
 21 you saw a hand grab where this money was sitting.  
 22 A Uh-huh.  
 23 Q Prior to the hand coming into the frame and grabbing it,  
 24 could you see who that hand belonged to?  
 25 A Not prior to, but just after he took it, I could.

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1 Q Okay. And if I have it right, this would have been a  
2 left hand? ;  
3 A I believe so, yes.  
4 Q Do you recall if it had a glove on, if it was a long  
5 sleeved shirt, a short sleeved shirt?  
6 A It was a short sleeved shirt.  
7 Q Could you tell the skin color?  
8 A Yes.  
9 Q What was it?  
10 A Black.  
11 Q All right. And then as soon as the hand comes into view  
12 and grabs it, then you can see the rest of the body?  
13 A Yes, because the person then stood up and walked off into  
14 the space in between the next slot bank.  
15 Q And that is the same person that you had seen walking  
16 with my client, earlier in this compilation, coming from the car?  
17 A Yes, just prior to this all occurring, yes, he was  
18 walking with them. They walked into this same area together.  
19 Q Now, you don't recognize, like you do my client Mr. Ross,  
20 who this other person is?  
21 A No, I don't.  
22 Q How do you know it's the same person that was with  
23 Mr. Ross as he came from the car?  
24 A You could tell from the video, from the time that they're  
25 walking through the casino, his look; he has a very distinctive

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1 widow's peak and by what he's wearing. He's wearing a somewhat  
2 bright shirt.  
3 Q This is the identified guy?  
4 A Yes.  
5 Q Whose hand reaches and grabs?  
6 A Yes.  
7 Q So while you don't know who the person is, this same  
8 shape and clothing that's consistent from whoever was with  
9 Mr. Ross when he left his car until 15 minutes later when he gets  
10 back into his car?  
11 A They were together just about the whole time until they  
12 walked into this bank, this high limit bank, where they separated.  
13 Q For a brief period of time and then joined back up again?  
14 A Yes.  
15 Q After the hand reached around and grabbed?  
16 A Yes.  
17 Q Could you tell if -- when my client is coming from his  
18 car and approaching the high limits area, if he was having any  
19 type of discussion with the guy in the bright colored clothes and  
20 the widow's peak?  
21 A I couldn't give you a hundred percent answer on that, but  
22 you could definitely tell that they were together. I mean, they  
23 came in a car together. They walked this lady to the sports book  
24 together. They walked through the casino together. And then once  
25 the money was taken, they left from the high limits area together,

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1 went together to the sports book to pick up this girl and then  
2 left together and got in the car together and left the area  
3 together.  
4 Q This guy who had the bright colored shirt and the  
5 distinctive hair style, do you have any idea, at this point, who  
6 that person is?  
7 A No, I don't.  
8 Q Never seen him before?  
9 A I have one other video with him in it, but at that time,  
10 he had not committed a crime.  
11 Q You don't have enough information to make an ID on him?  
12 A No, I don't.  
13 Q How about the girl?  
14 A No.  
15 MR. JORGENSEN: Nothing else.  
16 THE COURT: Redirect.  
17 MR. SWEETIN: Nothing further, Judge.  
18 THE COURT: Is Detective Holl free to go or do you want  
19 her to remain here in court?  
20 MR. SWEETIN: No, she's free to go.  
21 THE COURT: You are free to go or stick around and see  
22 what happens. Please do not discuss your testimony with anybody  
23 until the end of the preliminary hearing.  
24 THE WITNESS: Thank you.  
25 THE COURT: State's next witness.

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1 MS. WALSH: Thank you. The State calls Les Silva.  
2 (Witness sworn.)  
3 THE CLERK: You may be seated.  
4 Please state your name for the record.  
5 THE WITNESS: Les Silva.  
6 THE COURT: Spell your name, please.  
7 THE WITNESS: L-e-s, S-i-l-v-a.

LES SILVA

10 called as a witness on behalf of the State,  
11 having been first duly sworn,  
12 was examined and testified as follows:

DIRECT EXAMINATION

15 BY MS. WALSH:  
16 Q Sir, how are you currently employed?  
17 A I'm currently employed at the Paris Hotel & Casino?  
18 Q In what capacity?  
19 A I'm the surveillance director.  
20 Q How long?  
21 A Three months.  
22 Q And prior to that, where were you employed?  
23 A I was the director of surveillance at the Flamingo.  
24 Q How long at the Flamingo?  
25 A Approximately a year.

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- 1 Q I'm sorry. What?
- 2 A A year.
- 3 Q And in your capacity as director of surveillance at the
- 4 Paris, are you familiar with the surveillance system there?
- 5 A Yes, I am.
- 6 Q And is part of your duties to monitor that?
- 7 A Yes, it is.
- 8 Q And the surveillance system at the Paris, does it have
- 9 kind of the general surveillance system where you have cameras on
- 10 the floor that feed up to a surveillance room?
- 11 A Correct. They feed up to a surveillance room where
- 12 they're utilized -- the images can be brought up on monitors, as
- 13 well as the images can be recorded on VCRs.
- 14 Q You indicated the cameras feed up into a surveillance
- 15 room where they're showing them in live time on a monitor, but
- 16 they're also recorded; is that correct?
- 17 A Correct.
- 18 Q And when the video is recorded, is it also recording a
- 19 date and time stamp on the actual video?
- 20 A Yes, it is.
- 21 Q And how is that date and time stamp checked for accuracy?
- 22 A It's a continual check system within the Paris
- 23 surveillance room. The computer system that the surveillance
- 24 agents use to log incidents has a time generated on it and they
- 25 continually compare that against the video that's displayed in

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- 1 front of them.
- 2 Q And is the surveillance system, the cameras themselves,
- 3 regularly checked for accuracy?
- 4 A Yes.
- 5 Q If the camera and the recording system are operational,
- 6 will the recording system accurately record the live video feed?
- 7 A Yes, it will.
- 8 Q Now, if you have an incident that occurs in the casino
- 9 involving a police investigation, where the police are required
- 10 to -- I'm sorry. I'm sorry. I can't think.
- 11 If you have an incident on the casino floor where the
- 12 police are investigating and require a surveillance video, do you
- 13 have a normal operating procedure as to how you provide them with
- 14 the video?
- 15 A Yes, we do. We actually acquire a property receipt from
- 16 any law enforcement agency, but they're invited up into the
- 17 surveillance room through their investigation to observe any video
- 18 tape pertinent to their case.
- 19 At that time that they make a request for a copy of the
- 20 video tape, we will supply a copy of the tape. We generate it
- 21 within the room. We have numerous dubbing stations that create
- 22 exact copies of original video tape.
- 23 Q In that copy of the original video tape, will that
- 24 clearly and accurately depict the original recording?
- 25 A Yes, it is the original recording.

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- 1 Q Okay. And the original recording, that would accurately
- 2 depict what occurred on that date and time?
- 3 A Yes.
- 4 MS. WALSH: Nothing further.
- 5 THE COURT: Cross.
- 6
- 7 CROSS-EXAMINATION
- 8 BY MR. JORGENSEN:
- 9 Q You were on the job on March 31st of this year?
- 10 A Yes.
- 11 Q Do you remember what shift?
- 12 A No. Actually, I work all different shifts.
- 13 Q So it could have been -- you just remember you were on --
- 14 in the Paris sometime on the 31st, but not whether it was in the
- 15 morning or the evening?
- 16 A Correct.
- 17 Q And part of your job is to not necessarily service these
- 18 cameras, but to verify that from day-to-day they're working right?
- 19 A Correct. I insure that the agents check all of the
- 20 equipment, as well as my technicians do the same.
- 21 Q Who are the agents?
- 22 A I have employees that are in the room that actually work
- 23 the monitors.
- 24 Q And then, from time to time, you actually do some kind of
- 25 testing to verify that the cameras are working right, that they're

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- 1 recording right, that the colors and the levels are proper so it
- 2 really actually captures properly what the cameras are pointed at?
- 3 A Yes. The way the surveillance system is set up in our
- 4 room, the image that the agents see is the final image; so,
- 5 therefore, if there is any interruption in video or problems with
- 6 their cameras, it will be seen on their monitor.
- 7 Q What is being taped then is the same thing as they see on
- 8 the screen?
- 9 A That is correct.
- 10 Q And then each of those cameras are fed into a recording
- 11 device that records what each of those cameras is watching all the
- 12 time?
- 13 A True.
- 14 Q Onto a computer file or onto a tape?
- 15 A No, VHS tape.
- 16 Q And then you keep that tape for how long before you --
- 17 A Seven days. It's a natural rotation; there is enough
- 18 tapes in that supply for a seven day rotation.
- 19 Q How long is each tape?
- 20 A Eight hours.
- 21 Q So 21 tapes or so, then you -- then you tape over the
- 22 tape that was at the first eight hour shift on Sunday, the
- 23 following Sunday and you use it again?
- 24 A Right.
- 25 Q Unless you pulled it out of the cycle to store it for

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1 some reason?

2 A Correct.

3 Q And you make sure that's done also?

4 A Yes.

5 Q As part of your job as to quality check, you make sure  
6 they're cycling the tapes right?

7 A That is true.

8 Q If Metro or some security reason they keep a tape and  
9 it's pulled out of the normal cycle, it gets stored by you?

10 A No. It gets stored by an agent, into a binning system,  
11 which is a system of shelves that have numbered boxes on them and  
12 the tapes are placed in there and corresponding records within the  
13 computer are generated.

14 Q And then later on, you could tell if that was -- if that  
15 had been misfiled by whoever pulled it up and looked at the tape  
16 and said, hey, this is the wrong thing, it must be in the bin next  
17 door?

18 A Correct. The binning system itself is also on camera, so  
19 we can review that as well.

20 MR. JORGENSEN: Nothing else.

21 THE COURT: Redirect.

22 MS. WALSH: Nothing further, Judge.

23 THE COURT: Mr. Silva, thank you for waiting for quite  
24 some time. You are free to go. Please do not discuss your  
25 testimony with anybody until the end of the preliminary hearing.

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1 Or you may stick around.

2 THE WITNESS: Thank you.

3 MS. WALSH: Judge, the next witness is Detective Flenner.

4 I do have some representations to make before I call this  
5 witness.

6 He's going to be talking about two videos that have not  
7 been authenticated yet, from the Tropicana and from Macy's. The  
8 State will be bringing those witnesses in when we do come back and  
9 we will be presenting the evidence and authenticating the video  
10 before the close of our case.

11 Also, we're going to be talking about the video at the  
12 Paris, which was just authenticated by the last witness, but the  
13 victim, Bertha Lundquist, has not testified yet; we will be  
14 presenting her testimony before the close of our case, that going  
15 to the defense objection as to the best evidence rule and Your  
16 Honor ruling that the victim testified.

17 THE COURT: Here's what we will do: This witness is  
18 essentially out of order?

19 MS. WALSH: That's correct, Judge.

20 THE COURT: One issue is authenticate tapes at Tropicana;  
21 testify to tapes that have been authenticated.

22 MS. WALSH: But the Tropicana tape and the Macy's tape  
23 have not been authenticated today, but will be when we come back.

24 THE COURT: And Detective Flenner is going to talk about  
25 the tapes at Macy's.

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1 MS. WALSH: That's correct.

2 THE COURT: And what is the other topic?

3 MS. WALSH: And the other topic is the Paris tape. It

4 was authenticated by the previous witness, but just going to the  
5 previous objection we had and Your Honor's ruling that the  
6 video -- we were allowed to talk about the video because the  
7 victim actually testified in court, that victim hasn't testified  
8 yet, but she is the one out of state witness that we will bring in  
9 when we come back for a preliminary hearing again.

10 THE COURT: All right. Mr. Ross and Mr. Jorgenson, I'm  
11 going to let this testimony in today subject to being stricken in  
12 total if these other requirements are not complied with.

13 So this, after Detective Flenner testifies, it is not in  
14 evidence until the other requirements are complied with.

15 So at this stage, I will go forward and I'm making my  
16 notes because this will be continued, subject to being stricken.

17 So there is no reason to make a motion to object at this  
18 stage because it's just out of order, because, Mr. Ross and Mr.  
19 Jorgenson, if this was a situation in which everybody was  
20 testifying today, this witness would testify later.

21 MS. WALSH: That's correct, Judge.

22 THE COURT: So that's where we're at.

23 MR. JORGENSEN: All right, Judge.

24 THE COURT: So it's subject to being stricken. This is  
25 not coming in right now.

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1 Any record you would like to make, Mr. Jorgenson, go  
2 ahead.

3 MR. JORGENSEN: We are still objecting obviously that  
4 these violate the best evidence rule.

5 We understand that this is not going to be ruled on as  
6 admissible until the State has a chance to close their case in  
7 chief.

8 On behalf of my client though, he objects to them not  
9 putting all their witnesses on today and having it go onto a  
10 different day. I'm not sure I can give you any particular case  
11 law that says he's entitled to have his prelim all on the same  
12 day, but he objects to continuing it to another day.

13 THE COURT: Both of those objections will be noted.

14 As for bifurcation, which we can address today due to the  
15 Court's schedule, witness schedules, and the issue of prejudice to  
16 the defendant, I do not see any prejudice to the defendant because  
17 he's in custody on other cases.

18 And if he was out of custody on everything else and this  
19 was the only case he was in custody on, then we would have to  
20 address prior criminal history, a danger to society, as well as  
21 flight risk.

22 So, at this stage, I have not been presented anything  
23 that a bifurcation of this preliminary hearing is prejudicial.

24 Mr. Jorgenson, you can renew that argument during any  
25 closing arguments.

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1 But, otherwise, and as to Detective Flenner, that's not  
2 coming in today. It's just going to be testimony subject to being  
3 stricken.

4 MS. WALSH: Thank you, Judge.

5 THE COURT: All right. Let's proceed.

6 (Witness sworn.)

7 THE CLERK: You may be seated.

8 Please state your name for the record.

9 THE WITNESS: Darrell Flenner; D-a-r-r-e-l-l,

10 F-l-e-n-n-e-r.

11  
12 DARRELL FLENNER

13 called as a witness on behalf of the State,

14 having been first duly sworn,

15 was examined and testified as follows:

16  
17 DIRECT EXAMINATION

18 BY MS. WALSH:

19 Q Sir, how are you currently employed?

20 A Las Vegas Metropolitan Police Department, tourist safety  
21 unit.

22 Q And what is your current capacity in the tourist safety  
23 unit?

24 A Detective.

25 Q How long have you been with the police department?

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1 A Sixteen years.

2 Q And how long have you been with tourist safety unit?

3 A Approximately five years.

4 Q And have you had any specialized training dealing with  
5 issues specific to the tourist safety unit?

6 A Yes, ma'am.

7 Q And, specifically, have you had any training in pick  
8 pocket and distract thefts?

9 A Yes, ma'am.

10 Q Have you had an occasion to previously investigate any of  
11 those types of cases?

12 A Yes, ma'am.

13 Q Approximately how many cases have you investigated?

14 A Thirty, 40.

15 Q I want to direct your attention to March 17th of this  
16 year -- well, first, in the tourist safety unit, have you become  
17 familiar with an individual by the name of Ronald Ross?

18 A Yes, ma'am.

19 Q Do you see that person in the courtroom today?

20 A Yes, ma'am.

21 Q Can you point to him and describe an article of clothing  
22 he's wearing.

23 A He's in that blue shirt, sitting --

24 Q A tie or no tie?

25 A I'm sorry. No tie. Low cut.

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1 MS. WALSH: Thank you.

2 Can the record reflect the witness has identified the  
3 defendant.

4 THE COURT: That will be noted.

5 BY MS. WALSH:

6 Q Now, I want to direct your attention to March 17th of  
7 this year.

8 Were you employed and on duty in the tourist safety unit?

9 A Yes, ma'am.

10 Q Did you have occasion to conduct an investigation into a  
11 larceny from the person against a Georgia Tathopoulos at the  
12 Tropicana?

13 A Yes, ma'am.

14 Q Is that the Tropicana here at 3799 Las Vegas Boulevard?

15 A The Tropicana is 3801.

16 Q But it's here in Clark County, Nevada?

17 A Yes.

18 Q And in the course of your investigation into that  
19 offense, did you have an occasion to review any video surveillance  
20 from the Tropicana?

21 A Yes, ma'am.

22 Q Were you aware of where that video surveillance came  
23 from?

24 A It came from the Tropicana Hotel.

25 Q Okay. How did the police department get ahold of the

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1 video?

2 A A detective on our swing shift unit received it from the  
3 Tropicana Hotel.

4 Q And would that be Detective Rainer?

5 A Yes, ma'am.

6 Q Can you briefly -- or can you describe for the Court what  
7 you first saw on the video tape.

8 A It was approximately 1300 hours on the 17th. The victim  
9 was seated in a row playing, I believe it was, penny slots. I  
10 don't remember exactly. Ross walks by the victim, turns around,  
11 looks back at her. He's wearing a basketball jersey with the  
12 number six on it and a hat on backwards. He's with a second  
13 subject.

14 He then turns, comes back to the victim, sits down in a  
15 seat to her left and they start talking.

16 He's at an angle, a little bit angled towards the victim.

17 They talk for a minute. The second subject,  
18 unidentified, kind of got a little closer in between both of them.

19 After about a minute, you could -- well, prior to  
20 actually -- I'm sorry. Prior to him sitting down, his jacket was  
21 in his right arm, more up towards his elbow, Ross.

22 Q And, Detective, based on your experience and training,  
23 what is the significance of a jacket draped over an arm?

24 A It's a prop to hide what the hands are doing.

25 So as he turns back towards the victim, he moved the

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1 jacket to his hands area.

2 As he sat down closer, he angled towards the victim, who  
3 is sitting like this. (Indicating) He's angled kind of close to  
4 her. The other subject came back, walked behind and was just  
5 talking along with them.

6 After approximately a minute, they got closer and they  
7 started pointing at the machine. His hand goes over to where her  
8 purse is and then after a couple few more seconds you could see  
9 him him handing the other guy, who he's with, the object.

10 Both of them exit in separate ways. The one guy who he  
11 handed the wallet to walked away immediately. Ross stayed a  
12 couple more seconds. Then he walked away a separate way.

13 Q So you are indicating when he first came up to the  
14 victim, he had the jacket over his right arm, he got very close to  
15 her.

16 A Yes.

17 Q Could you tell if she had a purse on her at all?

18 A Well, that was a question I had when I called her up and  
19 talked to her on the phone. I had to verify that. The victim was  
20 not sure where her purse was. She said it was on her left side,  
21 but she was not sure if it was around her shoulder or down beside  
22 her.

23 Well, when I looked at the video tape, to me, it appeared  
24 that there was a strap along the shoulder on her left shoulder and  
25 that would put it in the same area where Mr. Ross was going

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1 towards.

2 Q Okay. And when the defendant came up close to the  
3 victim, that's -- he came up close to where her purse was; is that  
4 correct?

5 A Yes, right next to it.

6 Q And when you -- when the second person came up in between  
7 the two and got very close, based on your training and experience,  
8 is there any significance to the way that the defendant and this  
9 other person acted?

10 A Yeah, he was blocking, so anybody who was walking behind  
11 could not see what was going on with his hands.

12 Q And then I believe you testified that, at some point, you  
13 saw him remove something from the purse; is that correct?

14 A Yes, ma'am.

15 Q What is that consistent with? Would that be consistent  
16 with a wallet?

17 A Yes.

18 Q And you indicated that he gave this wallet to the other  
19 person; is that correct?

20 A Yes.

21 Q Is there any significance to him being the one taking it  
22 and this other person being the one to remove it from the casino?

23 A In case he was caught right after that, he could say,  
24 hey, I don't have it with me and there is nobody around to show  
25 that it was with him.

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1 Q So then this other person, this other unidentified

2 subject then takes the wallet and leaves first?

3 A Yes.

4 Q And then the defendant leaves and they go in the same  
5 direction or separate directions?

6 A Separate directions.

7 Q And about how long after this other person left did the  
8 defendant leave?

9 A Maybe five seconds, right after.

10 Q Now, when you watched the video, were you able to tell  
11 that it was the defendant on the video?

12 A It appeared to be somebody I recognized as Ronald Ross.

13 Q Because the video is not that clear right on its face; is  
14 that correct?

15 A No.

16 Q And how were you able to -- or what makes you think that  
17 this is the defendant on the video tape?

18 A The similar MO of the actions that took place, of how it  
19 happened. When he came towards the camera -- he has what I call  
20 droopy eyes. You could see some of the facial features on him.

21 Q And are you familiar with the way that the defendant  
22 operates and seeing him on other videos?

23 A Yes, I have -- yes.

24 Q And based upon all of that, that's what led you to  
25 conclude that that is the defendant on the video?

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1 A That was part of it, yes.

2 Q And from your observations of the video, was there anyone  
3 else within this close proximity to the victim in this case?

4 A No.

5 Q Now, did you also receive some information that one of  
6 the credit cards inside the wallet was used on that date?

7 A Yes. When I spoke to the victim, she said her credit  
8 card was used approximately 45 minutes after the theft at a Sheikh  
9 shoe store located on Maryland Parkway and -- which is located  
10 inside the Boulevard Mall.

11 Q And based upon that information, did you continue your  
12 investigation?

13 A Yes.

14 Q How did you do so?

15 A I went down there and spoke to the manager; don't  
16 remember his name at this time. They don't work off a VHS. They  
17 have a hard drive, a DVD system. He showed me a DVD of the  
18 transaction, which showed Ross and the other same subject in the  
19 store 45 minutes after making that transaction that was on her  
20 credit card.

21 Q Now, how were you able to tell it was the same  
22 individual?

23 A He's wearing the same numbered jersey at this time. It  
24 was a color video, so you can see it was a hat, a red hat. He had  
25 his jacket on at this time.

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1 Detective Rainer, on swing shift, was also advised and he  
2 knew -- supposed it might be Ronald Ross also. He took some photo  
3 lineups down to the employees, three employees, who positively  
4 ID'd Ross as the subject that used Miss Tathopoulos' credit card  
5 on that date and time.

6 Q And you indicated he had the same number six jersey on.  
7 Would that be the same numbered jersey he had on the  
8 video at the Tropicana that you had observed?

9 A Yes, ma'am.

10 Q You indicated he had a jacket on.

11 Would this be the same jacket that he had draped over his  
12 arm at the Tropicana?

13 A It appears to be.

14 Q When you got there and viewed the video of the defendant  
15 inside the store, was it video tape -- or you indicated it was on  
16 the hard drive?

17 A It was a hard drive, a DVR.

18 Q Were you ever able to obtain a copy of the video?

19 A No, ma'am.

20 Q Were you able to ascertain why?

21 A Nobody knew how to operate the system to save it.

22 Q As far as you are aware right now, is the video still  
23 saved at the store?

24 A I don't know.

25 Q Okay.

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1 A They said they would try to save it. I don't know if  
2 they did.

3 Q When you observed that video on that day, what, if  
4 anything, did you observe?

5 A At the Sheikh Shoes?

6 Q Yes.

7 A It was kind of a far off shot from where the camera is  
8 at, but you can see him at the counter and it looks like a  
9 purchase, a transaction, takes place.

10 Q Were you able to observe a time on this video?

11 A It was approximately, I think, around 1350 hours,  
12 somewhere around there, 1:49.

13 Q Okay. And this would be still the same day, March 17th?

14 A Yes, ma'am.

15 Q Now, your investigation with Mr. Ross had concluded with  
16 this March 17th event; is that correct?

17 A Correct.

18 Q Did you also begin an investigation into another pick  
19 pocket and credit card usage on March 31st?

20 A Yes, ma'am.

21 Q And would this be regarding Miss Lundquist at the Paris?

22 A Yes, ma'am, Roberta Lundquist.

23 Q And is the Paris at 3655 Las Vegas Boulevard here in  
24 Clark County, Nevada?

25 A Yes, ma'am.

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1 Q In the course of your investigation of this pick pocket  
2 offense at the Paris, did you have an occasion to review any video  
3 surveillance at that time?

4 A Yes, ma'am.

5 Q Where did you view that video surveillance at?

6 A At the Paris Hotel and at Macy's Department Store.

7 Q When you viewed the video at the Paris, were you able to  
8 see anyone on the video that you see in here today?

9 A Yes, ma'am.

10 Q And who was on the video?

11 A Ronald Ross in the blue shirt, no tie. (Indicating)

12 Q And how are you able to make this identification as well?

13 A I've seen him numerous times on other videos and mug  
14 shots.

15 Q So it's still the same reason you are able to make his  
16 identification, based on your prior contact with Mr. Ross?

17 A Yes, ma'am.

18 Q And can you briefly describe what you first saw in the  
19 video when you viewed it?

20 A Do you want to do it in a chronological order -- because  
21 I saw the Macy's first -- or just go with Paris?

22 Q We can go with Paris now.

23 A At Paris Hotel, the time was somewhere around 19 --  
24 almost 2000 hours. Mr. Ross and a second subject walked across  
25 the street from left to right into the open area, kind of off

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1 camera.

2 About 15 minutes later on so, the victim walks from the  
3 right side of the screen to the left -- looking at the screen,  
4 from the right side to the left side, to a row of penny slots.  
5 She goes around to the right side. Approximately 20 feet behind  
6 is Mr. Ross walking around to the left side.

7 At that time, he walks around, approaches her on her left  
8 side before she even sits down and starts pointing at the machine  
9 and talking to her.

10 He moves closer, angles in with his right arm and after  
11 maybe -- it was just seconds, 11 seconds, you see he walks away.

12 Q Okay. So you could tell how close in proximity he got to  
13 this victim from the video; is that correct?

14 A Yes, ma'am.

15 Q And you indicated that was a very close proximity?

16 A Yes, ma'am.

17 Q Were you able to see him actually take anything on this  
18 tape or not?

19 A You could see his arm go right next. I can't really -- I  
20 can't really tell because it's blocked by the video that's right  
21 behind him.

22 Q But his arm does go down towards her purse?

23 A His arm is on the right side and he walks up to her --  
24 her purse is on her left side. He walks up to her left side and  
25 approaches and gets really close and starts pointing and leans on

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1 her.

2 Q So is that jacket draped over his arm again?

3 A I think I have to review my report and see if he has the

4 jacket.

5 MS. WALSH: May I approach, Judge?

6 THE COURT: Yes.

7 THE WITNESS: Don't believe he used a jacket on that one.

8 BY MS. WALSH:

9 Q Okay. You are not sure; is that correct?

10 A Yes.

11 Q And you indicated the time of this, I believe you said,

12 was right around 2000 hours?

13 A It occurred -- that's when he first came on camera, I

14 believe. It occurred closer to 2017.

15 Q And you indicated, when he came up and got close to her,

16 he was pointing at the machine and kind of talking to her; is that

17 correct?

18 A Yes, with his left arm and leaning in. I didn't see what

19 his right arm was doing. (Indicating)

20 Q And what is the significance, based on your training and

21 experience, to the way he was operating at that time?

22 A Two-fold. They get close enough to -- they direct their

23 attention away from anything that's going on, so if they feel a

24 tug or anything, it's to let them think that they're just a body

25 touch.

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1 Q And you indicated that the defendant was also walking

2 around with another person?

3 A Yes, ma'am.

4 Q And based upon your observation of the video, did it

5 appear to you that the defendant and this other individual were

6 working together?

7 A They came in, left together, but, you know, I can't say

8 that he had anything to do with it.

9 Q Now, you indicated you also did an investigation at

10 Macy's regarding a credit card usage of Bertha Lundquist's; is

11 that correct?

12 A Yes, ma'am.

13 Q Did you respond to the Macy's store?

14 A Yes.

15 Q Were you able to review video surveillance of this?

16 A Yes, ma'am.

17 Q What did you see on the video when you reviewed this

18 video?

19 A Approximately 2027 hours, Ronald Ross, at a cashier,

20 making the purchases of gift cards.

21 And then at 2032 hours, I believe, was a second purchase

22 at a separate cashier for the same amount -- \$1200 in gift cards.

23 Q Were you able to see how he paid for the gift card

24 purchase?

25 A Appeared to hand a credit card.

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1 Q And did this second subject in the video appear to be the

2 same person that was in the video with him at the Paris?

3 A Yes, ma'am.

4 MS. WALSH: Nothing further, Judge.

5 THE COURT: Before we start cross, the other case may be

6 resolved and if it is, we'll let everybody remain where they are.

7 (Recess in proceedings.)

8 THE COURT: Renee, back on the record.

9 We will go with cross-examination.

10

11 CROSS-EXAMINATION

12 BY MR. JORGENSEN:

13 Q You viewed video tapes from the Tropicana that indicates

14 they were taken from inside the Tropicana on the 17th of March, at

15 around one p.m., correct?

16 A Yes, sir.

17 Q You looked at -- you went over to a shoe store on that

18 same -- what day did you go to the shoe store, do you remember?

19 A I do not remember.

20 Q The same day you watched the video though at the --

21 A I don't remember. I don't think so.

22 Q At some point, though, in March, you went to a shoe store

23 and watched their computer, which had a DVR, with some people

24 coming up to a cash register?

25 A Yes, sir.

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1 Q Then sometime probably the first part of April or --

2 yeah, the first part of April, you, at the Paris, watched some

3 videos that were described to you as being interior scenes of the

4 Paris from the 31st at about eight p.m.?

5 A Yes, sir.

6 Q Just to reiterate the obvious, at no point were you

7 personally inside either the shoe store or the Paris or the

8 Tropicana when these cameras were rolling or when these tapes were

9 taping?

10 A No, I was not.

11 Q Your only view of what happened in the Tropicana or the

12 Paris or the shoe store was based upon what you saw on these two

13 tapes or on this DVR?

14 A And talking to the victims.

15 Q And talking to the victims.

16 You weren't able to get a copy, nor to this date have you

17 been able to get a copy, of the DVR, correct?

18 A No, sir.

19 Q But you do have copies of both the Paris and Tropicana

20 tape compilations?

21 A Dubbed copies, yes, sir.

22 Q And, hopefully, they're -- have you looked at those

23 dubbed copies to see if they look the same to you as the ones that

24 you saw at the casino?

25 A I'm sorry. I don't understand what your question is.

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1 Q You said they're dubbed copies.  
 2 A Yes.  
 3 Q Are they the same quality as the original ones that you  
 4 watched originally?  
 5 A I did not see the original. I see dubbed copies.  
 6 Q Okay. You have the copy that you watched?  
 7 A I do not have it, no.  
 8 Q Where is it?  
 9 A D.A.'s Office has it.  
 10 Q You took it back with you and then turned it over to the  
 11 DA?  
 12 A Yes.  
 13 Q All right. You saw someone that appeared to be working  
 14 with or accompanied my client at the Tropicana on the 13th?  
 15 A 17th.  
 16 Q 17th.  
 17 A male, a black male?  
 18 A Yes, sir.  
 19 Q From your experience, do you have a guess as to who that  
 20 person is?  
 21 A No, sir.  
 22 Q Obviously, it's somebody you would like to track down  
 23 because you think this person has also committed a crime possibly?  
 24 A Yes, sir.  
 25 Q But you don't have enough to go on so far to be able to

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1 locate the person?  
 2 A No, I don't have an identity yet.  
 3 Q But you are working on it?  
 4 A Pardon me?  
 5 Q You would be working on it?  
 6 A If I saw it again, saw that person.  
 7 Q Okay. Same thing with what you saw, you saw a person  
 8 that appeared to be helping out my client on the 31st.  
 9 A No, sir. He was with him at the Paris Hotel, but he did  
 10 not approach the victim.  
 11 Q Is the person you saw in the Paris video tape the same  
 12 person that you saw in the Tropicana video tape?  
 13 A Which person are we talking about, the unidentified  
 14 person?  
 15 Q The unidentified person.  
 16 A It is not the same person.  
 17 Q You could tell enough that they're two different black  
 18 guys?  
 19 A Yes.  
 20 Q I presume they're both black guys?  
 21 A Yes.  
 22 Q Male, in their 20s or 30s?  
 23 A 30s.  
 24 Q Okay. The person that you saw in the Paris, if you knew  
 25 who it was though, you would want to talk to that person and get

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1 their statement?  
 2 A Yes, sir.  
 3 Q And you haven't done that yet because you don't have  
 4 enough information on them as to who that is?  
 5 A Yes, sir.  
 6 MR. JORGENSEN: Nothing else.  
 7 THE COURT: Redirect.  
 8 MS. WALSH: Nothing further, Judge.  
 9 THE COURT: And will we be needing Detective Fienner at  
 10 the next court date? Probably not?  
 11 MS. WALSH: That's correct, Judge.  
 12 THE COURT: All right. Detective, thank you for waiting  
 13 and testifying. You are free to go. Please do not discuss your  
 14 testimony with anybody until the end of the preliminary hearing.  
 15 With this stage, does that conclude the State's witnesses  
 16 for today?  
 17 MS. WALSH: That's correct, Judge, it does. We have five  
 18 other witnesses that we still need to call.  
 19 I did speak with our out of state victim and she  
 20 indicates she will be available on that July 23rd date and I've  
 21 also confirmed that date with one of the other witnesses, the week  
 22 of July 23rd.  
 23 THE COURT: Well, July 23rd, Mr. Jorgenson is here on  
 24 that date, that Monday.  
 25 MS. WALSH: Yeah, I believe that was one of the days we

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1 were talking about when we discussed the matter.  
 2 THE COURT: So, Mr. Ross, Mr. Jorgenson, we will continue  
 3 this case for July --  
 4 MR. JORGENSEN: Judge --  
 5 THE COURT: Wait one second.  
 6 -- to July 23rd, unless there was something else on that.  
 7 Go ahead, MR. JORGENSEN.  
 8 MR. JORGENSEN: Once again, on behalf of my client, we  
 9 would object to not concluding today. And he pointed out  
 10 something that is accurate, and that is, if the State is not ready  
 11 to put all of their witnesses on today, they certainly can dismiss  
 12 without prejudice and refile later.  
 13 MS. WALSH: And if I can respond to that, Judge?  
 14 THE COURT: I was going to say: What is the State's  
 15 response?  
 16 MS. WALSH: If we didn't have all other witnesses today  
 17 like we don't have, we would actually be filing a Hill motion and  
 18 we would get together with the Court and the public defender and  
 19 get a date where all 12 witnesses would be available to come in  
 20 and testify.  
 21 I'd also noticed the defendant is serving a 19 to 48  
 22 prison sentence. He's also being held with no bail on his other  
 23 case that's currently set for trial. So there should be no  
 24 prejudice to the defendant by bifurcating the preliminary hearing.  
 25 THE COURT: I didn't know about the prison time.

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1 It does say, from the intake services report, Case Number  
2 C249404.  
3 MS. WALSH: That's correct.  
4 THE COURT: NSP. I didn't even look that close at it,  
5 because I just saw in custody. I looked at the report. He's not  
6 going anywhere anyway.  
7 So, at this time, the oral motion will be denied.  
8 Mr. Ross, if you want to file a written motion, we will  
9 be happy to always listen.  
10 And, Miss Walsh, you are correct that if we would have  
11 not been able to finish today -- or I mean, we would not have been  
12 able to have all this done in advance and we would not have  
13 discussed this, then the State would have filed a continuance  
14 motion, if they would have had the grounds. We would have set it  
15 for a day that we could have as many witnesses as possible.  
16 Some matters take more than one day. I have a murder  
17 prelim that has taken -- took three days over a two month period.  
18 We continued a case that's out of custody though to July 20th.  
19 That's going to have ten witnesses and we may not finish that day.  
20 MR. JORGENSEN: Judge, my --  
21 THE COURT: So because there is no prejudice to Mr. Ross  
22 by staying in custody, I will deny that motion.  
23 Mr. Jorgenson, next motion.  
24 MR. JORGENSEN: Well, my client would like to get up to  
25 the prison. Can you tell me what his bail status is?

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1 THE COURT: Let me interrupt.  
2 Mr. Ross, I have no problem with that. I don't know  
3 what's happening with your District Court V case.  
4 THE DEFENDANT: Your Honor --  
5 THE COURT: One second.  
6 All I know is this: That's not my issue. I'll put it in  
7 the minutes. You are able to travel to NSP, because you are not  
8 the first person that said that. We just need you back here on --  
9 probably be best to have you here on July 20th, I'd say, because  
10 that's a Friday, or transport you down that day.  
11 It's your call, MR. JORGENSEN.  
12 MR. JORGENSEN: Yes, if we can get to prison, we need him  
13 back on the 20th.  
14 THE COURT: Because the hearing itself will be on the  
15 23rd. That way you are here on the 20th, Mr. Ross, to talk to  
16 your attorney.  
17 Mr. Ross, do you have a question?  
18 THE DEFENDANT: Yes. How much is the bail in this case  
19 so I will know.  
20 THE COURT: 4,000.  
21 THE DEFENDANT: 4,000.  
22 THE COURT: My case is standard bail.  
23 THE DEFENDANT: Can I have some relief on the bail so I  
24 can make it to prison? I don't even know if they will take me in  
25 prison with a bail hold on me.

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1 THE COURT: Contact Mr. Jorgenson. And you are not first  
2 the person that's been in this situation.  
3 I know they transport people with bail and they transport  
4 people without bail because you've already been sent to NSP; same  
5 prison system. That's a call for the defense attorney and you and  
6 the jail. I don't make that decision. Sometimes they transport;  
7 sometimes they don't. But I have no problem with you being  
8 transported to NSP.  
9 All right. That concludes today's hearing.  
10 MS. WALSH: Thank you, Judge.  
11 THE COURT: You are welcome.  
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ATTEST: Full, true and accurate transcript of proceedings.

RENEE SILVAGGIO, CCR NO. 122  
Official Court Reporter

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CLERK OF THE COURT

**INFO**

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PD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS,  
#1970026

Defendant.

Case No: C236169  
Dept No: XVII

**INFORMATION**

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

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

That RONALD ROSS, the Defendant(s) above named, having committed the crimes of **BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony - NRS 205.067); POSSESSION OF CREDIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT CARD (Felony - NRS 205.760); THEFT (Felony - NRS 205.0835, 205.0832); LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 206.270, 193.1687); and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222, 199.480)**, on or between March 17, 2007, and March 31, 2007, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such

1 cases made and provided, and against the peace and dignity of the State of Nevada,

2 COUNT I - BURGLARY

3 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
4 enter, with intent to commit larceny, that certain building occupied by TROPICANA  
5 HOTEL & CASINO, located at 3799 Las Vegas Boulevard South, Las Vegas, Clark County,  
6 Nevada.

7 COUNT II - LARCENY FROM THE PERSON

8 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously,  
9 under circumstances not amounting to robbery, with intent to steal or appropriate to his own  
10 use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her  
11 consent, personal property, to-wit: wallet and contents.

12 COUNT III - BURGLARY

13 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
14 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
15 felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at  
16 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

17 COUNT IV - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
18 CARDHOLDER'S CONSENT

19 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
20 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
21 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
22 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
23 STATHOPOULOS, and/or the issuer of said credit or debit card.

24 COUNT V - FRAUDULENT USE OF CREDIT OR DEBIT CARD

25 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
26 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
27 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
28 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of

1 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
2 cardholder to use said card.

3 COUNT VI - THEFT

4 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
5 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
6 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
7 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
8 deprive that person of the property, in the following manner, to-wit: by the said defendant  
9 falsely representing that he was in lawful possession of a VISA credit card and that he had  
10 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
11 by a material misrepresentation with intent to deprive them of the property.

12 COUNT VII - BURGLARY

13 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
14 enter, with intent to commit larceny, that certain building occupied by SANTA FE HOTEL  
15 & CASINO, located at 4949 North Rancho, Las Vegas, Clark County, Nevada.

16 COUNT VIII - GRAND LARCENY, VICTIM 60 YEARS OF AGE OR OLDER

17 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
18 with intent to deprive the owner permanently thereof, steal, take, and carry away lawful  
19 money of the United States owned by another person, in an amount of \$250.00, or more, the  
20 property of JAMES VIOLETTE, a person 60 years of age or older; the defendant being  
21 responsible under one or more of the following principles of criminal liability, to-wit: (1) by  
22 the defendant directly committing the crime and/or (2) the defendant aiding or abetting in the  
23 commission of the crime by accompanying an accomplice to the crime scene where the  
24 defendant acted as lookout and acted to distract JAMES VIOLETTE while the accomplice  
25 took money belonging to and from the presence of JAMES VIOLETTE, the defendant and  
26 the accomplice thereafter left the crime scene together with the stolen money; the defendant  
27 and the accomplice encouraging one another throughout by their actions and words; the  
28 defendant and the accomplice acting in concert throughout each with intent to commit

1 larceny.

2 COUNT IX – CONSPIRACY TO COMMIT LARCENY

3 did, on or about March 17, 2007, then and there meet with another and between  
4 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
5 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
6 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
7 reference as though fully set forth herein.

8 COUNT X – CONSPIRACY TO COMMIT LARCENY

9 did, on or about March 23, 2007, then and there meet with another and between  
10 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
11 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
12 commit the acts as set forth in Count 8, said acts being incorporated by this reference as  
13 though fully set forth herein.

14  
15  
16  
17 

18  
19 BY

20 DAVID ROGER  
21 DISTRICT ATTORNEY  
22 Nevada Bar #002781  
23  
24  
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27  
28



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

3	<u>NAME</u>	<u>ADDRESS</u>
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5	CAUWEL, CHUCK	TROPICANA HOTEL
6	COR	CCDC/RECORDS
7	COR	LVMPD/DISPATCH
8	COR	LVMPD/RECORDS
9	COR	SANTA FE SECURITY
10	FLENNER, DARRELL T.	LVMPD P#4077
11	HAGER, JULIE A.	LVMPD P#6004
12	HANCOCK, KEVIN	ADDRESS UNKNOWN
13	INVESTIGATOR or designee	DISTRICT ATTORNEY'S OFFICE
14	JARMON, DEJA	1022 STABLE GLEN DR; NLV NV
15	LUNDQUIST, BERTHA	851 HAVESHIRE RD; LVN
16	MIAKOVIC, JOHAN	SANTA FE STATION CASINO
17	RADER, WILLIAM D.	LVMPD P#5468
18	SIMEON, PAUL	TROPICANA HOTEL/SURVELLIANCE
19	STATHOPOULOS, GEORGIA	5N420 NEVA TER; ITASCA IL
20	STEWART, DOROTHEA	PARIS HOTEL
21	STOFFREGEN, RENA	MACY'S/3200 LVBS; LVN
22	TAPIA, JENNIFER	MACY'S/3200 LVBS; LVN
23	VALADEZ, LUIS	816 SWEENEY AVE; LVN
24	VASQUEZ, ARLENE	MACY'S/3200 LVBS; LVN
25	VIOLETTE, JAMES	5412 RAVANA AVE; LVN

26 DA#07F09465X/ac  
27 LVMPD EV#0704021711;0703272927;0703172449  
28 BURGLARY;LARCENY FROM THE PERSON;PCCWOCC;FUCC;G/L VICTIM 60  
YEARS OF AGE OR OLDER  
(TK3)

  
CLERK OF THE COURT

1 **AINFO**  
2 DAVID ROGER  
3 Clark County District Attorney  
4 Nevada Bar #002781  
5 JESSICA WALSH  
6 Deputy District Attorney  
7 Nevada Bar #009640  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 I.A. 9/5/07  
13 10:30 A.M.  
14 PD

15 THE STATE OF NEVADA,

16 Plaintiff,

17 -vs-

18 RONALD ROSS,  
19 #1970026

20 Defendant.

Case No: C236169  
Dept No: XVII

AMENDED  
INFORMATION

21 STATE OF NEVADA }  
22 COUNTY OF CLARK } ss.

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

25 That RONALD ROSS, the Defendant(s) above named, having committed the crimes  
26 of **BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony -**  
27 **NRS 205.067); POSSESSION OF CREDIT CARD WITHOUT CARDHOLDER'S**  
28 **CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT CARD (Felony**  
**- NRS 205.760); THEFT (Felony - NRS 205.0835, 205.0832); LARCENY FROM A**  
**PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 205.270, 193.167);**  
**and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220,**  
**205.222, 199.480),** on or between March 17, 2007, and March 31, 2007, within the County  
of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases

1 made and provided, and against the peace and dignity of the State of Nevada,

2 COUNT I - BURGLARY

3 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
4 enter, with intent to commit larceny, that certain building occupied by TROPICANA  
5 HOTEL & CASINO, located at 3799 Las Vegas Boulevard South, Las Vegas, Clark County,  
6 Nevada.

7 COUNT II - LARCENY FROM THE PERSON

8 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously,  
9 under circumstances not amounting to robbery, with intent to steal or appropriate to his own  
10 use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her  
11 consent, personal property, to-wit: wallet and contents.

12 COUNT III - BURGLARY

13 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
14 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
15 felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at  
16 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

17 COUNT IV - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
18 CARDHOLDER'S CONSENT

19 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
20 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
21 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
22 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
23 STATHOPOULOS, and/or the issuer of said credit or debit card.

24 COUNT V - FRAUDULENT USE OF CREDIT OR DEBIT CARD

25 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
26 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
27 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
28 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of

1 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
2 cardholder to use said card.

3 COUNT VI - THEFT

4 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
5 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
6 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
7 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
8 deprive that person of the property, in the following manner, to-wit: by the said defendant  
9 falsely representing that he was in lawful possession of a VISA credit card and that he had  
10 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
11 by a material misrepresentation with intent to deprive them of the property.

12 COUNT VII - BURGLARY

13 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
14 enter, with intent to commit larceny, that certain building occupied by SANTA FE HOTEL  
15 & CASINO, located at 4949 North Rancho, Las Vegas, Clark County, Nevada.

16 COUNT VIII - GRAND LARCENY, VICTIM 60 YEARS OF AGE OR OLDER

17 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
18 with intent to deprive the owner permanently thereof, steal, take, and carry away lawful  
19 money of the United States owned by another person, in an amount of \$250.00, or more, the  
20 property of JAMES VIOLETTE, a person 60 years of age or older; the defendant being  
21 responsible under one or more of the following principles of criminal liability, to-wit: (1) by  
22 the defendant directly committing the crime and/or (2) the defendant aiding or abetting in the  
23 commission of the crime by accompanying an accomplice to the crime scene where the  
24 defendant acted as lookout and acted to distract JAMES VIOLETTE while the accomplice  
25 took money belonging to and from the presence of JAMES VIOLETTE, the defendant and  
26 the accomplice thereafter left the crime scene together with the stolen money; the defendant  
27 and the accomplice encouraging one another throughout by their actions and words; the  
28 defendant and the accomplice acting in concert throughout each with intent to commit

1 larceny.

2 COUNT IX – CONSPIRACY TO COMMIT LARCENY

3 did, on or about March 17, 2007, then and there meet with another and between  
4 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
5 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
6 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
7 reference as though fully set forth herein.

8 COUNT X – CONSPIRACY TO COMMIT LARCENY

9 did, on or about March 23, 2007, then and there meet with another and between  
10 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
11 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
12 commit the acts as set forth in Count 8, said acts being incorporated by this reference as  
13 though fully set forth herein.

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19 BY

20 DAVID ROGER  
21 DISTRICT ATTORNEY  
22 Nevada Bar #002781  
23  
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12 I.A. 9/5/07  
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11 Plaintiff, )

12 -vs- )

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15 Defendant. )

Case No: C236169  
Dept No: XVII

SECOND AMENDED  
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YEARS OF AGE OR OLDER  
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1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2  
3           RONALD ROSS,

4                   Appellant,

5  
6           vs.

7           STATE OF NEVADA,

8                   Respondent.  
9

No. C236169

Electronically Filed  
Dec 04 2013 11:59 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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11                   **APPELLANT'S APPENDIX – VOLUME I – PAGES 001-249**

12  
13           MATTHEW D. CARLING  
14           1100 S. Tenth Street  
15           Las Vegas, NV 89101  
16           (702) 419-7330 (Office)  
              *Attorney for Appellant*

STEVEN B. WOLFSON  
Clark County District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155  
*Counsel for Respondent*

17  
18           CATHERINE CORTEZ MASTO  
19           Attorney General  
20           100 North Carson Street  
21           Carson City, Nevada 89701-4717  
22           *Counsel for Respondent*

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**Case No. C236169**

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2007 AUG 21 A 11: 28

STATE OF NEVADA,  
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Defendant(s)

) District Court Case No.: C-236169

) Justice Court Case No. 07F09465X

XVII

9-5-07

10:32

CERTIFICATE

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as the same appear in the above case.

Dated this August 20, 2007

*Tony L. H. [Signature]*

Justice of the Peace, Las Vegas Township

RECEIVED

AUG 21 2007

CLERK OF THE COURT





1 **IT IS FURTHER ORDERED** that said defendant(s) is/are commanded to appear in the Eighth  
2 Judicial District Court, Regional Justice Center, Lower Level Arraignment Courtroom "A", Las  
3 Vegas, Nevada at 10:30 AM on the 5TH day of SEPTEMBER , 2007 for arraignment and further  
4 proceedings on the within charge(s).

5  
6 Dated this August 20, 2007

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9 Justice of the Peace, Las Vegas Township  
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# Justice Court, Las Vegas Township

STATE VS. ROSS, RONALD

CASE NO. 07F09465X

PAGE THREE

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

AUGUST 8, 2007 T. ABBATANGELO J. WALSH, DA C. JORGENSEN, PD D. MCCORD, CR S. ROBINSON, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT *IN CUSTODY* STATE MOTION TO CONTINUE HILL MOTION FILED (BERTHA LUNDQUIST, NOT PRESENT) - OBJECTION BY DEFENSE - GRANTED CONTINUED PRELIMINARY HEARING DATE COURT SET BAIL \$5000/5000 PER COUNTS 1,3,7,9 & 11 COURT SET BAIL O/R RELEASE ON COUNTS 2,4,5,6,8,10,12 - 20	8-17-07 9 AM #3
	REMANDED TO THE CUSTODY OF THE SHERIFF - COUNTS 1,3,7,9 & 11 O/R RELEASE ON COUNTS 2,4,5,6,8,10, 12-20	SR
AUGUST 17, 2007 T. ABBATANGELO J. WALSH, DA C. JORGENSEN, PD R. SILVAGGIO, CR S. ROBINSON, CLK	CONTINUATION PRELIMINARY HEARING DEFENDANT PRESENT IN COURT *IN CUSTODY* MOTION BY STATE TO FILE AMENDED COMPLAINT IN COURT - GRANTED COUNTS 1, 3, 7, 9 & 11 - BURGLARY COUNT 2 - LARCENY FROM THE PERSON COUNTS 4, 12 & 15 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT COUNT 5, 13 & 16 - FRAUDULENT USE OF CREDIT OR DEBIT CARD COUNTS 6, 14 & 17 - THEFT COUNTS 18- 20 - CONSPIRACY TO COMMIT LARCENY STATE MOTION TO DISMISS COUNTS 9 - 17 & 20 - GRANTED STATE MOTION TO STRIKE TESTIMONY OF DARREL FLENNER ON PAGE 96 AND PAGE 104 LINE 7 THROUGH PAGE 105 THROUGH LINE 4 - GRANTED STATE WITNESSES PAUL SIMELN CHARLES CAUWELL STATE RESTS DEFENDANT WAIVES RIGHT TO MAKE SWORN OR UNSWORN STATEMENT DEFENSE RESTS MOTION TO DISMISS BY DEFENSE - ARGUMENT BY STATE - DENIED DEFENDANT BOUND OVER TO DISTRICT COURT 17 AS CHARGED DEFENDANT TO APPEAR IN THE LOWER LEVEL ARRAIGNMENT COURTROOM A DEFENSE MOTION FOR O/R - OBJECTION BY STATE - DENIED COURT RESET BAIL: \$5000/5000 PER COUNTS 1,3 & 7 \$3000/3000 PER COUNTS 2,4,5,6 & 8 \$1000/1000 PER COUNTS 18 & 19	9-5-07 10:30 DC ARRAIGNMENT
	REMANDED TO THE CUSTODY OF THE SHERIFF	SR
	CASE FORWARDED TO AUG 21 2007 COUNTY CLERK'S OFFICE	

JUDGEMENT ENTERED

*Tony Abbatangelo*

# Justice Court, Las Vegas Township

STATE VS. ROSS, RONALD

CASE NO. 07F09465X

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES — HEARING

PAGE TWO

CONTINUED TO:

<p>JUNE 19, 2007 T. ABBATANGELO J. SWEETIN, DA AND J. WALSH, DA C. JORGENSEN, PD R. SILVAGGIO, CR S. ROBINSON, CLK</p>	<p>TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT *IN CUSTODY* STATE WITNESSES GEORGIA STAHOPOULOS - WITNESS IDENTIFIES DEFENDANT DEJA JARMON - WITNESS IDENTIFIES DEFENDANT JAMES VIOLETTE - WITNESS IDENTIFIES DEFENDANT DENNIS MCCANN DETECTIVE JULIE HOLL - WITNESS IDENTIFIES DEFENDANT</p>	<p>7-23-07 9 AM #3</p>
	<p>(SIDE BAR CONFERENCE HELD) DEFENSE MOTION TO EXCLUDE TESTIMONY OF JULIE HOLL - OBJECTION BY STATE - DENIED LES SILVA DETECTIVE DARREL FLENNER - WITNESS IDENTIFIES DEFENDANT DEFENSE OBJECTS TO PRELIMINARY HEARING BEING BIFURCATED - ARGUMENT BY STATE - GRANTED CONTINUATION PRELIMINARY HEARING DATE SET</p>	<p>SR</p>
	<p>REMANDED TO THE CUSTODY OF THE SHERIFF</p>	
<p>JULY 23, 2007 T. ABBATANGELO J. SWEETIN, DA AND J. WALSH, DA C. JORGENSEN, PD R. SILVAGGIO, CR S. ROBINSON, CLK</p>	<p>TIME SET FOR PRELIMINARY HEARING DEFENDANT NOT PRESENT IN COURT *IN CUSTODY OTHER CHARGES NSP* STATE MOTION TO CONTINUE - GRANTED CONTINUED PRELIMINARY HEARING DATE DEFENDANT AT NSP  REMANDED TO THE CUSTODY OF THE SHERIFF</p>	<p>7-24-07 10 AM #3  SR</p>
<p>JULY 24, 2007 T. ABBATANGELO N. KEENAN, DA C. JORGENSEN, PD R. SILVAGGIO, CR S. ROBINSON, CLK</p>	<p>TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT *IN CUSTODY* CONTINUED BY STIPULATION OF COUNSEL OVER DEFENDANTS OBJECTION CONTINUED PRELIMINARY HEARING DATE COURT ORDERED DEFENDANT TO STAY IN CCDC TO TALK TO HIS ATTORNEY.  REMANDED TO THE CUSTODY OF THE SHERIFF</p>	<p>8-8-07 9 AM #3  SR</p>
<p>JULY 24, 2007</p>	<p>COPY OF REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING FILED  CASE FORWARDED TO  AUG 2 1 2007  COURTY CLERK'S OFFICE</p>	

# Justice Court, Las Vegas Township

STATE VS. ROSS, RONALD

CASE NO. 07F09465X

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

MAY 29, 2007	<p>CRIMINAL COMPLAINT FILED:  COUNTS 1, 3, 7, 9, 11- BURGLARY  COUNT 2 – LARCENY FROM THE PERSON  COUNTS 4, 12, 15 – POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  CARDHOLDERS' CONSENT  COUNTS 5, 13, 16 – FAUDULENT USE OF CREDIT OR DEBIT CARD  COUNTS 6, 14, 17 – THEFT  COUNT 8 – GRAND LARCENY  COUNT 10 – LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR  OLDER  COUNTS 18, 19, 20 – CONSPIRACY TO COMMIT LARCENY</p>	
<p>MAY 31, 2007  T. ABBATANGELO  S. ROBINSON, CLK</p>	<p>DEFENDANT NOT PRESENT IN COURT  ARREST WARRANT ISSUED:  COUNTS 1, 3, 7, 9, 11 - \$5,000/5,000 PER COUNT  COUNTS 2, 4, 5, 6, 8, 10, 12, 13, 14, 15, 16, 17 - \$3,000/3,000 PER COUNT  COUNTS 18, 19, 20 - \$1,000/1,000 PER COUNT</p>	JCC
JUNE 01, 2007	NOTICE TO PLACE ON CALENDAR FILED	CH
<p>JUNE 07, 2007  T. ABBATANGELO  C. PANDELIS, DA  C. JORGENSON, PD  R. SILVAGGIO, CR  S. ROBINSON, CLK</p>	<p>DEFENDANT PRESENT IN COURT IN CUSTODY  DEFENDANT ADVISED OF CHARGES/ WAIVES READING OF COMPLAINT  COURT APPOINTED PUBLIC DEFENDER TO REPRESENT DEFENDANT  PRELIMINARY HEARING DATE SET    DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF</p>	<p>06/19/07 9AM #3    CH</p>
	<p>CASE FORWARDED TO  AUG 21 2007  COURT CLERK'S OFFICE</p>	

FILED IN OPEN  
COURT ON  
AUG 17 2007

S. Robinson  
Court Clerk

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-VS-

RONALD ROSS #1970026,

Defendant.

CASE NO: 07F09465X

DEPT NO: 3

AMENDED

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of BURGLARY (Felony - NRS 205.060); LARCENY FROM THE PERSON (Felony - NRS 205.270); POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690); FRAUDULENT USE OF CREDIT OR DEBIT CARD (Felony - NRS 205.760); THEFT (Felony - NRS 205.0832, 205.0835); GRAND LARCENY, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 205.220, 205.222, 193.167); LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 205.270, 193.167); and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222, 199.480), in the manner following, to-wit: That the said Defendant, on or between March 17, 2007, and March 31, 2007, at and within the County of Clark, State of Nevada,

COUNT 1 - BURGLARY

did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by TROPICANA HOTEL & CASINO, located at 3799 Las Vegas Boulevard South, Las Vegas, Clark County, Nevada.

COUNT 2 - LARCENY FROM THE PERSON

did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously, under circumstances not amounting to robbery, with intent to steal or appropriate to his own use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her consent, personal property, to-wit: wallet and contents.

///

1 COUNT 3 - BURGLARY

2 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
3 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
4 felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at  
5 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

6 COUNT 4 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
7 CONSENT

8 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
9 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
10 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
11 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
12 STATHOPOULOS, and/or the issuer of said credit or debit card.

13 COUNT 5 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

14 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
15 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
16 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
17 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of  
18 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
19 cardholder to use said card.

20 COUNT 6 - THEFT

21 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
22 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
23 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
24 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
25 deprive that person of the property, in the following manner, to-wit: by the said defendant  
26 falsely representing that he was in lawful possession of a VISA credit card and that he had  
27 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
28 by a material misrepresentation with intent to deprive them of the property.

✓ 1 COUNT 7 - BURGLARY

2 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
3 enter, with intent to commit larceny, that certain building occupied by SANTA FE HOTEL  
4 & CASINO, located at 4949 North Rancho, Las Vegas, Clark County, Nevada.

✓ 5 COUNT 8 - GRAND LARCENY, VICTIM 60 YEARS OF AGE OR OLDER

6 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
7 with intent to deprive the owner permanently thereof, steal, take, and carry away lawful  
8 money of the United States owned by another person, in an amount of \$250.00, or more, the  
9 property of JAMES VIOLETTE, a person 60 years of age or older; the defendant being  
10 responsible under one or more of the following principles of criminal liability, to-wit: (1) by  
11 the defendant directly committing the crime and/or (2) the defendant aiding or abetting in the  
12 commission of the crime by accompanying an accomplice to the crime scene where the  
13 defendant acted as lookout and acted to distract JAMES VIOLETTE while the accomplice  
14 took money belonging to and from the presence of JAMES VIOLETTE, the defendant and  
15 the accomplice thereafter left the crime scene together with the stolen money; the defendant  
16 and the accomplice encouraging one another throughout by their actions and words; the  
17 defendant and the accomplice acting in concert throughout each with intent to commit  
18 larceny.

19 COUNT 9 - BURGLARY

20 did, on or about March 31, 2007, then and there wilfully, unlawfully, and feloniously  
21 enter, with intent to commit larceny, that certain building occupied by PARIS HOTEL &  
22 CASINO, located at 3655 Las Vegas Boulevard South, Las Vegas, Clark County, Nevada.

23 COUNT 10 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

24 did, on or about March 31, 2007, then and there willfully, unlawfully, and  
25 feloniously, under circumstances not amounting to robbery, with intent to steal or  
26 appropriate to his own use, take from the person of another, to-wit: BERTHA LUNDQUIST,  
27 a person 60 years of age or older, without her consent, personal property, to-wit: wallet and  
28 contents.



1 COUNT 11 - BURGLARY

2 did, on or about March 31, 2007, then and there wilfully, unlawfully, and feloniously  
3 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
4 felony theft and/or forgery, that certain building occupied by MACY'S, located at 3200 Las  
5 Vegas Boulevard South, Las Vegas, Clark County, Nevada.

6 COUNT 12 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
7 CARDHOLDER'S CONSENT

8 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
9 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
10 MasterCard, issued in the name of BERTHA LUNDQUIST, with intent to circulate, use,  
11 sell, or transfer said card, with intent to defraud the said BERTHA LUNDQUIST, and/or the  
12 issuer of said credit or debit card.

13 COUNT 13 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

14 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously, with  
15 intent to defraud use a credit or debit card, to-wit: by presenting a MasterCard, issued in the  
16 name of BERTHA LUNDQUIST, to Jennifer Tapia, at MACY'S, 3200 Las Vegas Boulevard  
17 South, Las Vegas, Clark County, Nevada, for the purpose of obtaining \$1200.00 in Gift Cards,  
18 Defendant not being the cardholder, nor being authorized by the cardholder to use said card.

19 COUNT 14 - THEFT

20 did, on or about March 31, 2007, then and there knowingly, feloniously, and without  
21 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
22 more, lawful money of the United States of MACY'S, 3200 Las Vegas Boulevard South, Las  
23 Vegas, Clark County, Nevada, by a material misrepresentation with intent to deprive that  
24 person of the property, in the following manner, to-wit: by the said defendant falsely  
25 representing that he was in lawful possession of a MasterCard and that he had authorization  
26 to use it, thereby obtaining the personal property of MACY'S by a material  
27 misrepresentation with intent to deprive them of the property.

28 ///

1 COUNT 15 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
2 CARDHOLDER'S CONSENT

3 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
4 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
5 Discover credit card, issued in the name of BERTHA LUNDQUIST, with intent to circulate,  
6 use, sell, or transfer said card, with intent to defraud the said BERTHA LUNDQUIST,  
7 and/or the issuer of said credit or debit card.

8 COUNT 16 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

9 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
10 with intent to defraud use a credit or debit card, to-wit: by presenting a Discover credit card,  
11 issued in the name of BERTHA LUNDQUIST, to Arlene Vasquez, at MACY'S, 3200 Las  
12 Vegas Boulevard South, Las Vegas, Clark County, Nevada, for the purpose of obtaining  
13 \$1200.00 in Gift Cards, Defendant not being the cardholder, nor being authorized by the  
14 cardholder to use said card.

15 COUNT 17 - THEFT

16 did, on or about March 31, 2007, then and there knowingly, feloniously, and without  
17 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
18 more, lawful money of the United States of MACY'S, 3200 Las Vegas Boulevard South, Las  
19 Vegas, Clark County, Nevada, by a material misrepresentation with intent to deprive that  
20 person of the property, in the following manner, to-wit: by the said defendant falsely  
21 representing that he was in lawful possession of a Discover credit card and that he had the  
22 authorization to use it and obtaining \$1200.00 in Gift Cards, thereby obtaining the personal  
23 property of MACY'S by a material misrepresentation with intent to deprive them of the  
24 property.

✓ 25 COUNT 18 - CONSPIRACY TO COMMIT LARCENY

26 did, on or about March 17, 2007, then and there meet with another and between  
27 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
28 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did

1 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
2 reference as though fully set forth herein.


3 COUNT 19 – CONSPIRACY TO COMMIT LARCENY

4 ✓ did, on or about March 23, 2007, then and there meet with another and between  
5 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
6 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
7 commit the acts as set forth in Count 8, said acts being incorporated by this reference as  
8 though fully set forth herein.

9 COUNT 20 – CONSPIRACY TO COMMIT LARCENY

10 did, on or about March 31, 2007, then and there meet with another and between  
11 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
12 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
13 commit the acts as set forth in Counts 14 and 17, said acts being incorporated by this  
14 reference as though fully set forth herein.

15 All of which is contrary to the form, force and effect of Statutes in such cases made  
16 and provided and against the peace and dignity of the State of Nevada. Said Complainant  
17 makes this declaration subject to the penalty of perjury.

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20 7/5/2007

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27 07F09465X/jgw  
28 LVMPD EV# 0704021711;  
0703272927; 0703172449  
(TK3)

1 JUSTICE COURT, LAS VEGAS TOWNSHIP

2 CLARK COUNTY, NEVADA

3 THE STATE OF NEVADA,

4 Plaintiff,

5 -vs-

6 RONALD ROSS #1970026,

7 Defendant.

CASE NO: 07F09465X

DEPT NO: 3

8 CRIMINAL COMPLAINT

9 The Defendant above named having committed the crimes of BURGLARY (Felony -  
10 NRS 205.060); LARCENY FROM THE PERSON (Felony - NRS 205.270); POSSESSION OF  
11 CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Felony - NRS 205.690);  
12 FRAUDULENT USE OF CREDIT OR DEBIT CARD (Felony - NRS 205.760); THEFT (Felony -  
13 NRS 205.0832, 205.0835); GRAND LARCENY (Felony - NRS 205.220, 205.222); LARCENY  
14 FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER (Felony - NRS 205.270, 193.167);  
15 and CONSPIRACY TO COMMIT LARCENY (Gross Misdemeanor - NRS 205.220, 205.222,  
16 199.480), in the manner following, to-wit: That the said Defendant, on or between March 17,  
17 2007, and March 31, 2007, at and within the County of Clark, State of Nevada,

18 COUNT 1 - BURGLARY

19 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously  
20 enter, with intent to commit larceny, that certain building occupied by TROPICANA HOTEL  
21 & CASINO, located at 3799 Las Vegas Boulevard South, Las Vegas, Clark County, Nevada.

22 COUNT 2 - LARCENY FROM THE PERSON

23 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously,  
24 under circumstances not amounting to robbery, with intent to steal or appropriate to his own  
25 use, take from the person of another, to-wit: GEORGIA STATHOPOULOS, without her  
26 consent, personal property, to-wit: wallet and contents.

27 COUNT 3 - BURGLARY

28 did, on or about March 17, 2007, then and there wilfully, unlawfully, and feloniously

1 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or  
2 felony theft and/or forgery, that certain building occupied by SHEIKH SHOES, located at  
3 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada.

4 COUNT 4 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
5 CONSENT

✓ 6 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
7 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
8 VISA credit card, issued in the name of GEORGIA STATHOPOULOS, with intent to  
9 circulate, use, sell, or transfer said card, with intent to defraud the said GEORGIA  
10 STATHOPOULOS, and/or the issuer of said credit or debit card.

✓ 11 COUNT 5 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

12 did, on or about March 17, 2007, then and there wilfully, unlawfully, feloniously,  
13 with intent to defraud use a credit or debit card, to-wit: by presenting a VISA credit card,  
14 issued in the name of GEORGIA STATHOPOULOS, to Deja Jarmon, at SHEIKH SHOES,  
15 3525 South Maryland Parkway, Las Vegas, Clark County, Nevada, for the purpose of  
16 obtaining merchandise, Defendant not being the cardholder, nor being authorized by the  
17 cardholder to use said card.

✓ 18 COUNT 6 - THEFT

19 did, on or about March 17, 2007, then and there knowingly, feloniously, and without  
20 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
21 more, lawful money of the United States of SHEIKH SHOES, 3525 South Maryland  
22 Parkway, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to  
23 deprive that person of the property, in the following manner, to-wit: by the said defendant  
24 falsely representing that he was in lawful possession of a VISA credit card and that he had  
25 authorization to use said card, thereby obtaining the personal property of SHEIKH SHOES  
26 by a material misrepresentation with intent to deprive them of the property.

✓ 27 COUNT 7 - BURGLARY

28 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously

1 enter, with intent to commit larceny, that certain building occupied by SANTA FE HOTEL  
2 & CASINO, located at 4949 North Rancho, Las Vegas, Clark County, Nevada.

✓ 3 COUNT 8 - GRAND LARCENY

4 did, on or about March 23, 2007, then and there wilfully, unlawfully, and feloniously  
5 with intent to deprive the owner permanently thereof, steal, take, and carry away lawful  
6 money of the United States owned by another person, in an amount of \$250.00, or more, the  
7 property of JAMES VIOLETTE; the defendant being responsible under one or more of the  
8 following principles of criminal liability, to-wit: (1) by the defendant directly committing  
9 the crime and/or (2) the defendant aiding or abetting in the commission of the crime by  
10 accompanying an accomplice to the crime scene where the defendant acted as lookout and  
11 acted to distract JAMES VIOLETTE while the accomplice took money belonging to and  
12 from the presence of JAMES VIOLETTE; the defendant and the accomplice thereafter left  
13 the crime scene together with the stolen money; the defendant and the accomplice  
14 encouraging one another throughout by their actions and words; the defendant and the  
15 accomplice acting in concert throughout each with intent to commit larceny.

16 COUNT 9 - BURGLARY

17 did, on or about March 31, 2007, then and there wilfully, unlawfully, and feloniously  
18 enter, with intent to commit larceny, that certain building occupied by PARIS HOTEL &  
19 CASINO, located at 3655 Las Vegas Boulevard South, Las Vegas, Clark County, Nevada.

20 COUNT 10 - LARCENY FROM A PERSON, VICTIM 60 YEARS OF AGE OR OLDER

21 did, on or about March 31, 2007, then and there willfully, unlawfully, and  
22 feloniously, under circumstances not amounting to robbery, with intent to steal or  
23 appropriate to his own use, take from the person of another, to-wit: BERTHA LUNDQUIST,  
24 a person 60 years of age or older, without her consent, personal property, to-wit: wallet and  
25 contents.

26 COUNT 11 - BURGLARY

27 did, on or about March 31, 2007, then and there wilfully, unlawfully, and feloniously  
28 enter, with intent to commit a felony, to-wit: obtaining property under false pretenses and/or

1 felony theft and/or forgery, that certain building occupied by MACY'S, located at 3200 Las  
2 Vegas Boulevard South, Las Vegas, Clark County, Nevada.

3 COUNT 12 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
4 CARDHOLDER'S CONSENT

5 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
6 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a  
7 MasterCard, issued in the name of BERTHA LUNDQUIST, with intent to circulate, use,  
8 sell, or transfer said card, with intent to defraud the said BERTHA LUNDQUIST, and/or the  
9 issuer of said credit or debit card.

10 COUNT 13 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

11 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously, with  
12 intent to defraud use a credit or debit card, to-wit: by presenting a MasterCard, issued in the  
13 name of BERTHA LUNDQUIST, to Jennifer Tapia, at MACY'S, 3200 Las Vegas Boulevard  
14 South, Las Vegas, Clark County, Nevada, for the purpose of obtaining \$1200.00 in Gift Cards,  
15 Defendant not being the cardholder, nor being authorized by the cardholder to use said card.

16 COUNT 14 - THEFT

17 did, on or about March 31, 2007, then and there knowingly, feloniously, and without  
18 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
19 more, lawful money of the United States of MACY'S, 3200 Las Vegas Boulevard South, Las  
20 Vegas, Clark County, Nevada, by a material misrepresentation with intent to deprive that  
21 person of the property, in the following manner, to-wit: by the said defendant falsely  
22 representing that he was in lawful possession of a MasterCard and that he had authorization  
23 to use it, thereby obtaining the personal property of MACY'S by a material  
24 misrepresentation with intent to deprive them of the property.

25 COUNT 15 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT  
26 CARDHOLDER'S CONSENT

27 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
28 have in his possession, without the consent of the cardholder, a credit or debit card, to-wit: a

1 Discover credit card, issued in the name of BERTHA LUNDQUIST, with intent to circulate,  
2 use, sell, or transfer said card, with intent to defraud the said BERTHA LUNDQUIST,  
3 and/or the issuer of said credit or debit card.

4 COUNT 16 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

5 did, on or about March 31, 2007, then and there wilfully, unlawfully, feloniously,  
6 with intent to defraud use a credit or debit card, to-wit: by presenting a Discover credit card,  
7 issued in the name of BERTHA LUNDQUIST, to Arlene Vasquez, at MACY'S, 3200 Las  
8 Vegas Boulevard South, Las Vegas, Clark County, Nevada, for the purpose of obtaining  
9 \$1200.00 in Gift Cards, Defendant not being the cardholder, nor being authorized by the  
10 cardholder to use said card.

11 COUNT 17 - THEFT

12 did, on or about March 31, 2007, then and there knowingly, feloniously, and without  
13 lawful authority, commit theft by obtaining personal property in the amount of \$250.00, or  
14 more, lawful money of the United States of MACY'S, 3200 Las Vegas Boulevard South, Las  
15 Vegas, Clark County, Nevada, by a material misrepresentation with intent to deprive that  
16 person of the property, in the following manner, to-wit: by the said defendant falsely  
17 representing that he was in lawful possession of a Discover credit card and that he had the  
18 authorization to use it and obtaining \$1200.00 in Gift Cards, thereby obtaining the personal  
19 property of MACY'S by a material misrepresentation with intent to deprive them of the  
20 property.

21 COUNT 18 - CONSPIRACY TO COMMIT LARCENY

22 did, on or about March 17, 2007, then and there meet with another and between  
23 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
24 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
25 commit the acts as set forth in Counts 4 through 6, said acts being incorporated by this  
26 reference as though fully set forth herein.

27 COUNT 19 - CONSPIRACY TO COMMIT LARCENY

28 did, on or about March 17, 2007, then and there meet with another and between




1 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
2 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
3 commit the acts as set forth in Count 8, said acts being incorporated by this reference as  
4 though fully set forth herein.

5 COUNT 20 – CONSPIRACY TO COMMIT LARCENY

6 did, on or about March 31, 2007, then and there meet with another and between  
7 themselves, and each of them with the other, wilfully and unlawfully conspire and agree to  
8 commit a crime, to-wit: larceny, and in furtherance of said conspiracy, Defendant did  
9 commit the acts as set forth in Counts 14 and 17, said acts being incorporated by this  
10 reference as though fully set forth herein.

11 All of which is contrary to the form, force and effect of Statutes in such cases made  
12 and provided and against the peace and dignity of the State of Nevada. Said Complainant  
13 makes this declaration subject to the penalty of perjury.

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16 5/23/2007 

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26 07F09465X/jgw  
27 LVMPD EV# 0704021711;  
28 0703272927; 0703172449  
(TK3)

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JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS, #1970026  
Defendant.

CASE NO: 07F09465X

DEPT NO: 3

FILED UNDER SEAL

All materials, except the Criminal Complaint, are being filed under seal in obedience to Section 239B.030 of the Nevada Revised Statutes and pursuant to the Order issued by the Honorable Douglas E. Smith, signed December 28, 2006.

DEPT = JCRT3

\*\*\*\*\*

S E R V E D

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\*  
\* \*\*\*\*\* NCJIS WANTED PERSON SYSTEM \*\*\*\*\*  
\*  
\* PIN-0209 NCJIS WARRANT HAS BEEN SUCCESSFULLY CLEARED  
\*  
\* CLEARING AGENCY /NVLVJC001 - CLARK CO INFO SERVICES  
\* ARRESTING AGENCY /NV0020135 - CLARK COUNTY DETENTION CENTER  
\* ENTERING AGENCY /NVLVJC001 - CLARK CO INFO SERVICES  
\* CONFIRMING AGENCY/NV0020135 - CLARK COUNTY DETENTION CENTER  
\* VALIDATING AGENCY/NV0020178 - LAS VEGAS METROPOLITAN PD  
\* NIN/W804103580 DATE:06/07/07  
\* SEQ/004 REASON/SERVED TIME:06:09:02  
\* WARRANT NAME /ROSS, RONALD  
\* BASE RECORD NAME/ROSS, RONALD  
\* COURT CASE #/07F09465X  
\* COURT/NV002A53J - LAS VEGAS JUSTICE COURT  
\*\*\*\*\*  
\*\*\*\*\*

RECEIVED  
JUN 08 2007  
JUSTICE COURT  
RECORDS MANAGEMENT

000020

WARRANT ELECTRONICALLY GENERATED AND ENTERED INTO NCJIS  
\*\*\* DO NOT MANUALLY ENTER INTO NCJIS \*\*\*

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY NEVADA  
-----

THE STATE OF NEVADA	)	CASE NO: 07F09465X
	)	
PLAINTIFF	)	DEPT. NO: 3
VS.	)	
	)	AGENCY: METRO-TOURIST CRIME
ROSS, RONALD	)	
ID# 01970026	)	
	)	
DEFENDANT	)	ARREST WARRANT
	)	-----

THE STATE OF NEVADA,

TO: ANY SHERIFF, CONSTABLE, MARSHALL, POLICEMAN, OR PEACE OFFICER  
IN THIS STATE:

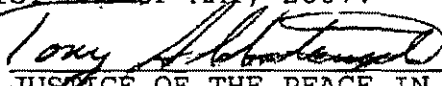
A COMPLAINT AND AN AFFIDAVIT UPON OATH HAS THIS DAY BEEN LAID  
BEFORE ME ACCUSING ROSS, RONALD, OF THE CRIME(S):

COUNTS	CHARGE	BAIL: CASH	SURETY	PROPERTY
3	BURGLARY	15,000.00	15,000.00	
1	LARCENY FROM A PERSON	3,000.00	3,000.00	
2	BURGLARY WITH INTENT T	10,000.00	10,000.00	
3	OBTAIN/POSS CREDIT CAR	9,000.00	9,000.00	
3	FRAUDULENT USE OF A CR	9,000.00	9,000.00	
3	THEFT (FELONY)	9,000.00	9,000.00	
1	GRAND LARCENY	3,000.00	3,000.00	
1	LARCENY FROM PERSON FR	3,000.00	3,000.00	
3	CONSP GRAND LARCENY	3,000.00	3,000.00	

YOU ARE, THEREFORE, COMMANDED FORTHWITH TO ARREST THE ABOVE NAMED  
DEFENDANT AND BRING HIM BEFORE ME AT MY OFFICE IN LAS VEGAS TOWNSHIP,  
COUNTY OF CLARK, STATE OF NEVADA, OR IN MY ABSENCE OR INABILITY TO  
ACT, BEFORE THE NEAREST AND MOST ACCESSIBLE MAGISTRATE IN THIS COUNTY.

THIS WARRANT MAY BE SERVED AT ANY HOUR OF THE DAY OR NIGHT.

GIVEN UNDER MY HAND THIS 31ST DAY OF MAY, 2007.

  
\_\_\_\_\_  
JUSTICE OF THE PEACE IN AND FOR SAID TOWNSHIP  
TONY L ABBATANGELO

000021

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY NEVADA  
-----

THE STATE OF NEVADA	)	CASE NO: 07F09465X
	)	
PLAINTIFF	)	DEPT. NO: 3
VS.	)	
	)	AGENCY: METRO-TOURIST CRIME
ROSS, RONALD	)	
ID# 01970026	)	
	)	
	)	ARREST WARRANT
DEFENDANT	)	-----

\_\_\_\_\_

SHERIFF'S RETURN  
-----

I HEREBY CERTIFY THAT I RECEIVED THE ABOVE AND FOREGOING WARRANT  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AND SERVED THE SAME BY  
ARRESTING AND BRINGING DEFENDANT, \_\_\_\_\_, INTO COU  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

DOUGLAS C. GILLESPIE, SHERIFF, CLARK COUNTY, NEV

BY: \_\_\_\_\_, DEPUTY

000022

DEFENDANT ROSS, RONALD

DEFENDANT ID# 01970026

CASE NO: 07F09465X

DEPARTMENT JCRT3

JUDGE TONY L ABBATANGELO

AGENCY: METRO-TOURIST CRIME

ORI VRI NAME ROSS, RONALD  
DOB 01201970 SOC 163564968 SID  
RAC B SEX M HGT 509 WGT 193 HAI BRO EYE BRO

-----WARRANT-----

HOI COI WNM ROSS, RONALD  
NOC 00299 AOC OFC F FTF TRF JUV DSO DOW 05312007  
OCA 0703272927 CCN 07F09465X BAIL 64,000.00  
TRA MIS

-----SUPPLEMENTAL-----

SUBMITTING OFFICER ID#:MP4077 NAME: FLENNER, DARRELL T

COUNTS	CHARGE
3	BURGLARY
1	LARCENY FROM A PERSON
2	BURGLARY WITH INTENT TO COMMIT FELONY
3	OBTAIN/POSS CREDIT CARD W/O CARDHOLDERS CONSENT
3	FRAUDULENT USE OF A CREDIT CARD-MORE THAN \$100
3	THEFT (FELONY)
1	GRAND LARCENY
1	LARCENY FROM PERSON FROM OLDER PERSON
3	CONSP GRAND LARCENY

\*\*\*\*\* C O N F I D E N T I A L \*\*\*\*\*

000023

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

RONALD ROSS, #1970026  
Defendant.

CASE NO: 07F09465X

DEPT NO: 3

REQUEST FOR ARREST WARRANT

COMES NOW, DAVID ROGER, District Attorney, and requests that a Warrant of Arrest be issued for the above named Defendant pursuant to NRS 171.106 and the Complaint and/or Affidavit(s) attached hereto and incorporated herein by this reference.

DAVID ROGER  
DISTRICT ATTORNEY  
Nevada Bar #002781

PROBABLE CAUSE FOUND: ✓ BAIL: STP

PROBABLE CAUSE NOT FOUND: \_\_\_\_\_

Tony McIntyre  
JUSTICE OF THE PEACE,  
LAS VEGAS TOWNSHIP

000024

REBOOKING

LOD 003

Page 1 of 3 LAS VEGAS METROPOLITAN POLICE DEPARTMENT I.D. #: 1970026 Event #: 070606-2092  
TEMPORARY CUSTODY RECORD  
DATE OF ARREST: 6/6/07 TIME OF ARREST: 1433 I.D. ESTAB. BY: SCOPE

INTAKE NAME (AKA, ALIAS, ETC.) Last ROSS First RONALD Middle  TRUE NAME Last  First  Middle

ADDRESS CC DC NUMBER & STREET  BLDG./APT. #  CITY  STATE  ZIP

DATE OF BIRTH 1-20-70 RACE B SEX M HEIGHT 5'08 WEIGHT 193 HAIR BLK EYES BLU SOCIAL SECURITY # 163-56-4968 Speak English? ☒ Yes ☐ No PLACE OF BIRTH PHILLY, PA

LOCATION OF CRIME (# - Street - City - State - Zip) WARRAND CC ☐ LV ☐ Citizen Arrest Y (N) LOCATION OF ARREST CCDC Sector/Beat A 2 PCN #

BKG. CODE	CHARGE ORD / NRS #	M	GM	F	ARR TYPE*	EVENT NUMBER	WARR / NCIC NUMBER	COURT LV JC DC OTHER
5506	FIA BURGLARY (2CTS) NO BAIL NRS 205.060	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BW		C220916	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
5540	LARCENY FROM PERSON VECT OVER 65 205.270	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	JC-3	07F09465X	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5512	GRAND LARCENY 3,000 NRS 205.220	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5578	THEFT (FELONY) 3,000 NRS 205.0832	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5542	FRAUDULENT USE OF C.F. 3,000 NRS 205.760	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5591	OBTAIN POSS CCWDC 3,000 NRS 205.690	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

\*ARREST TYPE: PC - PROBABLE CAUSE BS - BONDSMAN SURRENDER BW - BENCH WARRANT WA - WARRANT RM - REMAND GJI - GRAND JURY IND.

OTHER COURT:

Arresting Officer's Signature [Signature] (Print Name) J. Hall P # 16004 Agency LUMP  
Transporting Officer's Signature  (Print Name)  P #  Agency

APPROVAL CONTROL # FOR ADDITIONAL CHARGES:

Time Stamp at BOOKING

☐ FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS. FIRST APPEARANCE: DATE: 6/6/07 TIME: 1433  
☐ BENCH WARRANT SERVED ON 1970026 COURT CLERK ☐ STANDARD BAIL  
☐ WARRANT SERVED ON 1970026 ☐ JUSTICE ☐ O.R. RELEASE  
☐ GRAND JURY INDICTMENT SERVED ON 1970026 ☐ MUNICIPAL ☐ PROBABLE CAUSE  
TYPE OF I.D. FOR VERIFICATION GENERAL ☐ JUVENILE ☐ IAD.

CONFIDENTIAL

JUDGE: 


P #:

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REBOOKING

LOD 003

Page <u>2</u> of <u>3</u>		LAS VEGAS METROPOLITAN POLICE DEPARTMENT				I.D. #: <u>1970026</u>		Event #: <u>070606-2092</u>							
DATE OF ARREST: <u>6/6/07</u>		TIME OF ARREST: <u>1433</u>		I.D. ESTAB. BY: <u>SCOPE</u>											
INTAKE NAME (AKA, ALIAS, ETC.) Last: <u>ROSS</u> First: <u>RONALD</u> Middle: <u></u>				TRUE NAME Last: <u></u> First: <u></u> Middle: <u></u>											
ADDRESS NUMBER & STREET: <u>CCPC</u>				BLDG./APT. #		CITY		STATE		ZIP					
DATE OF BIRTH <u>1-20-70</u>		RACE <u>B</u>	SEX <u>M</u>	HEIGHT <u>5'08</u>	WEIGHT <u>193</u>	HAIR <u>BRL</u>	EYES <u>BRD</u>	SOCIAL SECURITY # <u>163-56-4968</u>		Speak English? <input type="checkbox"/> Yes <input type="checkbox"/> No	PLACE OF BIRTH <u>PITTSY PA</u>				
LOCATION OF CRIME (# - Street - City - State - Zip) <u>WARRANT</u>				<input type="checkbox"/> CC <input type="checkbox"/> LV	Citizen Arrest <u>Y</u> <u>N</u>	LOCATION OF ARREST <u>CCPC</u>				Sector/Beat <u>A2</u>	PCN #				
BKG. CODE	CHARGE ORD / NRS #				M	GM	F	ARR TYPE*	EVENT NUMBER	WARR / NCIC NUMBER	COURT LV JC DC OTHER				
5506	<u>BURGLARY (3CTS) #5,000</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW		07F 09465 X	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
5512	<u>GRAND LARCENY (CONSPIRACY) (3CTS) #1000</u>				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AW	JC-3	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
5545	<u>LARCENY FROM A PERSON 205.270</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
5550	<u>BURGLARY W/INTENT 205.060 #5,000</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AW	"	"	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
5545	<u>LARCENY FROM PERSON 205.270</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BW	"	C220916	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>				
5512	<u>GRAND LARCENY (2CTS) NOBAIL 205.220</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BW	"	"	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>				
ARREST TYPE: PC - PROBABLE CAUSE BS - BONDSMAN SURRENDER BW - BENCH WARRANT WA - WARRANT RM - REMAND GJI - GRAND JURY IND.												OTHER COURT:			
												APPROVAL CONTROL # FOR ADDITIONAL CHARGES:			
Arresting Officer's Signature: <u>[Signature]</u> (Print Name): <u>J. H. [Signature]</u> P #: <u>6007</u> Agency: <u>LVM 120</u>															
Transporting Officer's Signature: <u>[Signature]</u> (Print Name): <u>[Signature]</u> P #: <u>[Signature]</u> Agency: <u>[Signature]</u>															
Time Stamp at BOOKING															
<input type="checkbox"/> FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.												FIRST APPEARANCE: DATE: _____ TIME: _____			
<input type="checkbox"/> BENCH WARRANT SERVED ON _____												COURT		<input type="checkbox"/> STANDARD BAIL	
<input type="checkbox"/> WARRANT SERVED ON _____												<input type="checkbox"/> JUSTICE		<input type="checkbox"/> O.R. RELEASE	
<input type="checkbox"/> GRAND JURY INDICTMENT SERVED ON _____												<input type="checkbox"/> MUNICIPAL		<input type="checkbox"/> PROBABLE CAUSE	
TYPE OF I.D. FOR VERIFICATION _____												<input type="checkbox"/> JUVENILE		<input type="checkbox"/> I.A.D.	
JUDGE: _____															

Page 3 of 3

**REBOOKING**  
**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**TEMPORARY CUSTODY RECORD**

I.D. #: 1970026 Event #: 070606-2092

DATE OF ARREST: 6/6/07 TIME OF ARREST: 1433

I.D. ESTAB. BY: Sceer

INTAKE NAME (AKA, ALIAS, ETC.) Last First Middle TRUE NAME Last First Middle

ADDRESS NUMBER & STREET BLDG./APT. # CITY STATE ZIP

DATE OF BIRTH RACE SEX HEIGHT WEIGHT HAIR EYES SOCIAL SECURITY # Speak English? PLACE OF BIRTH

LOCATION OF CRIME (# - Street - City - State - Zip) CC Citizen Arrest LOCATION OF ARREST PCN #

BKG. CHARGE M GM F ARR EVENT WARR / NCIC COURT

CODE ORD / NRS # TYPE\* NUMBER NUMBER LV JC DC OTHER

55456 2 CIVIL DISOBEDIENCE - FROM PRISON 1205/270 NO BAIL BW CCPC CADDAIL PCN #

ARREST TYPE: PC - PROBABLE CAUSE BS - BONDSMAN SURRENDER BW - BENCH WARRANT WA - WARRANT RM - REMAND GJI - GRAND JURY IND.

OTHER COURT:

APPROVAL CONTROL # FOR ADDITIONAL CHARGES:

Arresting Officer's Signature (Print Name) P # Agency

Transporting Officer's Signature (Print Name) P # Agency

Time Stamp at BOOKING

FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.

BENCH WARRANT SERVED ON

WARRANT SERVED ON

GRAND JURY INDICTMENT SERVED ON

TYPE OF I.D. FOR VERIFICATION

FIRST APPEARANCE: DATE: TIME:

COURT

JUSTICE

MUNICIPAL

JUVENILE

JUDGE:

STANDARD BAIL

O.R. RELEASE

PROBABLE CAUSE

I.A.D.

00027

LOD 003

Page 1 of 1

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF ARREST**

I.D. #: 1970026

True Name: Ross, Ronald

Date of Arrest: 6/6/07

Time of Arrest: \_\_\_\_\_

OTHER CHARGES RECOMMENDED FOR CONSIDERATION:

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with LVMPD (Department), Clark County, Nevada, being so employed for a period of 9 years (months). That I learned the following facts and circumstances which lead me to believe that the above named subject committed (or was committing) the offense of WARRANT at the location of CCDC (ADDRESS / CITY / STATE / ZIP) and that the offense occurred at approximately \_\_\_\_\_ hours on the 6 day of JUNE, 2007, in the county of ☐ Clark or ☐ City of Las Vegas, NV.

**DETAILS FOR PROBABLE CAUSE:**

ON 6/6/07, I, DET J. HILL WAS MADE AWARE THAT SEVERAL  
ARREST WARRANTS THAT WERE FILED BY MYSELF AND D. FLENNER  
HAD BEEN ISSUED, ON ROSS, RONALD ID# 1970026. ROSS IS CURRENTLY  
HOUSED AT CCDC AND WAS BOOKED ACCORDINGLY.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

Declarant must sign second page with original signature.

Declarant's Signature

Print Declarant's Name

6004  
P#

000028

CLARK COUNTY DETENTION CENTER  
ARREST WARRANT ABSTRACT

06/06/2007  
14:44

WARRANT NAME: ROSS, RONALD

DOB: 01/20/1970

SSN: [REDACTED]

RAC: B SEX: M HGT: 5'09" WGT: 193 HAI: BRO EYE: BRO

WARRANT #: 07F09465X

EVENT #:

CLARK COUNTY ONLY:

CNT	CHRG	NRS	CODE	CODE	CHARGE LITERAL		CASH BAIL	ASSUR BAIL
01	5506	205.060	F	BURGLARY		\$	5000.00	\$ 5000.00
				PCN#0024580012-015				
02	5545	205.270	F	LARCENY FROM A PERSON		\$	3000.00	\$ 3000.00
				PCN#0024580012-001				
- 03	5550	205.060	F	BURGLARY WITH INTENT TO COMMIT		\$	5000.00	\$ 5000.00
				PCN#0024580012-003				
04	5591	205.690	F	OBTAIN/POSS CREDIT CARD W/O CA		\$	3000.00	\$ 3000.00
				PCN#0024580012-016				
05	5542	205.760	F	FRAUDULENT USE OF A CREDIT CAR		\$	3000.00	\$ 3000.00
				PCN#0024580012-017				
06	5578	205.083	F	THEFT (FELONY)		\$	3000.00	\$ 3000.00
				PCN#0024580012-005				
07	5506	205.060	F	BURGLARY		\$	5000.00	\$ 5000.00
				PCN#0024580012-006				
08	5512	205.220	F	GRAND LARCENY		\$	3000.00	\$ 3000.00
				PCN#0024580012-007				
09	5506	205.060	F	BURGLARY		\$	5000.00	\$ 5000.00
				PCN#0024580012-010				
10	5590E	205.270	F	LARCENY FROM PERSON FROM OLDER		\$	3000.00	\$ 3000.00
				PCN#0024580012-011				
- 11	5550	205.060	F	BURGLARY WITH INTENT TO COMMIT		\$	5000.00	\$ 5000.00
				PCN#0024580012-012				
12	5591	205.690	F	OBTAIN/POSS CREDIT CARD W/O CA		\$	3000.00	\$ 3000.00
				PCN#0024580012-020				
13	5542	205.760	F	FRAUDULENT USE OF A CREDIT CAR		\$	3000.00	\$ 3000.00
				PCN#0024580012-013				
14	5578	205.083	F	THEFT (FELONY)		\$	3000.00	\$ 3000.00
				PCN#0024580012-014				
15	5591	205.690	F	OBTAIN/POSS CREDIT CARD W/O CA		\$	3000.00	\$ 3000.00
				PCN#0024580012-021				
16	5542	205.760	F	FRAUDULENT USE OF A CREDIT CAR		\$	3000.00	\$ 3000.00
				PCN#0024580012-018				
17	5578	205.083	F	THEFT (FELONY)		\$	3000.00	\$ 3000.00
				PCN#0024580012-019				
18	5512C	205.220	G	CONSP GRAND LARCENY		\$	1000.00	\$ 1000.00
				PCN#0024580012-002				
19	5512C	205.220	G	CONSP GRAND LARCENY		\$	1000.00	\$ 1000.00
				PCN#0024580012-008				
20	5512C	205.220	G	CONSP GRAND LARCENY		\$	1000.00	\$ 1000.00
				PCN#0024580012-009				

ISSUED BY JUDGE: TONY L ABBATANGELO  
COURT: LAS VEGAS JUSTICE COURT

DOW: 05/31/2007  
DEPT: JCRT3

000029

I HEREBY CERTIFY THAT I RECEIVED THE ABOVE AND FOREGOING WARRANT  
ON THE 6 DAY OF JUNE, 2007, AND SERVED THE  
SAME BY ARRESTING THE WITHIN DEFENDANT,  
AND BRINGING HIM INTO COURT THIS 6<sup>th</sup> DAY OF JUNE,  
2007.

DOUGLAS C. GILLESPIE, SHERIFF, CLARK COUNTY, NEVADA

BY: JH, DEPUTY

J. Hall 6004

\*\*\*\*\* C O N F I D E N T I A L \*\*\*\*\*

000030

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**

(N.R.S. 171.106)

(N.R.S. 53, amended 07/13/93)

MAY 29 11 10 AM '07

JUSTICE  
LAS VEGAS, NEVADA

EVENT: 070317-2449

STATE OF NEVADA )

BY RONALD ROSS DEPUTY

) ss:

COUNTY OF CLARK )

ID# 1970026

D. Flenner, being first duly sworn, deposes and says:

That he is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of 16 years, assigned to investigate the crime(s) of Larceny From Person, Cons. Larceny From Person, Burglary, Forgery and Theft committed on or about 03-17-2007, which investigation has developed RONALD ROSS as the perpetrator thereof.

THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME TO WIT:

That on 03-17-2007 at approximately 13:00 hours Georgia Stathopoulos became the victim Of Larceny From Person while gambling inside the Tropicana Hotel 3799 S. Las Vegas Blvd LV, NV 89119. The incident was documented under LVMPD EV# 070317-2449.

Stathopoulos reported that on 03-17-2007 at approximately 13:00 hours she was seated at a penny slot machine and her husband was seated to her right. Stathopoulos hit some kind of jackpot and was then approached by two black male adults that seemed interested in what was going on. After approximately 2 minutes the black males left. Stathopoulos went up to her room a short time later and discovered that her wallet was missing from inside her purse. The wallet was described as a blue clutch wallet \$25 and contained her IL drivers license, \$150 US currency, a Chase Visa credit card # 4388-5270-0012-1281, a State Farm Visa credit card, a Discover credit card # 6011-0072-3050-6148, a Macy's credit card # 43-728-893-789-0, a Bloomingdales credit card # 21-008-019-050-1, a Lord & Taylor credit card # 816-759-92, a Sears credit card, a Carson Pirie Scott credit card # 11-8869-6681, a Kohls credit card # 030-9428-282, a Nordstrom Visa credit card # 4266-3850-0026-2515, a State Farm insurance card, a Blue Cross health insurance card and a list of her family's social security numbers. Stathopoulos notified security of the loss.

Declarant was assigned this event to investigate. I contacted Tropicana Hotel investigator Chuck Cauwel. Cauwel said a review of surveillance tapes showed that two black male adults appeared to work as a team as one subject blocked and the other took Stathopoulos' wallet.

Declarant reviewed the video that starts at 13:05 hours with Stathopoulos seated as she had described. A black male adult later identified by photo line-up as Ronald Ross ID# 1970026 walks past Stathopoulos and then doubles back after looking in the area of her purse that is hanging off her left shoulder. Ross is wearing what was later determined to be a red basketball type jersey with #6 on it, a red baseball hat that is turned backwards and is carrying a jacket in his right arm. Ross is joined by an unidentified black male adult wearing a horizontal striped shirt and jeans. Ross walks back toward Stathopoulos, re-adjusts the jacket to the lower part of his right arm and sits at the seat to her left. Ross is slightly turned towards Stathopoulos. The unidentified black male walks behind victim slightly to her left and stands between Stathopoulos and Ross. Both Ross and the unknown black male seem to converse with Stathopoulos.

## DECLARATION OF WARRANT/SUMMONS

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EVENT: 070317-2449

Ross is seen looking down in the area of Stathopoulos' purse several times. After approximately 1 minute both Ross and the unknown black male get closer to Stathopoulos. They both start pointing at the machine that Stathopoulos is playing. It is at this time that the unknown black male blocks the view of what Ross is doing. Ross then hands Stathopoulos' wallet to the unknown black male with Ross' right hand that has the jacket draped over the wrist and forearm area. The unknown suspect then walks away. Ross stays for a few more seconds and then departs the area.

That although the video from the Tropicana Hotel is not clear, the M/O of the crime is similar to prior Larcenies committed by Ross. That by viewing the video I observed the suspect with the #6 on his shirt did look similar to Ross.

When Stathopoulos learned that her wallet was missing she called her credit card companies to cancel her cards. When she called Chase Visa she was informed that her Chase credit card # 4388-5270-0012-1281 had been used at Sheikh Shoes 3525 S. Maryland Pkwy LV, NV 89109. The amount charged was \$490.07.

Declarant contacted the assistant manager of Sheikh Shoes Kevin Hancock who showed me the video surveillance of the transaction with Mrs. Stathopoulos' credit card. On 03-17-2007 at 13:49 hours the video shows Ross in the store with the same unknown black male suspect that was inside the Tropicana Hotel. Ross makes a purchase and pays with Stathopoulos' credit card. Ross then signs the receipt. That Ross and the second suspect are wearing the same clothes as they did inside the Tropicana Hotel. This transaction occurred approximately 40 minutes after they stole the wallet. Ross used Stathopoulos' Chase Visa credit card # 4388-5270-0012-1281 for the amount of \$490.07.

On 03-24-2007 Det. J. Rader P# 5468 responded to Sheikh Shoes. Det. Rader was advised that employee Deja Jarmon is the clerk that accepted the transaction. Jarmon was shown a photo line-up by Det. Rader. Jarmon viewed the photos and picked out Ross as the person that used Stathopoulos' credit card on 03-17-2007. Jarmon noted that he is 100% sure as to Ross being the suspect. Two other Sheikh Shoes employees Luis Valdez and Kevin Hancock were also present when Ross made the transaction. Both Valdez and Hancock were also shown photo line-ups and positively identified Ross as the suspect that used Stathopoulos' credit card on 03-17-2007. Both noted that they were 100% sure of the identity. The receipt for transaction number 167076753220433 shows a time of 12:53 hours. A printed receipt # A02302 shows a time of 13:49 hours that corresponds with the time of the video surveillance. Both receipts have the Total of \$490.07. That I was told that the receipt with the time of 12:53 hours was not adjusted for daylight savings time.

Declarant believes Ross and the unidentified suspect entered the Tropicana Hotel to commit the crime Larceny from Person. That Ross' actions support the charges of Larceny From Person and Conspiracy to commit Larceny From Person from the actions inside the Tropicana Hotel. Ross then entered Sheikh Shoes approximately 40 minutes later with the intent of using Mrs. Stathopoulos stolen credit card and Obtaining Property under False Pretenses (felony) which supports the charge of Burglary. That the signing of the credit card receipt by Ross supports the charge of Forgery.

That aside from the Chase Visa credit card, Mrs. Stathopoulos had 10 other credit cards in her wallet that Ross had taken. At the time of this report Mrs. Stathopoulos has provided 7 of the 10 credit card #'s.

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 3

EVENT: 070317-2449

That Ross has an extensive history of Larceny From Person and other Theft related arrests. Ross has used similar tactics in the past to commit these larcenies.

Mrs. Stathopoulos did not give permission to Ross or anybody else to take, have, or possess her property or make any credit card transactions.

The above related facts occurred in the County of Clark, State of Nevada.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect RONALD ROSS on a charge(s) of Larceny From Person, Cons. Larceny From Person, Burglary, Forgery and Theft.

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

Executed on this 04th day of April, 2007.

DECLARANT: D 4077

WITNESS: J. Housh 4/4/07

DATE: 4-4-07

000033



LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 07/13/93)

EVENT: 070327-2927

STATE OF NEVADA            )  
                                  ) ss:     ROSS, RONALD  
COUNTY OF CLARK         )     ID# 1970026

Det. J. Holl, being first duly sworn, deposes and says:

That she is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of 8 + years, assigned to investigate the crime(s) of BURGLARY, GRAND LARCENY, CONSPIRACY BURGLARY, CONSPIRACY GRAND LARCENY, ALL VICTIM OVER 60 committed on or about 03/23/07, which investigation has developed RONALD ROSS as the perpetrator thereof.

**THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME TO WIT:**

On 03/23/07, at approximately 1850 hrs, James Violette, DOB 01/12/47, became the victim of Grand Larceny and reported this incident under LVMPD event number 070327-2927. This incident occurred while Violette was at the Santa Fe Casino, 4949 N Rancho, Las Vegas, Clark County, NV, 89130.

Violette was playing multi denomination triple play video poker in the High limit slot room. Violette had between \$700.00 and \$800.00 U.S.C. next to him on the ledge sitting under an ash tray he was using on his left-hand side. Violette was approached by a Black Male on Violette's left side who asked if the machine next to Violette was doing well. Violette thought this subject wanted to play so he moved his money to his right side, which was the aisle. He again put his cigarettes on top of the money. About that time, a subject to his left hit a jackpot and Violette turned and said something to him. Violette then tried to get one of his cigarettes and found that they were gone. Also, gone was all of his money except \$100.00 USC.

Violette immediately reported to slot personnel in the high limit room what had just happen. Slot Manager Johan Miakovic gave Violette \$750.00 USC to cover his loss due to his high level of play, ultimately making Santa Fe Station the victim. Violette described the Black male that approached him about the machine next to him as approximately 5-07 with a baggy white shirt or a jersey and described him as wide eyed. Violette also stated that this subject never sat down to play.

On 03/24/07, I, Det. J. Holl P#6004, sent out a Critical Reach flyer to all of the Casinos with photos of three Black male subjects that have been involved in Distract type thefts at other casinos. Due to this flyer, I was contacted by Dennis, Slot Director for Santa Fe Station Casino. He advised me that they believe one of the subjects on the flyer was involved in the theft of Violette's money. I responded to Santa Fe Station to review the video.

Upon watching the video, I was able to identify one of the suspects as Ronald Ross ID# 1970026. Ross has a long history of committing pick pocket thefts and distract thefts and is well known to the Detectives of the Tourist Safety Unit. Most of Ross's victims are elderly.

VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 2

EVENT: 070327-2927

Ross was identified as the Black male who approached Violette about the machine next to him. Video review shows the following: Ross and another Black male with a black female arrive and park at the Santa Fe Station Casino at approximately 1833 hrs. They walk into the casino and go to the sports book where they leave the female. Ross and the other BMA, described as approximately 5-10, 150 wearing light colored pants and a striped shirt, with a distinctive widows peak on his forehead, walk to the high limits slot room and walk around a few times. Ross then approaches Violette and asks about the machine. The second BMA was on the back side of Violette's machines. Violette moves his money and a few seconds later a hand grabs to money and both Ross and the unknown BMA leave the area together. They walk back to the sports book, pick up the female and exit the casino. At no time did Ross or the unknown BMA and BFA stop to gamble or conduct any lawful business. They were observed leaving the casino at 1848 hrs, which puts them in the casino for only 15 minutes.

Ronald Ross and an unknown BMA entered the Santa Fe Casino, stole approximately \$750.00 USC from James Violette who is sixty (60) years of age and immediately left the Casino without conducting lawful business. This type of distract theft take the work of at least two people and Ross has a very long history of committing these crimes. Ross distracted Violette leaving his unknown accomplice to take the money and leave together.

Probable cause exists to believe Ronald Ross committed the offenses of Burglary, Grand Larceny victim over 60, Conspiracy Burglary, and Conspiracy Grand Larceny victim over 60.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect RONALD ROSS on a charge(s) of BURGLARY, GRAND LARCENY, CONSPIRACY BURGLARY, CONSPIRACY GRAND LARCENY, ALL VICTIM OVER 60.

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

Executed on this 11 day of April, 2007.

DECLARANT: *JR* 6007

WITNESS: *J. H. H. 2184* DATE: 4-11-07

000035

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 07/13/93)

EVENT: 070402-1711

STATE OF NEVADA                    )  
  ) ss: Ronald Ross  
COUNTY OF CLARK                ) ID# 1970026

D. Flenner, being first duly sworn, deposes and says:

That he is a police officer with the Las Vegas Metropolitan Police Department, being so employed for a period of 16 years, assigned to investigate the crime(s) of Burglary (2cts), Larceny From Person victim over 60, Fraudulent Use of Credit Card and Theft, committed on or about 03-31-2007, which investigation has developed RONALD ROSS as the perpetrator thereof.

THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME TOWIT:

That on 03-31-2007 Bertha Lundquist became the victim of Larceny From Person. The crime occurred at the Paris Hotel 3655 S. Las Vegas Blvd LV, NV 89109 and was documented under LVMPD EV# 070402-1711.

The details of the report state that Ms. Lundquist last saw her wallet at approximately 19:45 hours on 03-31-2007 inside her purse while she was gambling at the penny slots inside the Paris Hotel. Lundquist discovered it missing at approximately 20:20 hours on the same day. The wallet is described as orange colored leather wallet valued at \$17 that contained \$200 US currency, a Citibank MasterCard # 5396550131833233, a Chase Visa, a Discover credit card # 6011007644803875, a Illinois drivers License # L532-0602-3781 and 2 medical cards, all in Lundquist's name. Lundquist said she was using her players card at the time.

Declarant contacted Lundquist on 04-03-2007 for follow-up. Lundquist confirmed she was playing at the penny slots when she noticed her wallet was missing. Lundquist said the wallet became missing between the hours of 19:45 and 20:20 hours on 03-31-2007. Lundquist is 83 years old and was visiting from Illinois. Declarant was advised that Lundquist's Discover credit card # 6011007644803875 and Citibank MasterCard # 5396550131833233 were each used on 03-31-2007 after 20:00 hours at Macy's Department store located inside the Fashion Show Mall in the amount of \$1,200 on each card.

Declarant contacted Macy's Loss Prevention Manager Rena Stoffregen. Stoffregen was able to look up both transactions on Lundquist's credit cards. According to the receipts, the Citibank credit card was used first 20:27 hours to purchase (3) \$400 gift cards, the Discover credit card was used at 20:32 hours to purchase (3) \$400 gift cards according to the receipts. Stoffregen showed me the video surveillance from each register that was used to make the purchases. Declarant viewed the 20:27 hours transaction and identified the suspect as Ronald Ross ID# 1970026. Ross is seen on video handing the clerk 3 gift cards. Ross requests that the gift cards to be \$400 each. The clerk completes the transaction and Ross hands her Lundquist's Citibank MasterCard # 5396550131833233. After the sale is approved Ross is handed the \$1,200 receipt which he signs in Lundquist's name. Ross then leaves with the gift certificates. A second subject with Ross is described as a black male adult with a shaved head, wearing a blue/ white striped shirt and jeans and remains unidentified.

The second transaction that shows the time of 20:32 hours was done at a different register but also showed Ross and the unidentified black male. Ross again hands the clerk 3 gift cards and requests that \$400 be put on each one. The clerk activates the cards and Ross presents Lundquist's Discover credit card #

CLARK COUNTY VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
Page 2

EVENT: 070402-1711

6011007644803875 for payment. After the transaction is approved Ross is given the \$1,200 receipt that he signs in Lundquist's name. Ross then leaves with the gift cards.

It was determined that Macy's employee Jennifer Tapia completed the first transaction and Arlene Vasquez completed the second.

Declarant responded to the Paris Hotel to check for surveillance video. Declarant spoke with Paris Hotel security investigator Dorothea Stewart and advised her Lundquist said she was using her players card during the times she noticed her wallet was missing. After looking up her players card information it was determined that the theft possibly occurred between the time of 19:55 hours and 20:20 hours. Video surveillance was obtained from the area where Lundquist was playing. On 03-31-2007 the video starts at 19:58 hours in the area of the penny slots. At 19:59:29 hours Ross and the unknown black male adult are seen walking in view towards where Lundquist is playing. At 20:17 hours Lundquist walks from the right side of the surveillance camera view to the left side, Ross is seen following approximately 30 feet behind her. Lundquist is carrying her purse on her left forearm. Lundquist walks to the right of a bank of slot machines and stops at a machine on the other side. Ross walks around the left side of the same bank of machines and before Lundquist is able to sit down he approaches her from her left side. Ross positioned his body slightly turned to his right so it would be closer to Lundquist's purse. Ross then reaches in with his left hand towards Lundquist's machine to distract her from what his right hand is doing. It is at this time that declarant believes Ross took the wallet from Lundquist's purse. Ross then leaves, from the time Ross approached Lundquist until he left was approximately 12 seconds. The unidentified black male leaves with Ross.

That Ross has committed several similar crimes in the past with the same M/O where he enters a casino finds elderly women and commits a pick pocket. Ross then uses victims credit cards. The same is true in this case as the victim is 83 years old. Declarant believes Ross did enter the Paris Hotel with the intent to commit the Larceny From Person as he has done in the past which supports the first Burglary and Larceny From Person charges. Ross then entered Macy's department store approximately 20 minutes after the Larceny From Person and used victims credit card to purchase gift cards. Ross presented the victims credit card, signed the receipt in victims name and then left with the merchandise on both transactions.

That Lundquist didn't give permission to Ross to take, have or use her property in any way.

The above related facts occurred in the County of Clark, State of Nevada.

Wherefore, declarant prays that a Warrant of Arrest be issued for suspect RONALD ROSS on a charge(s) of Burglary (2cts), Larceny From Person victim or 60, Fraudulent Use of Credit Card, Theft.

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

Executed on this 19th day of April, 2007.

DECLARANT:  4077

WITNESS:  7312

DATE: 4-19-07

000037

# DEFENDANT INFORMATION WORKSHEET

PAGE 1 OF 1

DO NOT USE IF PRINTED CRIMINAL HISTORY IS ATTACHED

AGENCY CASE NO. 070327-2927

## DEFENDANT INFORMATION

Name (last, first, middle) <b>Ross, Ronald</b>				aka <b>Numerous</b>			
Defendant's place of birth <b>Philadelphia</b>		City <b>Philly</b>		State <b>PA</b>		SS # <b>163-56-4968</b>	
Location of crime - Street No. <b>4949 N Rancho</b>		City <b>LV</b>		State <b>NV</b>		ZIP <b>89130</b>	Room <b></b>
Defendant's current address - Street No. <b>Transient</b>		City <b></b>		State <b></b>		ZIP <b></b>	Room <b></b>
RACE <b>B</b>	SEX <b>M</b>	HGT <b>5-08</b>	WT <b>180</b>	HAIR <b>blk</b>	EYES <b>bro</b>	DOB <b>01-20-70</b>	

## DEFENDANT INFORMATION

Name (last, first, middle)				aka			
Defendant's place of birth		City		State		SS #	
Location of crime - Street No.		City		State		ZIP	Room
Defendant's current address - Street No.		City		State		ZIP	Room
RACE	SEX	HGT	WT	HAIR	EYES	DOB	

## DEFENDANT INFORMATION

Name (last, first, middle)				aka			
Defendant's place of birth		City		State		SS #	
Location of crime - Street No.		City		State		ZIP	Room
Defendant's current address - Street No.		City		State		ZIP	Room
RACE	SEX	HGT	WT	HAIR	EYES	DOB	

## DEFENDANT INFORMATION

Name (last, first, middle)				aka			
Defendant's place of birth		City		State		SS #	
Location of crime - Street No.		City		State		ZIP	Room
Defendant's current address - Street No.		City		State		ZIP	Room
RACE	SEX	HGT	WT	HAIR	EYES	DOB	

000038

***JUSTICE COURT, LAS VEGAS TOWNSHIP***  
**CLARK COUNTY, NEVADA**

**PRETRIAL SERVICES INFORMATION SHEET**

**CASE NO.07F09465X**

**DEPT NO.JC3**

**REQ:**

**NAME: ROSS, RONALD**

**ID#: 1970026**

**CHARGES: ORDER TO PRODUCE**

**CURRENT BAIL: NB**

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**VERIFIED: ADDRESS: NOT INTERVIEWED**  
**WITH WHOM/HOW LONG:**

**VERIFIED: EMPLOYMENT:**  
**DISABLED:**

**UNEMPLOYED:**  
**STUDENT:**

**VERIFIED: RELATIVES: LOCAL**

**NOT LOCAL**

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**FELONY/GM CONVICTIONS:**

**94 NJ THEFT; 89 PA ROBB; 89 PA THEFT; 89 PA REC STLN  
PROP; 91 PA ROBB; 91 PA ROBB; 94 PA FORG; 92 PA THEFT; 06  
NV ATT LFP**

**MISDEMEANOR CONVICTIONS: 5**

**FAIL TO APPEAR: 2**

**PENDING CHARGES/HOLDS/COMMENTS:**

**DETAINDER: NSP HOLD; PENDING CASE: C220916 BURG, GL, CONS GL,  
LARC F/OLDER PERS, CONS LARC F/OLDER PERS DC5**

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**RECOMMENDATION:**

**DATE: 081707 kw**  
**JC-18 (PRETRIAL SERVICES) Rev. 04/02**

**INTAKE SERVICES K. White**

**CONFIDENTIAL**

**000039**

***JUSTICE COURT, LAS VEGAS TOWNSHIP***  
**CLARK COUNTY, NEVADA**

**PRETRIAL SERVICES INFORMATION SHEET**

**CASE NO.07F09465X**

**DEPT NO.JC3**

**REQ:**

**NAME: ROSS, RONALD**

**ID#: 1970026**

**CHARGES: ORDER TO PRODUCE**

**CURRENT BAIL: NB**

---

**VERIFIED: ADDRESS: NOT INTERVIEWED**  
**WITH WHOM/HOW LONG:**

**VERIFIED: EMPLOYMENT:**  
**DISABLED:**

**UNEMPLOYED:**  
**STUDENT:**

**VERIFIED: RELATIVES: LOCAL**

**NOT LOCAL**

---

**FELONY/GM CONVICTIONS:**

**94 NJ THEFT; 89 PA ROBB; 89 PA THEFT; 89 PA REC STLN  
PROP; 91 PA ROBB; 91 PA ROBB; 94 PA FORG; 92 PA THEFT; 06  
NV ATT LFP**

**MISDEMEANOR CONVICTIONS: 5**

**FAIL TO APPEAR: 2**

**PENDING CHARGES/HOLDS/COMMENTS:**

**DETAINDER: NSP HOLD; PENDING CASE: C220916 BURG, GL, CONS GL,  
LARC F/OLDER PERS, CONS LARC F/OLDER PERS DC5**

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**RECOMMENDATION:**

**DATE: 080807 kw**  
**JC-18 (PRETRIAL SERVICES) Rev. 04/02**

**INTAKE SERVICES K. White**

**CONFIDENTIAL**

**000040**

**JUSTICE COURT, LAS VEGAS TOWNSHIP**  
**CLARK COUNTY, NEVADA**

**PRETRIAL SERVICES INFORMATION SHEET**

**CASE NO.07F09465X**

**DEPT NO.JC3**

**REQ:**

**NAME: ROSS, RONALD**

**ID#: 1970026**

**CHARGES: BURGLARY 3CTS, BURGLARY W/I 2CTS, LARCENY FROM A  
PERSON, LARCENY FROM OLDER PERSON, OBTAIN/POSS CREDIT CARD  
W/O CARDHOLDERS CONSENT 3CTS. FRAUDULENT USE OF A CREDIT  
CARD-MORE THAN \$100 3CTS, THEFT 3CTS, CONSP GRAND LARCENY  
3CTS, GRAND LARCENY  
CURRENT BAIL: 64,000**

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**VERIFIED: ADDRESS: NOT INTERVIEWED  
WITH WHOM/HOW LONG:**

**VERIFIED: EMPLOYMENT:  
DISABLED:**

**UNEMPLOYED:  
STUDENT:**

**VERIFIED: RELATIVES: LOCAL**

**NOT LOCAL**

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**FELONY/GM CONVICTIONS:**

**94 NJ THEFT; 89 PA ROBB; 89 PA THEFT; 89 PA REC STLN  
PROP; 91 PA ROBB; 91 PA ROBB; 94 PA FORG; 92 PA THEFT; 06  
NV ATT LFP**

**MISDEMEANOR CONVICTIONS: 5**

**FAIL TO APPEAR: 2**

**PENDING CHARGES/HOLDS/COMMENTS:**

**IC ON: C219404 ATT LFP - TO NSP; C220916 BURG, GL, CONS GL, LARC  
F/OLDER PERS, CONS LARC F/OLDER PERS DC5**

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**RECOMMENDATION:**

**DATE: 061807 kw**

**INTAKE SERVICES K. White  
CONFIDENTIAL**

**000041**



CONFIDENTIAL

**JUSTICE COURT, LAS VEGAS TOWNSHIP**  
**CLARK COUNTY, NEVADA**

**PRETRIAL SERVICES INFORMATION SHEET**

CASE NO. 07F09465X

DEPT NO. JC9

REQ:

NAME: ROSS, RONALD

ID#: 1970026

CHARGES: BURGLARY 4CTS, LARCENY FROM A PERSON, LARCENY  
FROM OLDER PERSON, OBTAIN/POSS CREDIT CARD W/O  
CARDHOLDERS CONSENT 3CTS. FRAUDULENT USE OF A CREDIT CARD-  
MORE THAN \$100 3CTS, THEFT 3CTS CONSP GRAND LARCENY 2CTS,  
GRAND LARCENY  
CURRENT BAIL: NICTC

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VERIFIED: ADDRESS: NOT INTERVIEWED  
WITH WHOM/HOW LONG:

VERIFIED: EMPLOYMENT:  
DISABLED:

UNEMPLOYED:  
STUDENT:

VERIFIED: RELATIVES: LOCAL NOT LOCAL

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**FELONY/GM CONVICTIONS:**

94 NJ THEFT; 89 PA ROBB; 89 PA THEFT; 89 PA REC STLN  
PROP; 91 PA ROBB; 91 PA ROBB; 94 PA FORG; 92 PA THEFT; 06  
NV ATT LFP

**MISDEMEANOR CONVICTIONS: 5**

**FAIL TO APPEAR: 2**

**PENDING CHARGES/HOLDS/COMMENTS:**

IC ON: C219404 ATT LFP - TO NSP; C220916 BURG, GL, CONS GL, LARC  
F/OLDER PERS, CONS LARC F/OLDER PERS DC5

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**RECOMMENDATION:**

DATE: 060607 CA

INTAKE SERVICES K. White

000042

CONFIDENTIAL

**JUSTICE COURT, LAS VEGAS TOWNSHIP**  
**CLARK COUNTY, NEVADA**

**PRETRIAL SERVICES INFORMATION SHEET**

CASE NO.07F09465X

DEPT NO.JC3

REQ: .

NAME: ROSS, RONALD

ID#: 1970026

CHARGES: BURGLARY 3CTS, BURGLARY W/I 2CTS, LARCENY FROM A  
PERSON, LARCENY FROM OLDER PERSON, OBTAIN/POSS CREDIT CARD  
W/O CARDHOLDERS CONSENT 2CTS. FRAUDULENT USE OF A CREDIT  
CARD-MORE THAN \$100 2CTS, THEFT CONSP GRAND LARCENY 2CTS,  
GRAND LARCENY 2CTS  
CURRENT BAIL: 64,000

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VERIFIED: ADDRESS: NOT INTERVIEWED  
WITH WHOM/HOW LONG:

VERIFIED: EMPLOYMENT:  
DISABLED:

UNEMPLOYED:  
STUDENT:

VERIFIED: RELATIVES: LOCAL NOT LOCAL

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**FELONY/GM CONVICTIONS:**

94 NJ THEFT; 89 PA ROBB; 89 PA THEFT; 89 PA REC STLN  
PROP; 91 PA ROBB; 91 PA ROBB; 94 PA FORG; 92 PA THEFT; 06  
NV ATT LFP

**MISDEMEANOR CONVICTIONS: 5**

**FAIL TO APPEAR: 2**

**PENDING CHARGES/HOLDS/COMMENTS:**

IC ON: C219404 ATT LFP - TO NSP; C220916 BURG, GL, CONS GL, LARC  
F/OLDER PERS, CONS LARC F/OLDER PERS DC5

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**RECOMMENDATION:**

DATE: 060707 CA

INTAKE SERVICES K. White

000043

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

FILED

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS,  
#1970026

Defendant.

Case No.

07F09465X COURT  
LAS VEGAS NEVADA

Dept No.

37Y  
JUN 1 2007

2007 JUN -1 4:25

NOTICE TO PLACE ON CALENDAR

Upon the application of DAVID ROGER, Clark County District Attorney, it is hereby requested that the above entitled matter be placed on the arraignment calendar on the 7TH day of JUNE, 2007, at 7:30 o'clock A.M. for the purpose of INITIAL ARRAIGNMENT.

DATED this 1st day of June, 2007.

DAVID ROGER  
Clark County District Attorney  
Nevada Bar #002781

CHARLES J. SHORT, Clerk of the Court

BY Brian Kocher  
BRIAN KOCHER  
Chief Deputy District Attorney  
Nevada Bar #00Enter Deputy Bar  
No.

BY Brian Peters  
Clerk

JUN - 1 2007

CH

JUNE 01, 2007

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of NOTICE TO PLACE ON CALENDAR, was made this Enter Day day of June, 2007, by facsimile transmission to:

NO ATTORNEY OF RECORD  
FAX #Enter Fax Number

Secretary for the District Attorney's Office

ORIGINAL

FILED IN OPEN  
COURT ON

AUG 08 2007

*S. Robinson*  
Court Clerk

1 DAVID ROGER  
2 Clark County District Attorney  
3 Nevada Bar #002781  
4 Jessica A. Walsh  
5 Deputy District Attorney  
6 Nevada Bar #009640  
7 200 Lewis Avenue  
8 Las Vegas, Nevada 89155-2211  
9 (702) 671-2500  
10 Attorney for Plaintiff

11 JUSTICE COURT, LAS VEGAS TOWNSHIP

12 CLARK COUNTY, NEVADA

13 THE STATE OF NEVADA,

14 Plaintiff,

15 -vs-

16 Ronald Ross,  
17 1970026

18 Defendant.

CASE NO: 07F09465x  
DEPT NO: 3

19 **NOTICE OF MOTION AND MOTION TO CONTINUE**

20 DATE OF HEARING: August 8, 2007

21 TIME OF HEARING: 9:00 A.M.

22 TO: Ronald Ross, Defendant; and

23 TO: Craig Jorgenson, Attorney for Defendant

24 YOU, AND EACH OF YOU WILL PLEASE TAKE NOTICE that the State  
25 respectfully moves this Court to continue the above entitled case.

26 This Motion, which will be heard in Justice Court on the 8th day of

27 ///

28 ///

///

///

1 August, 2007, at 9 o'clock, A.M., is based upon Hill v. Sheriff of Clark County, 85 Nev. 234  
2 (1969), and is supported by the following Affidavit.

3 DATED this 8<sup>th</sup> day of August, 2007

4  
5 DAVID ROGER  
6 DISTRICT ATTORNEY  
7 Nevada Bar #002781

8 BY

J. A. Walsh  
9 Jessica A. Walsh  
10 Deputy District Attorney  
11 Nevada Bar #009640  
12  
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14  
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17  
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28

AFFIDAVIT

STATE OF NEVADA     }  
COUNTY OF CLARK    }ss:

Jessica A. Walsh, being first duly sworn, deposes and says:

1. That Bertha Lundquist is a witness for the State of Nevada in this matter; that her present address is 851 Havshire Rd., Naperville, IL 60565;

2. That the following efforts were made to procure the attendance of this witness at the preliminary hearing scheduled in this matter for 8th; that a subpoena was issued on June; that the witness did in fact receive the subpoena ;

3. That Bertha Lundquist is an essential witness in that she is the victim in the Paris and Macy's and will testify that the Defendant had no permission to take and use her credit cards; that to affiant's present knowledge there is no other witness who could so testify;

4. That said witness will be available to testify after August 15<sup>th</sup>; that it will be necessary to seek a continuance in this matter due to the unavailability of this witness; that affiant first learned on August 1<sup>st</sup>, that this witness would not be available to testify at the scheduled trial in that due to being elderly, she needs a companion to fly with and to be in Las Vegas with, and refuses to come to court without having a companion to fly with, that no one is available to come to court with her until August 15<sup>th</sup>, that the State is asking that the preliminary hearing be set on or about August 15<sup>th</sup>;

5. That this Motion is made in good faith and not for the purpose of delay.

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

Executed on

8/8/07  
(Date)

J. A. Walsh  
(Signature)

FILED

CASE NO.

COPY

Dept. No. 3

Jul 24 2 04 PM '07

JUST. COURT  
LAS VEGAS NEVADA  
BY \_\_\_\_\_ CLERK

IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP  
COUNTY OF CLARK, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONALD ROSS,

Defendant.

Case No. 07F09665X

REPORTER'S TRANSCRIPT  
OF  
PRELIMINARY HEARING

BEFORE THE HONORABLE TONY L. ABBATANGELO  
JUSTICE OF THE PEACE

Tuesday, June 19, 2007, 9:00 a.m.

## APPEARANCES:

For the State:

JAMES SWEETIN, ESQ.  
JESSICA WALSH, ESQ.  
Deputies District Attorney  
200 Lewis Avenue, 9th Floor  
Las Vegas, Nevada 89155

For the Defendant:

CRAIG JORGENSEN, ESQ.  
Deputy Public Defender  
309 South Third Street, #226  
Las Vegas, Nevada 89122

Reported by: RENEE SILVAGGIO, C.C.R. NO. 122

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\* \* \* \* \*



1 X Las Vegas, Nevada, Tuesday, June 19, 2007, 9:00 a.m.

2  
3 \* \* \* \* \*

4  
5 THE COURT: Ronald Ross.

6 He's present, in custody, represented by Mr. Jorgenson;  
7 Miss Walsh and Mr. Sweetin for the State.

8 The State's first witness.

9 MS. WALSH: Thank you, Judge.

10 The State calls Georgia Tathopoulos.

11 THE COURT: Please have a chair to my left. We will have  
12 you sworn in.

13 MS. WALSH: And, Judge, there are a number of witnesses  
14 present in the courtroom. I don't know if the exclusionary  
15 rule --

16 THE COURT: Do you want to exclude witnesses?

17 MR. JORGENSEN: Judge, it makes no difference to us.

18 THE COURT: The witnesses are more than welcome to stay  
19 in the courtroom.

20 (Witness sworn.)

21 THE CLERK: You may be seated.

22 Please state your name for the record.

23 THE WITNESS: My name is Georgia Tathopoulos.

24 THE CLERK: Please spell your first and last names.

25 THE WITNESS: G-e-o-r-g-i-a, T-a-t-h-o-p-o-u-l-o-s.

ACCUSCRIPTS (702) 391-0379

1 GEORGIA TATHOPOULOS

2 called as a witness on behalf of the State,  
3 having been first duly sworn,  
4 was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. WALSH:

7 Q Miss Tathopoulos, where do you live?

8 A I live in Itaska, Illinois.

9 Q I want to direct your attention to March 13th of 2007.

10 Can you recall where you were that date?

11 A March 13th?

12 Q March 17th.

13 A March 17th, I was at the Tropicana Hotel.

14 Q Is that here in Las Vegas, Nevada?

15 A Yes.

16 Q And what was your purpose for staying at the Tropicana?

17 A We had just come for a first time to Las Vegas for our  
18 vacation.

19 Q You and your husband?

20 A Yes.

21 Q And you were staying there at the casino?

22 A That is correct.

23 Q Okay. Around one o'clock in the afternoon, can you  
24 recall what, if anything, you were doing?

ACCUSCRIPTS (702) 391-0379

1 A We had just finished lunch at the Tropicana buffet and we  
2 were walking back to go to our hotel room; and then in the back of  
3 the Tropicana, the first floor there, we just stopped to play one  
4 of the slot machines.

5 Q While you were playing one of those slot machines, did  
6 you have occasion to see anyone you see in court today?

7 A Yes, the gentleman sitting as the defendant.

8 Q Can you point to him and describe an article of clothing  
9 he is wearing.

10 A He's sitting right over there and he's wearing a navy  
11 blue shirt.

12 Q What about his hair style?

13 A His hair style?

14 Q Yeah.

15 A Short, cropped back.

16 MS. WALSH: Can the record reflect identification of the  
17 defendant.

18 THE COURT: That will be noted.

19 BY MS. WALSH:

20 Q How was it that you saw the defendant?

21 A That machine I was on, I won something and it was making  
22 a lot of noise, bells and whistles. And he approached me on the  
23 left side, very friendly, came very close and was asking me what  
24 did I win and how does it work, the machine.

25 My husband was sitting on my right side, but he

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1 approached me with another young man on my left, came very close,  
2 looking over my shoulder, being very friendly.

3 Q Okay. When you were at the slot machine, did you have a  
4 purse or a wallet with you?

5 A Yes, I did. I had my purse on my left side. I had taken  
6 out the dollar and I put my wallet back in the purse, but I did  
7 have my purse, not zippered. It was open and it was on my left  
8 side.

9 Q And what part of your body was your purse on?

10 A It would have been right next to my hip. (Indicating)

11 Q On your left side?

12 A On my left side.

13 Q And you indicated the defendant came up on your left  
14 side?

15 A Yes, he approached me, came very close and was asking me  
16 questions about what the machine was doing.

17 And I was very focused on that because it was making a  
18 lot of noise and I thought I won something.

19 Q Was he doing anything with his hands at all that you  
20 could tell?

21 A No. And, again, I wasn't actual holding my purse. It  
22 was sitting next to me.

23 Q But it was sitting next to your hip?

24 A Right; right next to my body.

25 Q And the second person that was with the defendant, where

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