

Case: **06C228752-4** Party: **Sort Order: Status** Defendant Name: **Holmes, Robert** DOB

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Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
PCT3	Plaintiff			QUESTION FROM #4		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169286								
PCT4	Plaintiff			QUESTION FROM #?		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169290								
P	Plaintiff			*NEXT*TRAIL SEE LIST, SAME EXHIBITS USED		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 169295								
P-	Plaintiff			*****NEW EXHIBITS ADDED*****		State of Nevada		
Comment: ExhibitID : 169298								
PCT-1	Plaintiff			QUESTION FROM JUROR #7		State of Nevada	District Court Criminal/Civil 05/23/2008	Evidence Vault
Comment: ExhibitID : 169306								
PCT-2	Plaintiff			QUESTION FROM JUROR #4		State of Nevada	District Court Criminal/Civil 05/27/2008	Evidence Vault
Comment: ExhibitID : 169308								
PCT-3	Plaintiff			QUESTION FROM JUROR #4		State of Nevada	District Court Criminal/Civil 05/27/2008	Evidence Vault
Comment: ExhibitID : 169310								
PCT-4	Plaintiff			QUESTION FROM JUROR #7		State of Nevada	District Court Criminal/Civil 05/27/2008	Evidence Vault
Comment: ExhibitID : 169311								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
PCT-5	Plaintiff			QUESTION FROM JUROR #3		State of Nevada	District Court Criminal/Civil 05/27/2008	Evidence Vault
Comment: ExhibitID : 169312								
PCT-6	Plaintiff			QUESTION FROM JUROR #4		State of Nevada	District Court Criminal/Civil 05/27/2008	Evidence Vault
Comment: ExhibitID : 169313								
PCT-7	Plaintiff			QUESTION FROM JUROR #10		State of Nevada	District Court Criminal/Civil 05/28/2008	Evidence Vault
Comment: ExhibitID : 169314								
P1	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH AERIAL		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169193 NO OBJECTION								
P2	Plaintiff	Admitted 05/16/2008		LARGE COLOR PHOTOGRAPH AERIAL		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169194 NO OBJECTION								
P3	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH AERIAL		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169195 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P4-19	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169196 NO OBJECTION								
P20	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169197 NO OBJECTION								
P21	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169198 NO OBJECTION								
P22	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169199 NO OBJECTION								
P23	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169200 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P24	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169201 NO OBJECTION								
P25	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169202 NO OBJECTION								
P26	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169203 NO OBJECTION								
P27	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169204 NO OBJECTION								
P28	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169205 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P29	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169206 NO OBJECTION								
P30	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169207 NO OBJECTION								
P31	Plaintiff	Admitted 05/13/2009		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2009	Evidence Vault
Comment: ExhibitID : 169208 NO OBJECTION								
P32-35	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169209 NO OBJECTION								
P36	Plaintiff	Admitted 05/16/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169210 OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P37-40	Plaintiff	Admitted 05/16/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169211 NO OBJECTION								
P41-52	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169212 NO OBJECTION								
P53-54	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169213 NO OBJECTION								
P55	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169214 OBJECTION								
P56	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169215 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P57	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169216 NO OBJECTION								
P58-61	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169217 NO OBJECTION								
P62-67	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169218 NO OBJECTION								
P68-74	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169219 NO OBJECTION								
P75-77	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169220 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P78-90	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169221 NO OBJECTION								
P91-17	Plaintiff	Admitted 05/13/2008		1) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169222 NO OBJECTION								
P172-1	Plaintiff	Admitted 05/14/2008		78) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169223 NO OBJECTION								
P179	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169224 NO OBJECTION								
P180-2	Plaintiff	Admitted 05/14/2008		10) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169225 OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P211	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169226 OBJECTION								
P212	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169227 NO OBJECTION								
P213	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169228 OBJECTION								
P214	Plaintiff	Admitted 05/14/2008		4 SMALL COLOR PHOTOGRAPHS		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169229 NO OBJECTION								
P215-2	Plaintiff	Admitted 05/14/2008		18) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169230 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P219	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169231 NO OBJECTION								
P220-2	Plaintiff	Admitted 05/14/2008		21) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169232 NO OBJECTION								
P222	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169233 NO OBJECTION								
P223-2	Plaintiff	Admitted 05/14/2008		29) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169234 NO OBJECTION								
P230	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169235 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P231-2	Plaintiff	Admitted 05/14/2008		33) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169236 NO OBJECTION								
P234	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169237 NO OBJECTION								
P235	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169238 NO OBJECTION								
P236-2	Plaintiff	Admitted 05/13/2008		43) LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169239 NO OBJECTION								
P244	Plaintiff	Admitted 05/14/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169240 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P245	Plaintiff	Admitted 05/13/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169241 NO OBJECTION								
P250	Plaintiff	Admitted 05/19/2008		LARGE COLOR PHOTOGRAPH		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169242 NO OBJECTION								
P251-5	Plaintiff	Admitted 05/20/2008		75)PHOTO ADMITTED DATES 5/13-20		State of Nevada	District Court Criminal/Civil 05/20/2008	Evidence Vault
Comment: ExhibitID : 169243 NO OBJECTION								
P576	Plaintiff	Admitted 05/13/2008		EVENT HISTORY REPORT (ANKEE CRYSTAL PALA		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169244 NO OBJECTION								
P577	Plaintiff	Admitted 05/13/2008		EVENT HISTORY RPT (LUST FOR KIDS DNTSRV		State of Nevada	District Court Criminal/Civil 05/13/2008	Evidence Vault
Comment: ExhibitID : 169245 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P578-8	Plaintiff	Admitted 05/20/2008		71)PHOTOS ADM 5/13-20		State of Nevada	District Court Criminal/Civil 05/20/2008	Evidence Vault
Comment: ExhibitID : 169246 NO OBJECTION								
P874	Plaintiff	Admitted 05/14/2008		SELF STORAGE RENTAL AGREEMENT		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169249 NO OBJECTION								
P875-9	Plaintiff	Admitted 05/16/2008		73)PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169250 NO OBJECTION								
P974	Plaintiff	Admitted 05/14/2008		SMOKE RANCH JONES RENTAL AGREEMENT		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169255 NO OBJECTION								
P975-9	Plaintiff	Admitted 05/16/2008		84) PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169256 NO OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P989-1	Plaintiff	Admitted 05/19/2008		033)PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169258 NO OBJECTION								
P1034-	Plaintiff	Admitted 05/16/2008		1035) RED ROCK SELF STORAGE RECEIPTS		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169259 NO OBJECTION								
P1036-	Plaintiff	Admitted 05/16/2008		1088) PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169260 NO OBJECTION								
P1089	Plaintiff	Admitted 05/14/2008		STORAGE WEST RENTAL AGREEMENT		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169261 NO OBJECTION								
P1090	Plaintiff	Admitted 05/14/2008		LARGE B & w PHOTOS OF RENTAL PAPERWORK		State of Nevada	District Court Criminal/Civil 05/14/2008	Evidence Vault
Comment: ExhibitID : 169262 NO OBJECTION								

Exhibit List

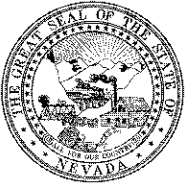
Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P1091-	Plaintiff	Admitted 05/16/2008		1128) PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169263 NO OBJECTION								
P1129	Plaintiff	Admitted 05/16/2008		BINDER		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169264 OBJECTION								
P1130-	Plaintiff	Admitted 05/16/2008		1155) PHOTOS ADMITTED 5/13-20		State of Nevada	District Court Criminal/Civil 05/16/2008	Evidence Vault
Comment: ExhibitID : 169265 NO OBJECTION								
P1181	Plaintiff	Admitted 05/19/2008		CALL LOG		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169269 NO OBJECTION								
P1181A	Plaintiff	Admitted 05/19/2008		CD CALLS (1-12)		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169270 NO OBJECTION								
P1181B	Plaintiff	Admitted 05/19/2008		CD CALLS (12A-19)		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169272 OBJECTION								

Exhibit List

Case: 06C228752-4 Party: Sort Order: Status Defendant Name: Holmes, Robert DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P1181C	Plaintiff	Admitted 05/19/2008		CD CALLS (20-25)		State of Nevada	District Court Criminal/Civil 05/19/2008	Evidence Vault
Comment: ExhibitID : 169277 OBJECTION								
DA	Defendant	Admitted 05/22/2008		ACTIVITY REPORT UNIT 247		Holmes, Robert	District Court Criminal/Civil 05/22/2008	Evidence Vault
Comment: ExhibitID : 169300 NO OBJECTION								
DB	Defendant	Admitted 05/22/2008		ACTIVITY REPORT UNIT 253		Holmes, Robert	District Court Criminal/Civil 05/22/2008	Evidence Vault
Comment: ExhibitID : 169302 NO OBJECTION								
P-1-3	Plaintiff	Admitted 10/01/2008		CERT COPY OF JOC'S (MONROE)		State of Nevada	District Court Criminal/Civil 10/01/2008	Evidence Vault
Comment: ExhibitID : 169955 NO OBJECTION								
P-4-8	Plaintiff	Admitted 10/01/2008		CERT COPY OF JOC'S (FERGASON)		State of Nevada	District Court Criminal/Civil 10/01/2008	Evidence Vault
Comment: ExhibitID : 169956 NO OBJECTION								



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

ROBERT HOLMES, III #1034184
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: October 21, 2013
CASE: C228752-4

RE CASE: STATE OF NEVADA vs. ROBERT HOLMES

NOTICE OF APPEAL FILED: October 18, 2013

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PRO PER MOTION TO MODIFY
AND/OR CORRECT ILLEGAL SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST;
NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ROBERT HOLMES,

Defendant(s).

Case No: C228752-4
Dept No: XX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 21 day of October 2013.

Steven D. Grierson, Clerk of the Court



Teodora Jones, Deputy Clerk

TO THE COURT

Robert Holmes III

BAC #1234/84

FILED

OCT 18 2013

In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

John K. Lindeman
Clerk of Supreme Court

Stamp file

Electronically Filed
Oct 21 2013 11:19 a.m.
Hacie K. Lindeman
Clerk of Supreme Court

IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Clark

08C228752-4
NOASC
Notice of Appeal (criminal)
3087843



State of Nevada

Plaintiff,

vs.

Robert Holmes III

Defendant.

Case No. C228752

Dept. No. XX

Docket _____

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,

Robert Holmes III, in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the

Motion to modify and for correct illegal sentence

ruled on the 26 day of September, 20 13.

Dated this 9 day of October, 20 13

Respectfully Submitted,

Robert Holmes III

CLERK OF THE COURT

RECEIVED
OCT 18 2013

CERTIFICATE OF SERVICE BY MAILING

I, Robert Holmes III, hereby certify, pursuant to NRCP 5(b), that on this 9
day of October, 2013, I mailed a true and correct copy of the foregoing, "Notice
from order Denying
of Appeal Motion to Modify and/or correct illegal sentence"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

D.A. Office
District Attorney
STEVEN WOLFSON
200 Lewis Avenue
LAS VEGAS NV 89155-1160

CC:FILE

DATED: this 9 day of October, 2013.

Robert Holmes III
Robert Holmes III # 1034124
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice of Appeal
from order Denying
Motion to Modify and for correct illegal sentence
(Title of Document)

filed in District Court Case number C228752

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.

Robert Heine III
Signature

10-9-2013
Date

Robert Heine III
Print Name

pro se
Title

Robert Holmes III
SDOC P.O. Box 208
Indian Springs Nevada 89070

Box # 1034184

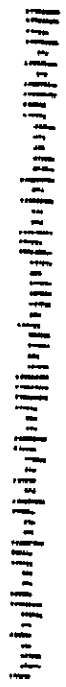
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10/14/2013
US POSTAGE
8305 032764
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SOUTHERN DESERT
CORRECTIONAL CENTER
ZIP 89101
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9:03

LEGAL MAIL

Clerk of the Court
200 Lewis Avenue
3rd Floor
Las Vegas NV 89155

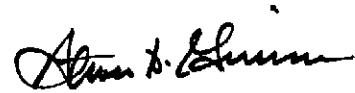
CONFIDENTIAL



SOUTHERN DESERT
CORRECTIONAL CENTER

OCT 11 2013

OUTGOING
MAIL



CLERK OF THE COURT

ASTA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff(s),

vs.

ROBERT HOLMES,

Defendant(s),

Case No: 06C228752-4
Dept No: XX

CASE APPEAL STATEMENT

1. Appellant(s): Robert Holmes, III

2. Judge: Jerome Tao

3. Appellant(s): Robert Holmes, III

Counsel:

Robert Holmes, III #1034184
P.O. Box 208
Indian Springs, NV 89070

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Ave.
Las Vegas, NV 89101
(702) 671-2700

5. Respondent's Attorney Licensed in Nevada: Yes

6. Appellant Represented by Appointed Counsel In District Court: Yes

1 7. Appellant Represented by Appointed Counsel On Appeal: N/A

2 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

3 9. Date Commenced in District Court: December 13, 2006

4 10. Brief Description of the Nature of the Action: Criminal

5 Type of Judgment or Order Being Appealed: Misc. Order


6 11. Previous Appeal: Yes

7 Supreme Court Docket Number(s): 52788, 52877, 53848, 57538, 58625, 59900, 64165

8 12. Child Custody or Visitation: N/A

9
10 Dated This 21 day of October 2013.

11 Steven D. Grierson, Clerk of the Court

12 

13
14 Teodora Jones, Deputy Clerk
15 200 Lewis Ave
16 PO Box 551601
17 Las Vegas, Nevada 89155-1601
18 (702) 671-0512
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DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

State of Nevada
vs
Robert Holmes

§ Location: **Department 20**
§ Judicial Officer: **Tao, Jerome T.**
§ Filed on: **12/13/2006**
§ Case Number History:
§ Cross-Reference Case **C228752**
§ Number:
§ Defendant's Scope ID #: **0876216**
§ Lower Court Case Number: **06GJ00101**
§ Supreme Court No.: **57538**
§ **58625**
§ **59900**
§ **64165**

CASE INFORMATION

Offense	Deg	Date	Case Type: Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT A CRIME	G	01/01/1900	Case Flags: Appealed to Supreme Court
1. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	G	01/01/1900	Custody Status - Nevada
2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	Department of Corrections
2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	Case File Archived
3. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
4. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
5. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
6. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
7. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
8. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
9. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
10. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
11. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
12. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
13. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
14. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
15. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
16. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
17. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
18. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
19. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	
20. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900	

DEPARTMENT 20
CASE SUMMARY
CASE No. 06C228752-4

21.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
22.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
23.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
24.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
25.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
26.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900
27.	RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	F	01/01/1900

Related Cases

06C228752-1 (Multi-Defendant Case)

06C228752-2 (Multi-Defendant Case)

06C228752-3 (Multi-Defendant Case)

Statistical Closures

07/22/2009 USJR Reporting Statistical Closure

02/25/2009 USJR Reporting Statistical Closure

06/04/2010 USJR Reporting Statistical Closure

Warrants

Bench Warrant - Holmes, Robert (Judicial Officer: Hardcastle, Kathy)

12/02/2008 Quashed

05/12/2008 Issued

Fine: \$0 Bond: \$0

Bench Warrant - Holmes, Robert (Judicial Officer: Hardcastle, Kathy)

12/02/2008 Quashed

05/12/2008 Issued

Fine: \$0 Bond: \$0

Bench Warrant - Holmes, Robert (Judicial Officer: Hardcastle, Kathy)

12/22/2006 Quashed

12/13/2006 Issued

Fine: \$0 Bond: \$0

Bonds

Converted Surety Bond #DS50134729 \$13,000.00

12/5/2008 Exonerated

1/22/2007 Posted

Counts: 1, 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 2, 2, 20, 21, 22, 23, 24, 25, 26,
27, 3, 4, 5, 6, 7, 8, 9

Converted Surety Bond #250148813 \$137,000.00

1/8/2007 Posted

12/5/2008 Exonerated

Counts: 1, 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 2, 2, 20, 21, 22, 23, 24, 25, 26,
27, 3, 4, 5, 6, 7, 8, 9

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	06C228752-4
Court	Department 20
Date Assigned	01/31/2011
Judicial Officer	Tao, Jerome T.








DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

PARTY INFORMATION

Defendant **Holmes, Robert**

Plaintiff **State of Nevada**














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

DATE	EVENTS & ORDERS OF THE COURT	INDEX
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT A CRIME Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty	
12/13/2006	Grand Jury Indictment (1:30 PM) <i>GRAND JURY INDICTMENT Relief Clerk: Sandra Anderson Reporter/Recorder: Paula Walsh Heard By: Kathy Hardcastle</i>	
12/13/2006	 Indictment	
12/13/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>	
12/13/2006	 Order <i>Notice and Order to Transfer Bail</i>	
12/13/2006	 Warrant <i>Indictment Warrant</i>	
12/13/2006	 Warrant <i>Indictment Warrant</i>	
12/13/2006	 Warrant <i>Indictment Warrant</i>	
12/15/2006	 Indictment <i>Amended Indictment</i>	
12/18/2006	 Motion to Quash Bench Warrant <i>Request to Quash Warrant and/ for O.R. Release or in the Alternative Bail Reduction</i>	












DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

12/18/2006	 Receipt of Copy
12/19/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>
12/19/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>
12/19/2006	 Indictment Warrant Return
12/19/2006	 Indictment Warrant Return
12/20/2006	Initial Arraignment (10:30 AM) <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	Initial Arraignment (10:30 AM) <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	Initial Arraignment (10:30 AM) <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	Motion to Quash Bench Warrant (10:30 AM) Events: 12/18/2006 Motion to Quash Bench Warrant <i>DEFT'S QUASH BENCH WARRANT & FOR OR RELEASE OR BAIL REDUCTION/8 Heard By: Kevin Williams</i>
12/20/2006	Bench Warrant Return (10:30 AM) Events: 12/19/2006 Indictment Warrant Return <i>BENCH WARRANT RETURN /13 Heard By: Kevin Williams</i>
12/20/2006	Bench Warrant Return (10:30 AM) Events: 12/19/2006 Indictment Warrant Return <i>BENCH WARRANT RETURN /14 Heard By: Kevin Williams</i>
12/20/2006	All Pending Motions (10:30 AM) <i>ALL PENDING MOTIONS (12/20/06) Court Clerk: Sharry Frascarelli Relief Clerk: Tia Everett/te Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>
12/27/2006	Initial Arraignment (10:30 AM) <i>INITIAL ARRAIGNMENT Court Clerk: Roshonda Mayfield/rm Relief Clerk: Tia Everett Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>
12/28/2006	 Order <i>Stipulation and Order</i>
01/04/2007	Arraignment Continued (9:30 AM) <i>ARRAIGNMENT CONTINUED (DEFTS' MONROE; FERGASON & HOLMES)</i>
01/04/2007	Arraignment Continued (9:30 AM) <i>ARRAIGNMENT CONTINUED (DEFT. TREVARTHEN) Heard By: Michelle Leavitt</i>
01/04/2007	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (1/4/07) Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
01/05/2007	Hearing (2:00 PM) <i>SOURCE HEARING Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>






DEPARTMENT 20
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CASE NO. 06C228752-4

01/05/2007	 Notice of Entry of Order
01/08/2007	 Reporters Transcript <i>Reporter's Transcript of November 28, 2006</i>
01/08/2007	 Reporters Transcript <i>Reporter's Transcript of November 28, 2006</i>
01/08/2007	 Reporters Transcript <i>Reporter's Transcript of December 12, 2006</i>
01/08/2007	 Reporters Transcript <i>Reporter's Transcript of December 13, 2006</i>
01/08/2007	 Bond <i>Bail Bond</i>
01/11/2007	Arraignment Continued (9:30 AM) <i>ARRAIGNMENT CONTINUED Heard By: Michelle Leavitt</i>
01/11/2007	Motion for Confirmation of Counsel (9:30 AM) <i>CONFIRMATION OF COUNSEL (LANGFORD) Heard By: Michelle Leavitt</i>
01/11/2007	Motion for Confirmation of Counsel (9:30 AM) <i>CONFIRMATION OF COUNSEL (FIGLER) Heard By: Michelle Leavitt</i>
01/11/2007	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
01/18/2007	Motion for Confirmation of Counsel (9:30 AM) <i>CONFIRMATION OF COUNSEL (LORD) Relief Clerk: Teri Braegelmann Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
01/22/2007	 Bond <i>Bail Bond</i>
01/24/2007	 Notice <i>Notice of Receipt of Bond Transfer</i>
01/31/2007	 Motion <i>Defendant's Motion for Extension of Time to File Petition for Writ of Habeas Corpus</i>
01/31/2007	 Order <i>Order of Hourly Appointment</i>
02/01/2007	 Petition <i>Petition for Writ of Habeas Corpus</i>
02/01/2007	 Petition <i>Petition for Writ of Habeas Corpus and Motion to Dismiss</i>
02/01/2007	 Order











DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

02/05/2007	 Certificate <i>Certificate of Mailing</i>
02/06/2007	 Order <i>Order Appointing Counsel</i>
02/07/2007	 Order <i>Order Appointing Counsel</i>
02/08/2007	Status Check (9:30 AM) <i>STATUS CHECK: BAIL BONDS Court Clerk: Teri Braegelmann Relief Clerk: Tina Hurd/th Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
02/08/2007	 Request <i>Ex Parte Motion for Employment and Payment of Investigator</i>
02/13/2007	Motion (9:30 AM) Events: 01/31/2007 Motion <i>DEFT'S MTN FOR EXTENSION OF TIME TO FILE PTN FOR WRIT OF HABEAS CORPUS/30 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
02/14/2007	 Order
02/14/2007	 Writ <i>Return to Writ of Habeas Corpus</i>
02/14/2007	 Writ <i>Return to Writ of Habeas Corpus</i>
02/15/2007	 Receipt of Copy
02/20/2007	Petition for Writ of Habeas Corpus (9:30 AM) Events: 02/01/2007 Petition <i>PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07) Heard By: Michelle Leavitt</i>
02/20/2007	Petition for Writ of Habeas Corpus (9:30 AM) Events: 02/01/2007 Petition <i>PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)</i>
02/20/2007	Status Check (9:30 AM) <i>STATUS CHECK: PETITION/TRIAL</i>
02/20/2007	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS 2-20-07 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
02/28/2007	 Ex Parte Order <i>Ex Parte Order Appointing Investigator</i>
02/28/2007	 Petition <i>Petition for Writ of Habeas Corpus</i>
02/28/2007	 Request <i>Ex Parte Motion to Appoint Investigator</i>

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

03/06/2007	Calendar Call (11:00 AM) <i>CALENDAR CALL Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
03/06/2007	Petition for Writ of Habeas Corpus (11:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07) Heard By: Michelle Leavitt</i>
03/06/2007	Petition for Writ of Habeas Corpus (11:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)</i>
03/06/2007	CANCELED Hearing (11:00 AM) <i>Vacated</i>
03/06/2007	 Indictment <i>Second Amended Indictment</i>
03/06/2007	 Writ <i>Return to Writ of Habeas Corpus</i>
03/06/2007	 Memorandum <i>Guilty Plea Agreement</i>
03/13/2007	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
03/19/2007	 Conversion Case Event Type <i>Agreement to Testify</i>
04/17/2007	 Order <i>Stipulation and Order Extending Time</i>
04/26/2007	 Receipt <i>Receipt of Exhibits</i>
05/07/2007	 Petition <i>Petition for Writ of Habeas Corpus</i>
05/09/2007	 Receipt of Copy
05/09/2007	 Receipt of Copy
05/14/2007	 Motion <i>Motion to Withdraw as Attorney of Record for Daimon Monroe</i>
05/14/2007	 Receipt of Copy
05/21/2007	 Order <i>Order for Production of Inmates</i>
05/29/2007	Motion to Withdraw as Counsel (9:30 AM) Events: 05/14/2007 Motion <i>SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43 Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

06/06/2007	 Application <i>Ex Parte Application for Authorization of Fees in Excess of the Statutory Amount Authorized by NRS 7.125 and 7.145</i>
07/03/2007	 Order
08/08/2007	 Receipt of Copy
08/08/2007	 Receipt of Copy
08/08/2007	 Receipt of Copy
09/01/2007	 Order <i>Order Setting Hearing Date</i>
09/13/2007	 Motion <i>Motion to Continue Trial</i>
09/13/2007	 Receipt of Copy
09/18/2007	 Request <i>Amended Notice of Motion on Defendant's Motion to Continue Trial</i>
09/19/2007	 Receipt of Copy
09/20/2007	Motion to Continue (9:30 AM) Events: 09/13/2007 Motion <i>DEFT'S MTN TO CONTINUE TRIAL/45 Heard By: Michelle Leavitt</i>
09/25/2007	Motion to Continue (9:30 AM) <i>DEFT'S MTN TO CONTINUE TRIAL/45 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle</i>
09/28/2007	CANCELED Petition for Writ of Habeas Corpus (1:30 PM) <i>Vacated</i>
09/28/2007	CANCELED Petition for Writ of Habeas Corpus (1:30 PM) <i>Vacated</i>
09/28/2007	CANCELED Petition for Writ of Habeas Corpus (1:30 PM) <i>Vacated</i>
10/02/2007	Calendar Call (9:30 AM) <i>CALENDAR CALL</i>
10/02/2007	Calendar Call (9:30 AM) <i>CALENDAR CALL</i>
10/02/2007	Calendar Call (9:30 AM) <i>CALENDAR CALL Heard By: Michelle Leavitt</i>
10/02/2007	Motion to Continue (9:30 AM) <i>DEFT'S MTN TO CONTINUE TRIAL/45 Heard By: Michelle Leavitt</i>





DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

10/02/2007	Status Check (9:30 AM) <i>STATUS CHECK: TRIAL SETTING Heard By: Michelle Leavitt</i>
10/02/2007	Status Check (9:30 AM) <i>STATUS CHECK: TRIAL SETTING Heard By: Michelle Leavitt</i>
10/02/2007	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS 10/02/07 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
10/04/2007	 Application <i>Ex Parte Application for Excessive Investigator Fees</i>
10/09/2007	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
10/09/2007	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
10/09/2007	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
10/16/2007	 Order <i>Order to Appoint Investigator and Investigative Fees</i>
10/19/2007	 Order <i>Amended Order Appointing Counsel and Allowing Interim Billing</i>
11/06/2007	 Ex Parte Order <i>Ex Parte Order Allowing Fees in Excess of Statutory Maximum for Attorney on Court Appointed Case - First Interim Billing</i>
11/06/2007	 Supplement <i>Supplement to Defendant's Petition for Writ of Habeas Corpus</i>
11/06/2007	 Receipt of Copy
11/06/2007	 Request <i>Ex Parte Motion to Allow Fees in Excess of Statutory Maximum for Attorney on Court Appointed Case</i>
11/08/2007	Status Check (9:30 AM) <i>STATUS CHECK: SENTENCING Heard By: Michelle Leavitt</i>
11/08/2007	Petition for Writ of Habeas Corpus (11:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS Relief Clerk: Tia Everett/te Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>
12/10/2007	 Order <i>Trial Order</i>
01/23/2008	Minute Order (9:00 AM) <i>MINUTE ORDER RE: (RECUSAL) Court Clerk: April Watkins Heard By: Michelle Leavitt</i>
01/23/2008	 Notice of Department Reassignment









DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

01/24/2008	Minute Order (9:00 AM) <i>MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII Court Clerk: Denise Trujillo Heard By: Kathy Hardcastle</i>
01/30/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS 1/30/08 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
02/05/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	Status Check (8:30 AM) <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS 2-5-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
03/11/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/11/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/11/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (8:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (8:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (8:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/13/2008	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>
03/18/2008	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
03/18/2008	CANCELED Jury Trial (1:30 PM)


















DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

	<i>Vacated</i>
03/18/2008	<i>CANCELED Jury Trial</i> (1:30 PM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
03/25/2008	<i>CANCELED Jury Trial</i> (10:30 AM) <i>Vacated</i>
04/23/2008	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
04/24/2008	Status Check (8:30 AM) <i>STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
04/24/2008	 Motion <i>Motion to Sever</i>
04/25/2008	 Motion <i>Motion to Sever on Order Shortening Time</i>
04/25/2008	 Receipt of Copy
04/25/2008	 Receipt of Copy
04/28/2008	 Opposition <i>Opposition to Defendant Holmes' Motion to Sever</i>
04/28/2008	 Opposition <i>Opposition to Defendant Ferguson's Motion to Sever</i>
04/29/2008	 Motion <i>Motion to Amend Indictment</i>
04/30/2008	 Notice <i>Notice of Habitual Criminality</i>
04/30/2008	 Opposition <i>State's Opposition to Defendant's Motion to Disqualify the District Attorney's Office and Sandra Digiacomio as Prosecutor Due to Conflict of Interest</i>

DEPARTMENT 20
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CASE NO. 06C228752-4

05/01/2008	Calendar Call (8:30 AM) <i>CALENDAR CALL</i>
05/01/2008	Calendar Call (8:30 AM) <i>CALENDAR CALL</i>
05/01/2008	Calendar Call (8:30 AM) <i>CALENDAR CALL</i>
05/01/2008	Motion to Sever (8:30 AM) Events: 04/24/2008 Motion <i>DEFT'S MTN TO SEVER /83 Heard By: Stewart Bell</i>
05/01/2008	Motion to Sever (8:30 AM) Events: 04/25/2008 Motion <i>DEFT'S MTN TO SEVER /84 Heard By: Stewart Bell</i>
05/01/2008	Motion to Amend (8:30 AM) Events: 04/29/2008 Motion <i>STATE'S MTN TO AMEND INDICTMENT /86</i>
05/01/2008	Motion to Amend (8:30 AM) <i>STATE'S MTN TO AMEND INDICTMENT</i>
05/01/2008	Motion to Amend (8:30 AM) <i>STATE'S MTN TO AMEND INDICTMENT</i>
05/01/2008	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS 5-1-08 Court Clerk: Tina Hurd Relief Clerk: Sharon Coffman/sc..Dana Cooper Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
05/01/2008	 Indictment <i>Amended Indictment</i>
05/01/2008	 Order <i>Order Amending Indictment</i>
05/02/2008	 Order <i>Second Order to Appoint Investigator and Investigative Fees</i>
05/03/2008	 Motion <i>Motion to Suppress Telephone Recordings</i>
05/03/2008	 Motion <i>Motion to Disqualify the District Attorney's Office and Sandra Digiacomo as Prosecutor Due to Conflict of Interest</i>
05/03/2008	 Motion <i>Motion in Liming Re: Detectives, Surveillance, and Detection of ROP Detectives and Flyer</i>
05/03/2008	 Motion <i>Notice of Motion and Motion to Suppress Evidence Obtained Pursuant to Search Warrants</i>
05/05/2008	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4


05/06/2008	 Motion <i>Motion to Suppress</i>
05/06/2008	 Motion <i>Motion to Dismiss Possession of Stolen Property Charges</i>
05/07/2008	 Motion <i>Defendant's Motion for Production of Discovery</i>
05/07/2008	 Motion <i>Motion in Limine to Exclude Preclude Evidence Attributed to Co-Defendant's From Being Admitted During Trial Against the Defendant, Bryan Ferguson</i>
05/07/2008	 Motion <i>Motion in Limine to Bar the Admission of Recorded Telephone Calls</i>
05/07/2008	 Motion <i>Motion to Suppress</i>
05/07/2008	 Motion <i>Joinder to Motions</i>
05/07/2008	 Motion <i>Motion to Strike Language in Count One and Count Thirteen of Amended Indictment</i>
05/07/2008	 Motion <i>Motion in Limine to Bar Admission of Expert Testimony, or Evidence of Value for the Property at Issue</i>
05/07/2008	 Motion <i>Motion in Limine to Bar Admission of Evidence That the Defendant Committed Burglary in the Instant Case</i>
05/07/2008	 Receipt of Copy
05/07/2008	 Receipt of Copy
05/07/2008	 Certificate <i>Certificate of Service</i>
05/07/2008	 Receipt of Copy
05/07/2008	 Receipt of Copy
05/08/2008	 Motion <i>Motion to Dismiss Conspiracy to Commit Burglary and/or Possession of Stolen Property Charges</i>
05/08/2008	 Motion <i>Motion in Limine to Exclude any Testimony Regarding Defendant Holmes' Prior Arrests and/or Criminal History as Well as any Circumstances Surrounding Those Events</i>

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05/08/2008	 Motion <i>Motion in Limine to Bar the Admission of Recorded Telephone Calls</i>
05/08/2008	 Motion <i>Motion to Join Co-Defendant Daimon Monroe's Motions</i>
05/08/2008	 Motion <i>Motion to Join Co-Defendant Bryan Fergason's Motions</i>
05/08/2008	 Motion <i>Motion to Suppress</i>
05/08/2008	 Opposition <i>Opposition to Motion in Limine to Exclude Preclude Evidence Attributed to Co-Defendant's From Being Admitted During Trial Against the Defendant, Bryan Fergason</i>
05/08/2008	 Opposition <i>State's Opposition to Defendant's Motion to Dismiss Possession of Stolen Property Charges</i>
05/08/2008	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
05/09/2008	 Opposition <i>Opposition to Defendant Fergason's Motion in Limine to Bar Admission of Recorded Telephone Calls</i>
05/09/2008	 Opposition <i>Opposition to Defendant Fergason's Motion to Suppress</i>
05/09/2008	 Opposition <i>Opposition to Defendant Monroe's Motion to Suppress Telephone Recordings</i>
05/09/2008	 Opposition <i>Opposition to Defendant Holmes' Motion in Limine to Bar the Admission of Recorded Telephone Calls</i>
05/09/2008	 Opposition <i>Opposition to Defendant Fergason's Motion to Strike Language in Count One and Count Thirteen of Amended Indictment</i>
05/09/2008	 Opposition <i>State's Opposition to Defendant's Motion to Suppress Evidence Obtained Pursuant to Search Warrants</i>
05/09/2008	 Opposition <i>Opposition to Defendant Holmes Motion to Dismiss Conspiracy to Commit Burglary And/or Stolen Property Charges</i>
05/09/2008	 Opposition <i>Opposition to Defendant's Motion in Limine to Bar Admission of Evidence</i>
05/09/2008	 Opposition

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Opposition to Defendant's Motion in Limine to Bar Admission of Expert Testimony


05/09/2008	 Opposition <i>Opposition to Defendant's Motion in Limine Re: ROP Detectives</i>
05/12/2008	Motion to Suppress (8:30 AM) Events: 05/03/2008 Motion <i>DEFT'S MTN TO SUPPRESS TELEPHONE RECORDINGS/93 Heard By: Stewart Bell</i>
05/12/2008	Motion to Disqualify Attorney (8:30 AM) Events: 05/03/2008 Motion <i>DEFT'S MTN TO DISQUALIFY DA'S OFFICE & SANDRA DIGLIACOMO AS PROSECUTOR /94 Heard By: Stewart Bell</i>
05/12/2008	Motion in Limine (8:30 AM) Events: 05/03/2008 Motion <i>DEFT'S MTN IN LIMINE RE: ROP DETECTIVES/95 Heard By: Stewart Bell</i>
05/12/2008	Motion to Suppress (8:30 AM) Events: 05/03/2008 Motion <i>DEFT'S MTN TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS/96</i>
05/12/2008	Motion to Suppress (8:30 AM) Events: 05/06/2008 Motion <i>DEFTS MTN TO SUPPRESS /97 Heard By: Stewart Bell</i>
05/12/2008	Motion to Dismiss (8:30 AM) Events: 05/06/2008 Motion <i>DEFTS MTN TO DISMISS POSSESSION OF STOLEN PROPERTY/98 Heard By: Stewart Bell</i>
05/12/2008	Motion to Suppress (8:30 AM) Events: 05/07/2008 Motion <i>DEFT'S MTN TO SUPPRESS /102 Heard By: Stewart Bell</i>
05/12/2008	Joinder (8:30 AM) Events: 05/07/2008 Motion <i>DEFT'S JOINDER IN MTNS IN LIMINE/103 Heard By: Stewart Bell</i>
05/12/2008	Motion to Strike (8:30 AM) Events: 05/07/2008 Motion <i>DEFT'S MTN TO STRIKE LANGUAGE IN COUNT 1& COUNT 13 /104 Heard By: Stewart Bell</i>
05/12/2008	Motion in Limine (8:30 AM) Events: 05/07/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY /105 Heard By: Stewart Bell</i>
05/12/2008	Motion in Limine (8:30 AM) Events: 05/07/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EVID /106 Heard By: Stewart Bell</i>
05/12/2008	Motion to Dismiss (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN TO DISMISS /107 Heard By: Stewart Bell</i>
05/12/2008	Motion in Limine (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN IN LIMINE TO EXCLUDE ANY TESTIMONY RE PRIOR ARRESTS/108 Heard</i>


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	<i>By: Stewart Bell</i>
05/12/2008	Motion in Limine (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS/109 Heard By: Stewart Bell</i>
05/12/2008	Motion (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN TO JOIN CO DEFT DAIMON MONROE'S MOTIONS/110 Heard By: Stewart Bell</i>
05/12/2008	Motion (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN TO JOIN CO DEFT BRYAN FERGASON'S MOTIONS/111 Heard By: Stewart Bell</i>
05/12/2008	Motion to Suppress (8:30 AM) Events: 05/08/2008 Motion <i>DEFT'S MTN TO SUPPRESS /112 Heard By: Stewart Bell</i>
05/12/2008	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS 5-12-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
05/12/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
05/12/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
05/12/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
05/12/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
05/12/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
05/12/2008	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/12/2008	 Bench Warrant
05/12/2008	 Jury List
05/13/2008	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/13/2008	 Indictment <i>Second Amended Indictment</i>
05/14/2008	Jury Trial (9:45 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/15/2008	Jury Trial (9:15 AM)

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TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

05/15/2008  Notice of Intent to Forfeit

05/15/2008  Notice of Intent to Forfeit

05/16/2008 **Jury Trial (9:30 AM)**

*TRIAL BY JURY Court Clerk: Tina Hurd Relief Clerk: Carole D'Aloia (1:05 PM - 5:10 PM)
Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.*


05/19/2008 **CANCELED Motion (8:30 AM)**
Events: 05/07/2008 Motion
Vacated

05/19/2008 **CANCELED Motion in Limine (8:30 AM)**
Events: 05/07/2008 Motion
Vacated

05/19/2008 **CANCELED Motion in Limine (8:30 AM)**
Events: 05/07/2008 Motion
Vacated

05/19/2008 **Jury Trial (9:30 AM)**

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

05/19/2008  Proposed Jury Instructions Not Used At Trial

05/20/2008 **CANCELED Jury Trial (9:30 AM)**
Vacated

05/20/2008 **Jury Trial (9:30 AM)**
*TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By:
Stewart Bell*


05/20/2008  Amended Jury List

05/20/2008  Instructions to the Jury

05/20/2008  Judgment
Verdict

05/21/2008 **Jury Trial (9:30 AM)**

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

05/21/2008  Notice of Witnesses and/or Expert Witnesses
Defendant's Witness List

05/21/2008  Receipt of Copy









05/21/2008  Jury List

05/21/2008  Indictment

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	<i>Third Amended Indictment</i>
05/21/2008	 Indictment <i>Fourth Amended Indictment</i>
05/22/2008	Jury Trial (9:15 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/23/2008	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/27/2008	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/28/2008	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
05/28/2008	 Proposed Jury Instructions Not Used At Trial
05/28/2008	 Memorandum <i>Bench Memorandum</i>
05/29/2008	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
05/29/2008	 Instructions to the Jury
05/29/2008	 Jury List <i>Amended Jury List</i>
05/29/2008	 Judgment <i>Verdict</i>
06/03/2008	 Motion <i>Motion to Withdraw</i>
06/03/2008	 Receipt of Copy
06/05/2008	 Order <i>Ex Parte Order Allowing Fees in Excess of Statutory Maximum for Attorney on Court Appointed Case - First Interim Billing</i>
06/16/2008	Motion to Withdraw as Counsel (8:30 AM) Events: 06/03/2008 Motion <i>SULLIVAN'S MTN TO WITHDRAW AS COUNSEL Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
06/16/2008	 Order <i>Order to Withdraw</i>
06/17/2008	

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	 Notice of Entry of Order
07/11/2008	 Motion to Quash Bench Warrant <i>Motion to Quash Bench Warrant and set Bail</i>
07/15/2008	Motion to Quash Bench Warrant (8:30 AM) Events: 07/11/2008 Motion to Quash Bench Warrant <i>DEFT'S MTN TO QUASH BENCH WARRANT/123 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
07/16/2008	Status Check (8:30 AM) <i>STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
08/04/2008	 Motion <i>Notice of Motion and Motion for Release of Evidence to Victim's and/or Auction by LVMPD</i>
08/07/2008	Motion (8:30 AM) Events: 08/04/2008 Motion <i>STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD Relief Clerk: Carole D'Aloia Reporter/Recorder: Cheryl Carpenter Heard By: Stewart Bell</i>
08/13/2008	Sentencing (8:30 AM) <i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
08/13/2008	 Order
08/14/2008	Sentencing (8:30 AM) <i>SENTENCING Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i>
08/19/2008	 Motion <i>Notice of Motion and Motion for Release of Property to Victim Richard Fosteson</i>
08/19/2008	 Order <i>Order for Production of Inmate Bryan Fergason, BAC # 96803</i>
08/21/2008	Motion (8:30 AM) Events: 08/19/2008 Motion <i>STATES MTN FOR RELEASE OF PROPERTY/128 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
08/23/2008	 Order
08/26/2008	Sentencing (8:30 AM) <i>SENTENCING Heard By: Stewart Bell</i>
08/26/2008	Sentencing (8:30 AM) <i>SENTENCING Heard By: Stewart Bell</i>
09/26/2008	Sentencing (8:30 AM) <i>SENTENCING Court Clerk: Tina Hurd Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Angela Lee Heard By: David Wall</i>
09/30/2008	 Receipt of Copy








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09/30/2008	 Memorandum <i>Sentencing Memorandum</i>
10/01/2008	Sentencing (8:30 AM) <i>SENTENCING Heard By: Stewart Bell</i>
10/01/2008	Sentencing (8:30 AM) <i>SENTENCING Heard By: Stewart Bell</i>
10/01/2008	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS 10-1-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
10/03/2008	 Judgment <i>Judgment of Conviction (Plea of Guilty)</i>
11/03/2008	 Request <i>State's Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs or Bad Acts</i>
11/03/2008	 Request <i>State's Notice of Motion and Motion in Limine</i>
11/04/2008	 Judgment <i>Judgment of Conviction (Jury Trial)</i>
11/04/2008	 Judgment <i>Judgment of Conviction (Jury Trial)</i>
11/07/2008	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses [NRS 174.234(1)(a)]</i>
11/10/2008	Entry of Plea (8:30 AM) <i>ENTRY OF PLEA Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass</i>
11/10/2008	 Indictment <i>Fifth Amended Indictment</i>
11/10/2008	 Memorandum <i>Guilty Plea Agreement</i>
11/10/2008	Disposition (Judicial Officer: User, Conversion) 4. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 5. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 6. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 7. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped


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11/10/2008	Disposition (Judicial Officer: User, Conversion) 8. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 9. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 10. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 11. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 12. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 13. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 14. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 15. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 16. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 17. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 18. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 19. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 20. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 21. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 22. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped













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11/10/2008	Disposition (Judicial Officer: User, Conversion) 23. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 24. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 25. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 26. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/10/2008	Disposition (Judicial Officer: User, Conversion) 27. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Charges Amended/Dropped
11/13/2008	CANCELED Calendar Call (8:30 AM) <i>Vacated</i>
11/13/2008	CANCELED Motion to Admit Evidence (8:30 AM) <i>Vacated</i>
11/13/2008	CANCELED Motion in Limine (8:30 AM) <i>Vacated</i> <i>STATE'S MTN IN LIMINE /134</i>
11/14/2008	 Order <i>Order of Appointment</i>
11/17/2008	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
11/19/2008	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
11/25/2008	 Bench Warrant Return
12/01/2008	Bench Warrant Return (8:30 AM) Events: 11/25/2008 Bench Warrant Return <i>BENCH WARRANT RETURN Relief Clerk: Nora Pena Reporter/Recorder: Cheryl Carpenter</i> <i>Heard By: Stewart Bell</i>
12/04/2008	 Motion <i>Notice of Motion and Motion for Release of Evidence to Victim's and/or Auction by LVMPD</i>
12/04/2008	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
12/04/2008	 Case Appeal Statement
12/04/2008	 Request <i>Request for Rough Draft Transcript</i>

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12/05/2008	Show Cause Hearing (9:05 AM) <i>SHOW CAUSE HEARING Court Clerk: Denise Trujillo/dt Relief Clerk: Janet Deaver Reporter/Recorder: Jjill Jacoby Heard By: Kathy Hardcastle</i>
12/18/2008	Motion (8:30 AM) Events: 12/04/2008 Motion <i>STATES MTN FOR RELEASE OF EVIDENCE/136 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
12/19/2008	 Order <i>Order Appointing Counsel</i>
12/30/2008	Sentencing (8:30 AM) <i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
12/30/2008	Disposition (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT A CRIME Guilty
12/30/2008	Disposition (Judicial Officer: User, Conversion)
12/30/2008	Disposition (Judicial Officer: User, Conversion) 1. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty
12/30/2008	Disposition (Judicial Officer: User, Conversion) 2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty
12/30/2008	Disposition (Judicial Officer: User, Conversion)
12/30/2008	Disposition (Judicial Officer: User, Conversion) 2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty
12/30/2008	Disposition (Judicial Officer: User, Conversion) 3. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty
12/30/2008	Disposition (Judicial Officer: User, Conversion)
12/30/2008	Sentence (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT A CRIME Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 12 Months Placement: CCDC Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 169 Days to Maximum 169 Days Converted Disposition: Sentence# 0003: RESTITUTION Amount: \$4892.45 Converted Disposition: Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0005: ADMINISTRATION FEE Amount: \$25.00













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12/30/2008	Sentence (Judicial Officer: User, Conversion) 2. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 48 Months to Maximum 120 Months Placement: NSP
12/30/2008	Sentence (Judicial Officer: User, Conversion) 3. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 24 Months to Maximum 120 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0003 and Sentence#: 0001
01/05/2009	 Judgment <i>Judgment of Conviction (Plea of Guilty)</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 22, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of January 30, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 1, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 29, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 23, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 28, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of August 7, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of August 21, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 20, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 19, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 13, 2008</i>














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01/20/2009	 Reporters Transcript <i>Reporter's Transcript of February 5, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 21, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 16, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 15, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of October 1, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 12, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 27, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of May 14, 2008</i>
01/20/2009	 Reporters Transcript <i>Reporter's Transcript of December 13, 2006</i>
02/05/2009	 Reporters Transcript <i>Reporter's Transcript of March 6, 2007</i>
02/05/2009	 Reporters Transcript <i>Reporter's Transcript of November 8, 2007</i>
02/05/2009	 Reporters Transcript <i>Reporter's Transcript of January 4, 2007</i>
02/13/2009	 Motion <i>Motion for Return of Seized Property</i>
02/26/2009	 Reporters Transcript <i>Reporters Transcript of December 30, 2008</i>
02/27/2009	 Opposition <i>State's Opposition to Defendant's Motion for Return of Seized Property</i>
03/03/2009	Motion (9:00 AM) Events: 02/13/2009 Motion <i>DEFT'S PROPER MTN FOR RETURN OF SEIZED PROPERTY/137 Heard By: Kathy Hardcastle</i>
03/03/2009	Request (9:00 AM) <i>STATES REQUEST STATUS CHECK: CORRECTED JOC Heard By: Kathy Hardcastle</i>

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03/03/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (3-03-09) Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Debra Winn Heard By: Kathy Hardcastle</i>
03/17/2009	 Motion <i>Motion and Notice of Motion to Withdraw Guilty Plea</i>
03/17/2009	 Receipt of Copy
03/27/2009	 Receipt of Copy
03/27/2009	 Opposition <i>Opposition to Defendant's Motion to Withdraw Guilty Plea</i>
03/30/2009	 Certificate <i>Certificate of Service by Facsimile</i>
03/30/2009	 Reply <i>Reply to State's Opposition to Motion to Withdraw Guilty Plea</i>
03/31/2009	Status Check: Compliance (9:00 AM) <i>STATUS CHECK: COMPLIANCE Heard By: Kathy Hardcastle</i>
03/31/2009	Motion (9:00 AM) Events: 03/17/2009 Motion <i>DEFT'S MTN TO WITHDRAW GUILTY PLEA /140 Heard By: Kathy Hardcastle</i>
03/31/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 3/31/09 Court Clerk: Denise Trujillo Reporter/Recorder: Cheryl Carpenter Heard By: Kathy Hardcastle</i>
04/01/2009	 Order <i>Order Denying Motion for Return of Seized Property</i>
04/02/2009	Motion (9:00 AM) <i>DEFT'S MTN TO WITHDRAW GUILTY PLEA /140 Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle</i>
04/06/2009	 Judgment <i>Amended Judgment of Conviction (Jury Trial)</i>
04/17/2009	 Order <i>Order Denying Defendant's Motion to Withdraw Guilty Plea</i>
05/18/2009	 Case Appeal Statement
05/18/2009	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
07/21/2009	 Reporters Transcript <i>Reporters Transcript of July 15, 2008</i>
08/04/2009	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT: CONFIRMATION OF APPELLANT COUNSEL Court</i>

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

	<i>Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Hardcastle, Kathy</i>
08/12/2009	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT: CONFIRMATION OF APPELLANT COUNSEL Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle</i>
09/29/2009	 Reporters Transcript <i>Reporters Transcript of May 1, 2008</i>
09/29/2009	 Request <i>Request for Rough Draft Transcript</i>
10/02/2009	 Reporters Transcript <i>Reporters Transcript of March 31, 2009</i>
10/02/2009	 Reporters Transcript <i>Reporters Transcript of April 2, 2009</i>
10/05/2009	 Reporters Transcript <i>Reporters Transcript of November 10, 2008</i>
04/08/2010	Further Proceedings (9:30 AM) <i>FURTHER PROCEEDINGS COMPETENCY (DEPT V) Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass</i>
06/04/2010	 Judgment <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
09/28/2010	 Petition for Writ of Habeas Corpus Filed by: Defendant Holmes, Robert <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
10/04/2010	 Order for Petition for Writ of Habeas Corpus
10/18/2010	 Motion Filed By: Defendant Holmes, Robert <i>Motion for Return of Seized Property</i>
11/02/2010	 Motion (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 10/18/2010 Motion <i>Motion for Return of Seized Property/Notice of Motion</i>
11/29/2010	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Dismiss</i>
12/02/2010	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Hardcastle, Kathy) Events: 10/04/2010 Order for Petition for Writ of Habeas Corpus
12/22/2010	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Return of Seized Property</i>
01/04/2011	

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4









	 Notice of Appeal (criminal) Party: Defendant Holmes, Robert <i>Notice of Appeal</i>
01/10/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
01/13/2011	 Notice of Entry of Decision and Order
01/14/2011	 Case Appeal Statement
02/16/2011	 Opposition <i>State's Opposition to Defendant's Motion For Rehearing</i>
02/17/2011	 Motion (9:00 AM) (Judicial Officer: Tao, Jerome T.) <i>Defendant's Pro Per Motion For Rehearing / Petitioner's Reply To State's Response To Defendant's Petition For Writ Of Habeas Corpus (Post Conviction) and Motion To Dismiss</i>
03/08/2011	 Order Filed By: Plaintiff State of Nevada <i>Order Striking Defendant's Motion for Rehearing</i>
03/30/2011	 Motion Filed By: Defendant Holmes, Robert <i>Motion for Rehearing / Petitioner's Reply to State's Response to Defendant's Petition for Writ of Habeas Corpus (Post Conviction) and Motion to Dismiss</i>
04/11/2011	 Opposition <i>State's Opposition to Defendant's Motion for Rehearing</i>
04/12/2011	 Motion (9:00 AM) (Judicial Officer: Tao, Jerome T.) Events: 03/30/2011 Motion <i>Motion for Rehearing / Petitioner's Reply to State's Response to Defendant's Petition for Writ of Habeas Corpus and Motion to Dismiss</i>
04/25/2011	 Order Denying Motion <i>Order Denying Defendant's Motion for Rehearing Without Prejudice</i>
06/16/2011	 Notice of Appeal (criminal) Party: Defendant Holmes, Robert <i>Notice of Appeal</i>
06/20/2011	 Case Appeal Statement
10/19/2011	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
10/19/2011	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed / Rehearing Denied</i>
11/18/2011	 Motion Filed By: Defendant Holmes, Robert

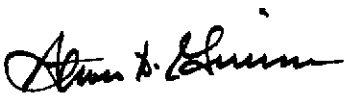
DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

Motion for Return of Seized Property

11/29/2011	 Motion (8:30 AM) (Judicial Officer: Tao, Jerome T.) Events: 11/18/2011 Motion <i>Pro Se Motion for Return of Seized Property</i>
12/19/2011	 Notice of Appeal (criminal) Party: Defendant Holmes, Robert <i>Notice of Appeal</i>
12/19/2011	 Designation of Record on Appeal Filed By: Defendant Holmes, Robert
12/20/2011	 Order
12/21/2011	 Case Appeal Statement
01/24/2012	 Order Filed By: Plaintiff State of Nevada
04/19/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
08/15/2013	 Motion Filed By: Defendant Holmes, Robert <i>Motion For Amended Judgement Of Conviction To Include Jail Time Credits</i>
08/15/2013	 Affidavit Filed By: Defendant Holmes, Robert <i>Affidavit</i>
08/30/2013	 Response <i>State's Response To Defendant's Pro Per Motion To Amend Judgment Of Conviction To Include Jail Credits</i>
09/04/2013	 Motion <i>Motion to Modify and/or Correct Illegal Sentence</i>
09/04/2013	 Notice of Motion <i>Notice of Motion</i>
09/05/2013	 Motion to Amend Judgment (8:30 AM) (Judicial Officer: Tao, Jerome T.) <i>Deft's Pro Per Motion For Amended Judgement Of Conviction To Include Jail Time Credits</i>
09/05/2013	Amended Sentence (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT A CRIME Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 12 Months Placement: CCDC Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 169 Days to Maximum 169 Days

DEPARTMENT 20
CASE SUMMARY
CASE NO. 06C228752-4

	<p>Converted Disposition: Sentence# 0003: RESTITUTION Amount: \$4892.45</p> <p>Converted Disposition: Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00</p> <p>Converted Disposition: Sentence# 0005: ADMINISTRATION FEE Amount: \$25.00</p> <p>Comment (9-5-13 Credit for Time Served amended to 172 days total instead of 169)</p>	
09/17/2013	 Amended Judgment of Conviction Filed By: Plaintiff State of Nevada <i>Amended Judgment of Conviction</i>	
09/20/2013	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition To Defendant's Pro Per Motion To Modify Sentence & Motion To Correct Illegal Sentence</i>	
09/26/2013	 Motion to Modify Sentence (8:30 AM) (Judicial Officer: Tao, Jerome T.) 09/26/2013, 10/01/2013 <i>Motion to Modify and/or Correct Illegal Sentence</i>	
10/03/2013	 Notice of Appeal (criminal) Party: Defendant Holmes, Robert <i>Notice of Appeal</i>	
10/04/2013	 Case Appeal Statement Filed By: Defendant Holmes, Robert <i>Case Appeal Statement</i>	
10/18/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion To Modify And/Or Correct Illegal Sentence</i>	
10/18/2013	 Notice of Appeal (criminal)	
10/21/2013	 Case Appeal Statement Filed By: Defendant Holmes, Robert <i>Case Appeal Statement</i>	
DATE	FINANCIAL INFORMATION	
	Defendant Holmes, Robert	
	Total Charges	175.00
	Total Payments and Credits	0.00
	Balance Due as of 10/21/2013	175.00


CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: 06C228752-4

DEPT NO: XX

ROBERT HOLMES, aka
Robert Holmes III, #0876216

Defendant.

ORDER DENYING DEFENDANT'S PRO PER MOTION TO MODIFY AND/OR
CORRECT ILLEGAL SENTENCE

DATE OF HEARING: OCTOBER 1, 2013
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the
1st day of October, 2013, the Defendant not being present, IN PROPER PERSON, the
Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through
KRISTINA RHOADES, Deputy District Attorney, without argument and good cause
appearing therefor,

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OCT 15 2013


1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion to Modify Sentence,
2 shall be, and it is DENIED as Defendant has not shown good cause; to the extent this is a
3 motion to dismiss because of statute of limitations, this should have been brought up on
4 direct appeal.

5 DATED this 15th day of October, 2013.

6
7 
8 DISTRICT JUDGE 

9 STEVEN B. WOLFSON
10 Clark County District Attorney
11 Nevada Bar #001565

12 BY


13 KRISTINA RHOADES
14 Deputy District Attorney
15 Nevada Bar #012480
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1 CERTIFICATE OF SERVICE

2 I certify that on the 18th day of October, 2013, I mailed a copy of the foregoing Order

3 to:

4 ROBERT HOLMES, aka
5 Robert Holmes III #1034184
6 SOUTHERN DESERT CORRECTIONAL CENTER
7 20825 COLD CREEK ROAD
8 P.O. BOX 208
9 INDIAN SPRINGS, NEVADA 89070

10 BY

11 

12 R. JOHNSON

13 Secretary for the District Attorney's Office

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28 06F22662X/jr for rj/M-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2006

06C228752-4

State of Nevada
vs
Robert Holmes

December 13, 2006

1:30 PM

Grand Jury Indictment

**GRAND JURY
INDICTMENT**
Relief Clerk: Sandra
Anderson
Reporter/Recorder:
Paula Walsh Heard
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Jorgenson, Eric G.
Sullivan, Sean P.

Attorney
Attorney
Attorney

JOURNAL ENTRIES

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

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

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

As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND.

Matter set for initial arraignment.

As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND.

FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment.

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

CUSTODY (MONROE/FREGASON)

B.W. (HOLMES/TREVARTHEN)

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 2006

06C228752-4

State of Nevada
vs
Robert Holmes

December 20, 2006

10:30 AM

All Pending Motions

ALL PENDING
MOTIONS (12/20/06)
Court Clerk: Sharry
Frascarelli Relief
Clerk: Tia Everett/te
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Sullivan, Sean P.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

Ms. Digiacomo stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment. 1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 27, 2006**

06C228752-4

State of Nevada
vs
Robert Holmes

December 27, 2006**10:30 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk:
Roshonda
Mayfield/rm Relief
Clerk: Tia Everett
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Keeler, Brett O.

Attorney

JOURNAL ENTRIES

- Judge Leavitt signed an order for this matter to be continued in department XII and heard with the co-defendants.

NIC

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 04, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

January 04, 2007

9:30 AM

All Pending Motions

ALL PENDING
MOTIONS (1/4/07)
Court Clerk: April
Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Di Giacomo, Marc P.
Holmes, Robert
Sullivan, Sean P.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- ARRAIGNMENT CONTINUED (ALL)

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

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

appointed at District Court level and instructed counsel to file the appropriate documents.

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

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

Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted. AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel. DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel.

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

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

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

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

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

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

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

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

CLERK'S NOTE:

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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

January 05, 2007

2:00 PM

Hearing

SOURCE HEARING
Court Clerk: April
Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Sullivan, Sean P.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Mr. Sullivan advised the balance of the bond is \$137,000.00 which is being posted at this time. Deft. sworn and testified. Further, Mr. Sullivan bond is arranged through Bail Bonds Unlimited who has posted an additional \$35,000.00 bond on Deft's other charges. Additionally, bond company is willing to accept and pay the bond while Deft. makes payments on the remainder balance. Colloquy. Mr. Sullivan stated \$7,500.00 is currently being posted by the bond company for the bond in the amount of \$137,000.00. Deft. advised he put up one of three homes for collateral as well and advised the money is coming from a equity line of credit. Court noted documents have been provided as to the equity line and stated it does not indicate any dates of withdrawal of the money. Mr. Sullivan argued there is plenty of equity in the home. Deft. stated he bought home five years ago and has two equity lines of credit. One from one home and one from another. Further colloquy. Ms. DiGiacomo stated Deft. accepted \$145,000.00 of settlement money on November 17, 2006, which \$70,000.00 was

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

BOND

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

January 11, 2007

9:30 AM

All Pending Motions

ALL PENDING
MOTIONS (1/11/06);
DEFTS' MONROE
& TREVARTHEN
Court Clerk: April
Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Di Giacomo, Marc P.

Attorney

JOURNAL ENTRIES

- DEFT. MONROE:

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

DEFT. TREVARTHEN:

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

CUSTODY (MONROE)...NIC (TREVARTHEN)

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

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

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

PRINT DATE: 10/21/2013

Page 9 of 89

Minutes Date:

December 13, 2006

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2007

06C228752-4

State of Nevada

vs

Robert Holmes

January 18, 2007

9:30 AM

Motion for Confirmation of
Counsel

CONFIRMATION
OF COUNSEL
(LORD) Relief Clerk:
Teri Braegelmann
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Di Giacomo, Marc P.

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Lord stated deft. is indigent due to all of her assets being frozen as a result of this case. Statements by deft. regarding the reason she moved to Texas was because she has family there. Colloquy regarding deft. residing out of state. Mr. Lord advised deft. was given an O.R. in Justice Court. COURT ORDERED, Mr. Lord APPOINTED.
NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 08, 2007**

06C228752-4

State of Nevada

vs

Robert Holmes

February 08, 2007**9:30 AM****Status Check****STATUS CHECK:
BAIL BONDS Court
Clerk: Teri
Braegelmann Relief
Clerk: Tina Hurd/th
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Holmes, Robert

Defendant

Krusey, Amanda K.

Attorney

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

February 13, 2007

9:30 AM

Motion

DEFT'S MTN FOR
EXTENSION OF
TIME TO FILEPTN
FOR WRIT OF
HABEAS
CORPUS/30 Relief
Clerk: Kristen Brown
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

DiGiacomo, Sandra

Attorney

JOURNAL ENTRIES

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

06C228752-4

CUSTODY

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 20, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

February 20, 2007

9:30 AM

All Pending Motions

ALL PENDING
MOTIONS 2-20-07
Relief Clerk: Kristen
Brown
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

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

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

CUSTODY (MONROE)

NIC (FERGASON & HOLMES)

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 06, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

March 06, 2007

11:00 AM

Calendar Call

CALENDAR CALL
Relief Clerk: Kristen
Brown
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Sullivan, Sean P.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the Court.

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

CUSTODY (MONROE)

NIC (TREVARTHEN, FERGASON & HOLMES)

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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

May 29, 2007

9:30 AM

Motion to Withdraw as
Counsel

SUSAN D BURKE'S
MTN TO
WITHDRAW AS
ATTORNEY OF
RECORD/43 Court
Clerk: April Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Krusey, Amanda K.

Attorney

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 25, 2007

06C228752-4

State of Nevada

vs

Robert Holmes

September 25, 2007

9:30 AM

Motion to Continue

DEFT'S MTN TO
CONTINUE
TRIAL/45 Court
Clerk: April Watkins
Relief Clerk: Lorraine
Williams/lmw
Reporter/Recorder:
Thelma Stapley
Heard By: Leavitt,
Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra

Attorney

Holmes, Robert

Defendant

Sullivan, Sean P.

Attorney

JOURNAL ENTRIES

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

BOND

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

October 02, 2007

9:30 AM

All Pending Motions

ALL PENDING
MOTIONS 10/02/07
Court Clerk: April
Watkins Relief
Clerk: Lorraine
Williams/lmw
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Luzaich, Elissa
Sullivan, Sean P.

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

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

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

11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES)
03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES)
03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES)
04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2007

06C228752-4

State of Nevada
vs
Robert Holmes

November 08, 2007

11:00 AM

Petition for Writ of Habeas
Corpus

PTN FOR WRIT OF
HABEAS CORPUS
Relief Clerk: Tia
Everett/te
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Di Giacomo, Marc P.
Sullivan, Sean P.

Attorney
Attorney

JOURNAL ENTRIES

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

06C228752-4

check.

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 23, 2008**

06C228752-4

State of Nevada
vs
Robert Holmes

January 23, 2008**9:00 AM****Minute Order****MINUTE ORDER
RE: (RECUSAL)
Court Clerk: April
Watkins Heard By:
Michelle Leavitt****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

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

Any dates previously set by this court are VACATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 24, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

January 24, 2008

9:00 AM

Minute Order

MINUTE ORDER
RE:
REASSIGNMENT
TO DEPT. VII Court
Clerk: Denise
Trujillo Heard By:
Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

January 30, 2008

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS 1/30/08
Relief Clerk: Carole
D'Aloia
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Sandra	Attorney
	Holmes, Robert	Defendant
	Sullivan, Sean P.	Attorney

JOURNAL ENTRIES

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

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

CUSTODY (COC)(MONROE & FERGASON)

PRINT DATE: 10/21/2013

Page 26 of 89

Minutes Date:

December 13, 2006

06C228752-4

BOND (HOLMES

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

**DISTRICT COURT
DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2008

06C228752-4

State of Nevada

vs

Robert Holmes

February 05, 2008

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS 2-5-08
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Sullivan, Sean P.

Attorney
Attorney

JOURNAL ENTRIES

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

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

5-1-08 8:30 AM CALENDAR CALL

5-12-08 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 24, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

April 24, 2008

8:30 AM

Status Check

STATUS CHECK:
SENTENCING
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Krusey, Amanda K. Attorney

JOURNAL ENTRIES

- Conference at the bench. COURT ORDERED, matter CONTINUED for status check.

NIC

7-16-08 8:30 AM STATUS CHECK: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 01, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 01, 2008

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS 5-1-08
Court Clerk: Tina
Hurd Relief Clerk:
Sharon
Coffman/sc..Dana
Cooper
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra	Attorney
Holmes, Robert	Defendant
Owens, Christopher J.	Attorney
Sullivan, Sean P.	Attorney

JOURNAL ENTRIES

- STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER
COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT.

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

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

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

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

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

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

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

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

CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 12, 2008

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS 5-12-08
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Sandra	Attorney
	Small, Shelly L.	Attorney
	Sullivan, Sean P.	Attorney

JOURNAL ENTRIES

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

DEFT. MONROE'S JOINDER TO MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT.

DAIMON MONROE'S MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. BRYAN

FERGASON'S MOTIONS...Ms. Dustin joined in Mr. Hart's motions. COURT ORDERED, the joinders are GRANTED and any rulings on the motions will be as to all Defts.

DEFT. MONROE'S MOTION IN LIMINE RE: ROP DETECTIVES...Court stated he does not see there is much prejudice on this. On the other hand, he does not see any relevance to the flyers and does not see it is necessarily inferable they have prior convictions. Mr. Hart argued it is more than a slight

inference of a history. Ms. Dustin argued Deft. Ferguson never got out of custody so they could not have been following him. Further arguments by counsel. COURT ORDERED, motion to exclude reference to repeat offenders is DENIED; the evidence regarding the flyers is marginally relevant, however, the prejudicial effect outweighs the probative value and the flyers are EXCLUDED.

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

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

Arguments by counsel. Court advised the arrest and the burglary are part and parcel of the conspiracy and is material and relevant and that led to the search warrant.

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

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

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

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

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

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

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

DEFT'S FERGASON'S MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES

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

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

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

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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 12, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 13, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 13, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for

lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 14, 2008

9:45 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

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

12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony

has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 15, 2008

9:15 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule. 10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning. 10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 16, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 16, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd Relief Clerk:
Carole D'Aloia (1:05
PM - 5:10 PM)
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart

argued they keep hearing "Repeat Offender Program" and argued further he does not know why there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 19, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 19, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:44 A.M.--Jury present. Further testimony and exhibits presented. (See worksheets.) 11:46 a.m.--Court stated he understands the State has one long witness, one short witness and two that need to be recalled that will not be here until after lunch. Jury admonished and excused for lunch, to return at 12:45 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. DiGiacomo moved to amend the Indictment to correct a typo in Count 1. COURT ORDERED, GRANTED. Jury Instructions settled on the record. 12:01 p.m.--Court adjourned for lunch.
1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.
2:48 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart stated he believes the comment regarding posting bail previously brings in prior bad acts. Court advised it could be for anything or even for someone else and he believes it is innocuous. Mr. Hart stated he believes the next call is whether Deft. Monroe could do it and that it was not as much fun without Ferguson. Ms. DiGiacomo advised the conspiracy is ongoing at this point and it is in furtherance of the conspiracy. COURT

ORDERED, objection OVERRULED. 3:00 p.m.--Jury present. Further testimony and exhibits presented. 5:14 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 20, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 20, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

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

1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM); GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F); GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending

06C228752-4

sentencing.

CUSTODY (COC)

8-26-08 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 21, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 21, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:20 A.M.--OUTSIDE THE PRESENCE OF THE JURY VENIRE, colloquy regarding exhibits. Third Amended Indictment FILED IN OPEN COURT. Court advised a copy of the Third Amended Indictment will be provided to the jurors to avoid confusion. 9:43 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 11:21 a.m.--Fourteen (14) jurors selected and sworn. Court thanked and excused the remaining venire. Court read the opening charge to the Jury. Opening statements by counsel. 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised she has lodged an objection to the State offering the transcript of Burt Engle's testimony. It is from a Department 20 case and she did not represent Deft. Ferguson in that case. Ms. Dustin stated she believes the State has a wealth of evidence without it. Court advised, in the co-Deft's trial, the State made the Court aware Mr. Engle has cancer and is under treatment that does not allow him to come to the courthouse. Mr. Engle is

unavailable and the rules state his prior testimony is admissible even when the Deft. was represented by a different attorney. COURT ORDERED, the transcript testimony of Burt Engle WILL BE ALLOWED. Colloquy regarding procedure for reading in the testimony. 11:54 a.m.--Court adjourned for lunch.

12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Fergason regarding his right to not be compelled to testify. Ms. Dustin advised the Anku Crystal Palace was originally charged in the Dept. 20 case and was subsequently dismissed and added to this case. Court inquired when jeopardy attached. Ms. Dustin stated she does not believe it is a jeopardy issue in this case. 1:05 p.m.--Jury present. Testimony and exhibits presented. (See worksheets.) 4:47 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 22, 2008

9:15 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:32 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 11:56 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon.

1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

4:52 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:15 a.m. tomorrow morning.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 23, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 23, 2008

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:15 A.M.--Court reconvened with all present as before. Further Testimony and exhibits presented. (See worksheets.) 11:51 a.m.--Jury admonished and excused for lunch, to return at 12:50 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding NRS 205.275.
12:53 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.
3:22 p.m.--There being no further witnesses available for the day, Court admonished the Jury and excused them for the weekend, to return on Tuesday morning at 10:00 a.m. OUTSIDE THE PRESENCE OF THE JURY, Court showed counsel two questions submitted by jurors which were not actually for witnesses. Said questions marked as Court's exhibits. 3:25 p.m.--Off the record.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 27, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 27, 2008

9:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 10:05 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon.

12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, arguments regarding Touch of Vegas. Bailiff advised Juror #12-Mr. Smith knows witness Amanda Terry. Colloquy between Court and Juror Smith. Upon Court's inquiry, Mr. Smith advised his objectivity would not be affected. 1:11 p.m.--Jury present. Further testimony and exhibits presented. 3:09 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised Ms. Trevarthan testified to conversations between Defts. Monroe and Holmes. Court advised counsel must object at the time and he will rule. Colloquy. 3:15 p.m.--Jury present. Further testimony by Ms. Trevarthan. Ms. Dustin requested a cautionary instruction regarding some of the testimony by this witness regarding other uncharged acts. Court gave a cautionary instruction to the Jury regarding Deft. Ferguson not being charged with Burglary and to

consider the testimony only as it relates to whether Deft. knew these items were stolen. Further testimony and exhibits presented. 4:58 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Juror #9-Anthony Indurante present. Court advised someone noticed Detective Churches acknowledged this juror outside and believes they took some Karate classes together. Upon Court's inquiry, Mr. Indurante advised he will not give the detective's testimony any more weight than anyone else. Juror excused for the evening. Colloquy regarding the remaining witnesses, scheduling and Jury Instructions. Colloquy regarding value and corresponding Jury Instructions. Ms. Dustin advised she objected at the bench regarding some of the testimony by Detective Nickell regarding this long process he did, going back into Anku Crystal Place and Just for Kids Dentistry and argued that, coupled with some testimony by Tonya Trevarthan, slides them into uncharged bad acts. Court stated he does not know how they could testify any other way. Ms. Dustin advised, as to the phone call between Engle and Monroe, Deft. Monroe says they had 2 or 3 pieces of Anku and "he" had to have them. He basically makes an admission including Deft. Ferguson. Ms. DiGiacomo argued they will speak about it again in other calls and Deft. Monroe says "we" and "he" but nothing specific. COURT ORDERED, the third phone call STRICKEN and will admonish the jurors to disregard. Court stated he does not believe this is a big issue. Colloquy regarding the phone calls. COURT ORDERED, counsel to review the phone calls and make sure there is nothing else that is Bruton inculpatory evidence. Court adjourned. CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 28, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 28, 2008

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 9:28 A.M.--OUTSIDE THE PRESENCE OF THE JURY, State's Bench Memorandum FILED IN OPEN COURT. Ms. DiGiacomo argued the phone call was not a Bruton issue under the reading of the Bruton case. It was not a confession to a police officer, it was a statement from one co-conspirator to another. It was a statement in furtherance of this conspiracy; it was not testimonial. Court stated he believes it could have been redacted but he is not going to play it again with it out as it would just highlight it and it is a meaningless piece of the puzzle. Ms. Dustin argued that, coupled with the testimony of Tonya Trevarthan, has sufficiently rung the bell and moved for a mistrial. Ms. Dustin argued it shifts the burden too much and she does not believe it can be fixed with an instruction. Court stated he does not believe it is that serious and he believes it could be fixed. Court advised the Jury will be admonished to disregard phone call #3. 9:34 a.m.--Jury present. Court ADMONISHED the Jury to disregard call #3 and advised the DVD has been redacted. COURT FURTHER ORDERED, State's exhibits 1189 and 1189A WITHDRAWN. Further testimony and exhibits presented. (See

worksheets.) Ms. DiGiacomo advised counsel have stipulated, if Detective Julie Hall was recalled, that on October 12, Bobby Holmes was arrested for Possession of Stolen Property based on items removed from his home. 11:54 a.m.--Jury admonished and excused for lunch, to return at 1:15 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Jury Instructions settled on the record. 12:20 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

3:32 p.m.--Court admonished the Jury and excused them for the evening, to return at 10:00 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding the verdict form and Jury Instruction #10. Court stated he believes Instruction #10 is correct but the verdict form needs to be corrected. Ms. Dustin requested the defense proposed instructions be marked and put in the record so the record is complete. Court instructed counsel to provide clean copies and the Clerk will make the whole package part of the record. 3:37 p.m.--Court adjourned.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

May 29, 2008

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- 10:05 A.M.--Court reconvened with all present as before. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected the alternates by random drawing: Juror #2-Yvette Scurlock and Juror #3-James Buell. 11:54 a.m.--Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY, upon Court's inquiry, Deft. Fergason agreed he approved the way Ms. Dustin approached and handled his case. Off the record.

2:04 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). GUILTY of COUNTS 2, 5-6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY, VALUE \$250.00 OR MORE (F). GUILTY of COUNTS 4, 7-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY, VALUE \$2,500.00 OR MORE (F). Count 3 - NOT guilty. Jury was not polled. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Fergason to REMAIN IN CUSTODY WITHOUT

06C228752-4

BAIL pending sentencing.

CUSTODY (COC-NDC)

8-26-08 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 16, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

June 16, 2008

8:30 AM

Motion to Withdraw as
Counsel

SULLIVAN'S MTN
TO WITHDRAW AS
COUNSEL Court
Clerk: Tina Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Kelly, Kevin M.
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- COURT ORDERED, motion GRANTED. Order signed in open court.
B.W. (BOND)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 15, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

July 15, 2008

8:30 AM

Motion to Quash Bench
Warrant

DEFT'S MTN TO
QUASH BENCH
WARRANT/123
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Kennedy, Kirk T.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

CUSTODY

11-13-08 8:30 AM CALENDAR CALL

11-17-08 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 16, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

July 16, 2008

8:30 AM

Status Check

STATUS CHECK:
SENTENCING
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: DiGiacomo, Sandra Attorney

JOURNAL ENTRIES

- No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Court stated he is not sure why he should not just go ahead and sentence this Deft. Colloquy. COURT ORDERED, matter CONTINUED for sentencing.

NIC

8-13-08 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 07, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

August 07, 2008

8:30 AM

Motion

STATE'S MTN FOR
RELEASE OF
EVIDENCE TO
VICTIMS AND/OR
AUCTION BY
LVMPD Relief
Clerk: Carole D'Aloia
Reporter/Recorder:
Cheryl Carpenter
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Kennedy, Kirk T.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

CUSTODY (MONROE)

PRINT DATE: 10/21/2013

Page 60 of 89

Minutes Date:

December 13, 2006

06C228752-4

NIC (TREVARTHEN)
CUSTODY (COC-NDC)(FERGASON)
CUSTODY (HOLMES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 13, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

August 13, 2008

8:30 AM

Sentencing

SENTENCING
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Krusey, Amanda K.

Attorney

JOURNAL ENTRIES

- No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Ms. Krusey advised counsel are requesting a continuance to September 22 as Mr. Lord cannot be here today and the other case is set for hearing that day. COURT ORDERED, matter CONTINUED to tomorrow to reset the sentencing and the Miller Hearing in case C237052. Law clerk will notify counsel in both cases.

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

August 14, 2008

8:30 AM

Sentencing

SENTENCING
Relief Clerk: Carole
D'Aloia
Reporter/Recorder:
Renee Vincent
Heard By: Bell,
Stewart L.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa

Attorney

JOURNAL ENTRIES

- Court noted the absence of the Defendant and Mr. Lord and, ORDERED, Defendant's presence WAIVED this date. Based on the re-setting of the Miller Hearing in case C235232, COURT ORDERED, sentencing CONTINUED to 9/26/08.

NIC

CLERK'S NOTE: A COPY OF THIS MINUTE ORDER PLACED IN THE ATTORNEY FILE OF JOHNATHAN J. LORD, ESQ. ON 8/15/08. cd

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 21, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

August 21, 2008

8:30 AM

Motion

STATES MTN FOR
RELEASE OF
PROPERTY/128
Relief Clerk: Carole
D'Aloia
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Kennedy, Kirk T.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

CUSTODY (MONROE AND HOLMES)

NIC (TREVARTHEN)

CUSTODY (COC-NDC)(FERGASON)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 26, 2008

06C228752-4

State of Nevada

vs

Robert Holmes

September 26, 2008

8:30 AM

Sentencing

SENTENCING

Court Clerk: Tina

Hurd Relief Clerk:

Susan Jovanovich /sj

Reporter/Recorder:

Angela Lee Heard

By: David Wall

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:** DiGiacomo, Sandra

Attorney

JOURNAL ENTRIES

- DEFT. TREVARTHEN ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). Colloquy regarding recommendation of informal probation. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED to Clark County Detention Center (CCDC) for SIX (6) MONTHS, SUSPENDED; placed on INFORMAL PROBATION for SIX (6) MONTHS. CONDITIONS:

1. Deft. not be arrested for any new offenses other than traffic offenses. 2. Maintain full time employment.

Count 2 HELD IN ABEYANCE. FURTHER, matter SET for status check on compliance. Court advised Deft. he will waive her presence at next hearing if proof of employment is provided. BOND, if any, EXONERATED.

NIC

03-31-09 8:30 A.M. STATUS CHECK - COMPLIANCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

October 01, 2008

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS 10-1-08
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:** DiGiacomo, Sandra

Attorney

JOURNAL ENTRIES

- DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in

the Nevada Department of Corrections (NDC); Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 11 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 1-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

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

Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY

(20) YEARS in the Nevada Department of Corrections (NDC); Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 10, 2008

06C228752-4

State of Nevada

vs

Robert Holmes

November 10, 2008

8:30 AM

Entry of Plea

ENTRY OF PLEA
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Kennedy, Kirk T.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

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

CUSTODY (HOLMES)

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

December 01, 2008

8:30 AM

Bench Warrant Return

BENCH WARRANT
RETURN Relief
Clerk: Nora Pena
Reporter/Recorder:
Cheryl Carpenter
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Holmes, Robert
Watson, Michael J.

Defendant
Attorney

JOURNAL ENTRIES

- COURT ORDERED, Sentence date STANDS and BOND, if any, EXONERATED.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 05, 2008**

06C228752-4

State of Nevada
vs
Robert Holmes

December 05, 2008**9:05 AM****Show Cause Hearing**

**SHOW CAUSE
HEARING Court
Clerk: Denise
Trujillo/dt Relief
Clerk: Janet Deaver
Reporter/Recorder:
Jjill Jacoby Heard
By: Kathy Hardcastle**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Van De Pol, Karen L.

Attorney

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 18, 2008

06C228752-4

State of Nevada

vs

Robert Holmes

December 18, 2008

8:30 AM

Motion

STATES MTN FOR
RELEASE OF
EVIDENCE/136
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Holmes, Robert

Defendant

Kephart, William D.

Attorney

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 30, 2008

06C228752-4

State of Nevada
vs
Robert Holmes

December 30, 2008

8:30 AM

Sentencing

SENTENCING
Court Clerk: Tina
Hurd
Reporter/Recorder:
Renee Vincent
Heard By: Stewart
Bell

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Kennedy, Kirk T.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT. HOLMES ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNTS 2 & 3 - POSSESSION OF STOLEN PROPERTY (F). Matter argued and submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center (CCDC); Count 2 - to a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 1; Count 3 - to a MINIMUM of TWENTY FOUR (24) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 2. 169 DAYS credit for time served. Deft. to PAY \$4,892.45 RESTITUTION. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 03, 2009**

06C228752-4

State of Nevada
vs
Robert Holmes

March 03, 2009**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS (3-03-09)
Relief Clerk: Phyllis
Irby/pi
Reporter/Recorder:
Debra Winn Heard
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR RETURN OF SEIZED PROPERTY...STATE'S REQUEST STATUS CHECK: CORRECTED JUDGMENT OF CONVICTION
MATTER TRAILED. MATTER RECALLED. Deft not present. COURT NOTED, Deft is in NDC, presence WAIVED. Ms. Digiacomo advised the JOC was incorrect. There was a clerical error on the JOC. COURT ORDERED, State to prepare an Amended JOC. As to Deft's Pro Per Motion, COURT ORDERED, DENIED WITHOUT PREJUDICE.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 31, 2009

06C228752-4

State of Nevada
vs
Robert Holmes

March 31, 2009

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 3/31/09
Court Clerk: Denise
Trujillo
Reporter/Recorder:
Cheryl Carpenter
Heard By: Kathy
Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

DiGiacomo, Sandra
Holmes, Robert
Pesci, Giancarlo
Sciscento, Joseph S.

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- STATUS CHECK: COMPLIANCE (TREVARTHEN)...DEFT'S MOTION TO WITHDRAW GUILTY PLEA

Mr. Lord advised Deft. TREVARTHEN has complied with all conditions and pursuant to negotiations requested she be allowed to withdraw plea as to CT II and that it be DISMISSED, and that case be closed as to CT I. State CONCURRED. COURT ORDERED, COUNT II DISMISSED and CASE CLOSED.

Court advised it did not receive Deft's reply and ORDERED, matter CONTINUED.

CUSTODY (COC - HOLMES)

4/2/09 9:00 AM DEFT'S MOTION TO WITHDRAW GUILTY PLEA (HOLMES)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 02, 2009**

06C228752-4

State of Nevada
vs
Robert Holmes

April 02, 2009**9:00 AM****Motion****DEFT'S MTN TO
WITHDRAW
GUILTY PLEA /140
Court Clerk: Denise
Trujillo
Reporter/Recorder:
Lara Corcoran Heard
By: Kathy Hardcastle****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	DiGiacomo, Sandra	Attorney
	Holmes, Robert	Defendant
	Sciscento, Joseph S.	Attorney

JOURNAL ENTRIES

- Arguments by counsel. COURT stated findings and ORDERED, motion DENIED.
CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2009

06C228752-4

State of Nevada
vs
Robert Holmes

August 04, 2009

9:00 AM

Request of Court

AT THE REQUEST
OF THE
COURT:CONFIRMA
TIONOF APPELANT
COUNSEL Court
Clerk: Denise
Trujillo
Reporter/Recorder:
Lara Corcoran Heard
By: Hardcastle, Kathy

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Albritton, Alicia A.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED.
CUSTODY (NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 12, 2009

06C228752-4

State of Nevada
vs
Robert Holmes

August 12, 2009

9:00 AM

Request of Court

AT THE REQUEST
OF THE
COURT:CONFIRMA
TIONOF APPELANT
COUNSEL Court
Clerk: Denise
Trujillo
Reporter/Recorder:
Lara Corcoran Heard
By: Kathy Hardcastle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Ruggeroli, James J.

Attorney

JOURNAL ENTRIES

- Mr. Ruggeroli advised he believes he can confirm, but has not received file. COURT ORDERED, Mr. Ruggeroli is CONFIRMED, and if he finds out later there is a problem, then can place matter BACK on calendar. FURTHER, once he reviews the file, he can determine if there are any appealable issues and place matter on calendar.

CUSTODY (NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 08, 2010

06C228752-4

State of Nevada
vs
Robert Holmes

April 08, 2010

9:30 AM

Further Proceedings

**FURTHER
PROCEEDINGS
COMPETENCY (DEPT
V) Court Clerk:
Sandra Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Pandukht, Taleen R.

Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christy Craig, Chief Deputy Public Defender, present representing defendant in Case No. C237052. Christina Greene of the Specialty Courts present. Defendant HOYT present in custody.

Competency is at issue in Case nos. C237052, C241570 and C227874, however, this case was just opened to appoint appellate counsel; therefore, COURT ORDERED, matter OFF CALENDAR.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 02, 2010

06C228752-4 State of Nevada
 vs
 Robert Holmes

November 02, 2010 9:00 AM Motion

HEARD BY: Hardcastle, Kathy

COURTROOM: RJC Courtroom 10D

COURT CLERK: Roshonda Mayfield

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Sandra	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Attorney Ruggeroli on behalf of Defense and Attorney Digiacomo on behalf of the State. Following arguments by counsel, COURT ORDERED, motion DENIED. Deft. is permitted to pursue this motion being addressed as a civil action.

Attorney Digiacomo is to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2010

06C228752-4 State of Nevada
 vs
 Robert Holmes

**December 02, 2010 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Hardcastle, Kathy

COURTROOM: RJC Courtroom 10D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT: Morton, Carrie A. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR WRIT OF HABEAS CORPUS

Without benefit of argument, COURT stated findings and ORDERED, Writ is DENIED, State to prepare Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 17, 2011

06C228752-4 State of Nevada
 vs
 Robert Holmes

February 17, 2011 9:00 AM Motion

HEARD BY: Tao, Jerome T.

COURTROOM: RJC Courtroom 10D

COURT CLERK: Tia Everett

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Kramer, Kristen B.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted Defendant not present as he is in custody with the Nevada Department of Corrections (NDC). Court having reviewed the case law and the motions, FINDS, Defendant's Motion is not properly before this court as the motion was not timely filed and missed the deadline as set forth in the statute; therefore, Defendant's Motion STRICKEN and matter OFF CALENDAR.

NDC

CLERK'S NOTE: a copy of this minute order has been mailed to:

Robert Holmes #1034184
PO Box 208
Indian Springs, NV 89070

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 2011

06C228752-4 State of Nevada
 vs
 Robert Holmes

April 12, 2011 9:00 AM Motion

HEARD BY: Tao, Jerome T.

COURTROOM: RJC Courtroom 10D

COURT CLERK: Tia Everett

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Ruggeroli, James J.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

JOURNAL ENTRIES

- Mr. Ruggeroli advised he was previously appointed for appellant purposes; however, he believes has fulfilled his obligations and requested to withdraw as counsel. COURT ORDERED, Mr. Ruggeroli's Request GRANTED. Court stated pursuant to EDCR 2.24 the Court is permitted to deny the Defendant's Motion; however, the Court only received the first page of the Motion and is unable to determine what the Defendant is seeking; therefore, COURT FURTHER ORDERED, Motion DENIED WITHOUT PREJUDICE. State to prepare and submit an order.

CLERK'S NOTE: a copy of this minute order has been mailed to:

Robert Holmes #1034184
PO Box 208
Indian Springs, NV 89070

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 29, 2011

06C228752-4 State of Nevada
 vs
 Robert Holmes

November 29, 2011 8:30 AM Motion

HEARD BY: Tao, Jerome T.

COURTROOM: RJC Courtroom 10D

COURT CLERK: Tia Everett

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted this motion has previously been filed and denied by a previous Judge; therefore, COURT ORDERED, Motion DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 05, 2013

06C228752-4 State of Nevada
vs
Robert Holmes

September 05, 2013 8:30 AM Motion to Amend
Judgment

HEARD BY: Tao, Jerome T.

COURTROOM: RJC Courtroom 10D

COURT CLERK: Linda Skinner

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Albritton, Alicia A. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted Defendant is in prison and not present today, that he has proffered a Motion asking for additional jail time credits. Court noted it has reviewed the Motion and the State's response and tried to do some counting on the computer as well; it appears the Defendant is entitled to 3 extra days which would bring his total up to 172 days. Therefore, COURT ORDERED, Defendant's Pro Per Motion is GRANTED IN PART/ DENIED IN PART in that he is asking for more time, but the calculations by the Court track with the State and 172 days will be afforded. Further, an Amended Judgment of Conviction to be prepared.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 26, 2013

06C228752-4 State of Nevada
 vs
 Robert Holmes

September 26, 2013 8:30 AM Motion to Modify Sentence

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 10D

COURT CLERK: Dania Batiste

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Anthony, Michelle	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present, incarcerated at Nevada Department of Corrections (NDC). Due to the Court's unavailability, COURT ORDERED, matter CONTINUED, to be heard by Judge Tao.

NDC

CONTINUED TO: 10/1/2013 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2013

06C228752-4 State of Nevada
 vs
 Robert Holmes

October 01, 2013 8:30 AM Motion to Modify Sentence

HEARD BY: Tao, Jerome T.

COURTROOM: RJC Courtroom 10D

COURT CLERK: Linda Skinner

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Rhoades, Kristina A. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted Defendant is in prison and not present today, that he has proffered a Motion which the Court has read. Court noted Defendant is raising the allegation that his charges were barred as untimely by statute of limitations, however, that is not actually a basis to modify the sentence and should have been raised on direct appeal. Court advised to the extent this is a Motion to Correct Illegal Sentence, he has not shown good cause; to the extent this is a Motion to Dismiss Because of Statute of Limitations, this should have been brought up on direct appeal. COURT ORDERED, Pro Per Motion DENIED.

NDC