

Louis Randolph, aka,
CLYDE LEWIS
#48875 In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

Alvin D. Johnson
CLERK OF THE COURT

Electronically Filed
Mar 12 2014 11:35 a.m.
Alvin D. Johnson
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF CLARK

The State of Nevada,
Plaintiff,
vs.
Louis Randolph, aka,
CLYDE LEWIS,
Defendant.

Case No. 94C120857-2
(33145 and 30567)
Dept. No. XXIII
Docket _____

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
Louis Randolph, in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the Petition for Writ of Habeas Corpus (Post-Conviction),
Proper Motion to Appoint Counsel, Motion to Proceed
In Forma Pauperis, Proper Request for an Evidentiary
Hearing, and Petitioner's Reply to the State's Response
to Petition for Writ of Habeas Corpus,
ruled on the 10th day of February, 20 14.

Dated this 4th day of March, 20 14.

Respectfully Submitted,
Louis Randolph
Louis Randolph

RECEIVED
MAR 10 2014
CLERK OF THE COURT

AFFIDAVIT OF: LOUIS RANDOLPH

STATE OF NEVADA }
COUNTY OF CLARK } ss:

TO WHOM IT MAY CONCERN:

I Louis Randolph the undersigned, do hereby swear that all statements, facts and events within my foregoing Affidavit are true and correct of my own knowledge, information and belief, and as to those, I believe them to be true and correct. Signed under the penalty of perjury, pursuant to, NRS 29-010; 53.045; 208.165, and state the following

- 1.) That this is a Proper Appeal from an Order of the Eighth Judicial District Court, Judge Stefany A. Miley, denying Post-Conviction Petition for Writ of Habeas Corpus on February 10, 2014.
- 2.) That Appellant filed the Petition requesting an Evidentiary Hearing and Appointment of Counsel on December 2, 2013. The State filed its Response and Motion to Dismiss Defendant's Petition on January 13, 2014. Appellant then filed "Reply to State's Response to Petition for Writ of Habeas Corpus" on January 31, 2014.
- 3.) That on February 10, 2014, the District Court Denied Appellant's Petition without conducting an Evidentiary Hearing or Appointing Counsel. Furthermore, the District Court did not consider Appellant's indigency, the severity of the issues presented, as well as Appellant's Reply to State's Response to Petition for Writ of Habeas Corpus, in making its decision.
- 4.) That Appellant's Petition arose from two (2) trials with many complex issues, and two (2) separate Judgments of Convictions that requires the Assistance of Counsel schooled in the science of Law to represent the Appellant.
- 5.) That Appellant is aware of One (1) other case in relation to his, in which, the inmate was denied an Evidentiary Hearing, Appointment of Counsel, etc., in a very complex case - Walters v. STATE, (2011)

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Executed At: Indian Springs, Nevada, this 4th day of March, 2014

BY: Louis Randolph
Louis Randolph # 48875.
Affiant, In Propria Persona:

CERTIFICATE OF SERVICE BY MAILING

I, Louis Randolph, hereby certify, pursuant to NRCP 5(b), that on this 4th
day of March, 2014, I mailed a true and correct copy of the foregoing, "Notice -
of Appeal, and Attached AFFIDAVIT of Louis Randolph"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Steven D. Grierson,
District Court Clerk
200 Lewis Ave. 3rd floor.
Las Vegas, Nevada. 89155

CC:FILE

DATED: this 4th day of March, 2014.

Louis Randolph
Louis Randolph #48875
/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 to the 8th Judicial District Court, County of Clark.
(Title of Document)

filed in District Court Case number 94C120857-2
(33145 and 30567)



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.

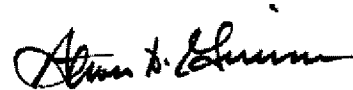
Louis Randolph
Signature

March 4th, 2014
Date

Louis Randolph
Print Name

In Proper Personam
Title

06 1875-41
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1002



CLERK OF THE COURT

ASTA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff(s),

vs.

CLYDE LEWIS aka LOUIS RANDOLPH,

Defendant(s),

Case No: 94C120857-2
Dept No: XXIII

CASE APPEAL STATEMENT

1. Appellant(s): Louis Randolph aka Clyde Lewis
2. Judge: Stefany Miley
3. Appellant(s): Louis Randolph aka Clyde Lewis

Counsel:

Louis Randolph aka Clyde Lewis #48875
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: No

- 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: June 13, 1994
4 10. Brief Description of the Nature of the Action: Criminal
5 Type of Judgment or Order Being Appealed: Writ of Habeas Corpus
6 11. Previous Appeal: Yes
7 Supreme Court Docket Number(s): 30567, 33145, 55843, 60522, 64309
8 12. Child Custody or Visitation: N/A
9

10 Dated This 11 day of March 2014.

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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Louis Randolph, #48875
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Electronically Filed
03/10/2014 01:09:30 PM

Allen D. Blum
CLERK OF THE COURT

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF CLARK

The State of Nevada,
Plaintiff,
vs.
Louis Randolph aka,
CLYDE LEWIS,
Defendant.

94C120857-2
CASE No. (33145 and 30567)
DEPT.No. XXIII

DESIGNATION OF RECORD ON APPEAL

TO: STEVEN D. GRIERSON,
CLERK OF THE COURT
DISTRICT COURT OF NEVADA
200 LEWIS AVE. 3rd Floor
LAS VEGAS, NEVADA 89155

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 4th day of March, 20 14.

RESPECTFULLY SUBMITTED BY:
Louis Randolph
Louis Randolph #48875
Plaintiff/In Propria Persona

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2

The State of Nevada vs Clyde Lewis

§	Location:	Department 23
§	Judicial Officer:	Miley, Stefany
§	Filed on:	06/13/1994
§	Case Number History:	
§	Cross-Reference Case	C120857
§	Number:	
§	Defendant's Scope ID #:	1356378
§	Lower Court Case Number:	93F09838
§	Supreme Court No.:	60522
§		64309

CASE INFORMATION

Offense	Deg	Date	Case Type:
1. BURGLARY.	F	01/01/1900	Felony/Gross Misdemeanor
2. ROBBERY WITH A DEADLY WEAPON	F	01/01/1900	Case Flags: Bail Set
3. BATTERY WITH USE OF A DEADLY WEAPON	F	01/01/1900	Appealed to Supreme Court
4. MURDER WITH A DEADLY WEAPON	F	01/01/1900	Custody Status - Nevada
4. DEGREES OF MURDER	F	01/01/1900	Department of Corrections

Related Cases

94C120857-1 (Multi-Defendant Case)

Statistical Closures

03/27/2012	Jury Trial - Conviction - Criminal
06/24/2010	USJR Reporting Statistical Closure
06/08/1997	USJR Reporting Statistical Closure
03/22/2005	USJR Reporting Statistical Closure

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	94C120857-2
Court	Department 23
Date Assigned	12/28/2008
Judicial Officer	Miley, Stefany

PARTY INFORMATION

Lead Attorneys

Defendant **Lewis, Clyde**

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. BURGLARY. Not Guilty
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. ROBBERY WITH A DEADLY WEAPON Not Guilty
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. BATTERY WITH USE OF A DEADLY WEAPON Not Guilty

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CASE SUMMARY
CASE No. 94C120857-2

01/01/1900	Plea (Judicial Officer: User, Conversion) 4. MURDER WITH A DEADLY WEAPON Not Guilty
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. DEGREES OF MURDER Not Guilty
06/13/1994	 Criminal Bindover <i>Criminal Bindover</i>
06/17/1994	 Information
06/17/1994	 Amended Information <i>Amended (By Interlineation 11/30, 1994)</i>
06/17/1994	 Amended Information <i>Amended (By Interlineation 11/14/1994)</i>
06/20/1994	Initial Arraignment (9:00 AM) <i>INITIAL ARRAIGNMENT Court Clerk: JULIE HALL Reporter/Recorder: CONNIE MILLER Heard By: A. William Maupin</i>
06/27/1994	 Reporters Transcript <i>Reporter's Transcript of June 6, 1994</i>
06/27/1994	 Notice <i>Notice of Intent to Seek Death Penalty</i>
06/29/1994	Request (9:00 AM) <i>AT REQUEST OF DISTRICT ATTORNEY ANNOUNCE INTENTION TO SEEK DEATH PENALTY Court Clerk: JULIE HALL Reporter/Recorder: CONNIE MILLER Heard By: MAUPIN, A. WILLIAM</i>
07/06/1994	 Reporters Transcript <i>Reporter's Transcript of June 20, 1994</i>
07/08/1994	Request (9:00 AM) <i>AT REQUEST OF DISTRICT ATTORNEY ANNOUNCE INTENTION TO SEEK DEATH PENALTY Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: MAUPIN, A. WILLIAM</i>
07/15/1994	 Order <i>Order Appointing Counsel</i>
07/18/1994	Request (9:00 AM) <i>AT REQUEST OF DISTRICT ATTORNEY ANNOUNCE INTENTION TO SEEK DEATH PENALTY Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: MAUPIN, A. WILLIAM</i>
07/20/1994	Request (9:00 AM) <i>AT REQUEST OF DISTRICT ATTORNEY ANNOUNCE INTENTION TO SEEK DEATH PENALTY Court Clerk: JULIE HALL Reporter/Recorder: CONNIE MILLER</i>
07/20/1994	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL Heard By: A. William Maupin</i>

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07/20/1994	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 7-20-94 Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
08/09/1994	 Order <i>Stipulation for Late Filing of Pretrial Writ of Habeas Corpus and Order</i>
08/16/1994	 Petition for Writ of Habeas Corpus
08/16/1994	 Order <i>Stipulation for Late Filing of Pretrial Writ of Habeas Corpus and Order</i>
08/16/1994	Petition <i>PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 94C120857_0001</i>
08/16/1994	 Receipt of Copy
08/17/1994	 Filed Under Seal <i>Affidavit of Laura L. Melia in Support of Application for Appointment of Investigator (Filed Under Seal)</i>
08/18/1994	 Order <i>Order for Writ of Habeas Corpus</i>
08/22/1994	 Writ of Habeas Corpus
08/22/1994	 Receipt of Copy
08/23/1994	 Ex Parte Order
08/30/1994	 Return to Writ of Habeas Corpus
08/31/1994	Petition for Writ of Habeas Corpus (9:00 AM) Events: 08/16/1994 Petition for Writ of Habeas Corpus <i>PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: JULIE HALL Relief Clerk: NANCY MILLER/nm Reporter/Recorder: CONNIE MILLER Heard By: MAUPIN, A. WILLIAM</i>
09/12/1994	Petition for Writ of Habeas Corpus (9:00 AM) <i>PETITION FOR WRIT OF HABEAS CORPUS Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
09/19/1994	 Order
09/21/1994	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
09/26/1994	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
10/05/1994	 Information

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10/05/1994	 Amended Information <i>Amended (By Interlineation 11/14/1994)</i>
10/10/1994	 Criminal Bindover <i>Criminal Bindover</i>
10/12/1994	 Filed Under Seal <i>Ex Parte Application for Appointment of Expert Services (Filed Under Seal)</i>
10/17/1994	Initial Arraignment (9:00 AM) <i>INITIAL ARRAIGNMENT Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: MAUPIN, A. WILLIAM</i>
10/18/1994	 Order <i>Order for Writ of Habeas Corpus</i>
10/19/1994	Initial Arraignment (9:00 AM) <i>INITIAL ARRAIGNMENT Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
10/21/1994	 Reporters Transcript <i>Reporter's Transcript of September 29, 1994</i>
10/26/1994	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
11/01/1994	 Filed Under Seal <i>Ex Parte Motion to Provide Funds for Expert Psychological Assistance (Filed Under Seal)</i>
11/08/1994	 Motion <i>Motion to Withdraw as Attorney-of-Record on Order Shortening Time</i>
11/08/1994	 Receipt of Copy
11/09/1994	 Request <i>Motion and Notice of Motion to Endorse Names on Information</i>
11/14/1994	Motion to Withdraw as Counsel (9:00 AM) Events: 11/08/1994 Motion <i>DEFENDANT'S MOTION TO WITHDRAW AS COUNSEL Heard By: A. William Maupin</i>
11/14/1994	Conversion Hearing Type (9:00 AM) <i>STATE'S MOTION TO ENDORSE NAMES ON INFORMATION Heard By: A. William Maupin</i>
11/14/1994	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-14-94 Court Clerk: JULIE HALL Reporter/Recorder: CONNIE MILLER Heard By: A. William Maupin</i>
11/14/1994	 Order <i>Order to Endorse Names on Information</i>
11/15/1994	 Ex Parte <i>Ex-Parte Application for Transcript Order</i>







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11/16/1994	 Motion <i>Notice of Motion and Motion for Disclosure of Tibor Lakicevic's Polygraph Test Questions and Test Results</i>
11/16/1994	 Motion <i>Notice of Motion and Motion to Sever</i>
11/16/1994	 Motion <i>Notice of Motion and Motion Challenging the Composition of the Petit Jury for Under-Representation of Cognizable Groups</i>
11/16/1994	 Motion <i>Notice of Motion and Motion to Interview State's Witness</i>
11/16/1994	 Motion <i>Notice of Motion and Motion for In-Camera Review of Presentence Records</i>
11/16/1994	 Motion <i>Notice of Motion and Motion to Suppress Statements</i>
11/16/1994	 Motion <i>Notice of Motion and Motion for Discovery of Brady and Giglio Materials</i>
11/16/1994	 Receipt of Copy
11/17/1994	 Ex Parte <i>Ex Parte Order</i>
11/17/1994	 Motion <i>Motion to Compel Disclosure of Documents Maintained by the LVMPD Records Section</i>
11/18/1994	 Motion <i>Notice of Motion and Motion to Strike Aggravating Circumstance Based Upon Felony of Robbery and Burglary</i>
11/18/1994	 Notice <i>Notice of Motion, Order Shortening Time for Motion to Compel Disclosure of Documents Maintained by The LVMPD Records Section</i>
11/21/1994	 Motion <i>Motion for Jury Questionnaire</i>
11/21/1994	 Notice of Motion
11/21/1994	 Receipt of Copy
11/21/1994	 Receipt of Copy
11/21/1994	 Receipt of Copy











DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2

11/21/1994	 Order
11/21/1994	 Petition for Writ of Habeas Corpus
11/22/1994	 Order
11/22/1994	 Receipt of Copy
11/28/1994	Motion (9:00 AM) Events: 11/16/1994 Motion <i>DEFENDANT'S MOTION FOR DISCLOSURE OF TIBOR LAKICEVIC'S POLYGRAPH TEST</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion to Sever (9:00 AM) Events: 11/16/1994 Motion <i>DEFENDANT'S MOTION TO SEVER</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion (9:00 AM) Events: 11/16/1994 Motion <i>DEFT'S MOTION CHALLENGING COMPOSITION OF PETIT JURY FOR UNDER</i> <i>REPRESENTATION</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion (9:00 AM) Events: 11/16/1994 Motion <i>DEFT'S MOTION TO INTERVIEW STATE'S WITNESS</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion (9:00 AM) Events: 11/16/1994 Motion <i>DEFT'S MOTION FOR IN CAMERA REVIEW OF PRESENTENCE REPORTS</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion to Suppress (9:00 AM) Events: 11/16/1994 Motion <i>DEFENDANT'S MOTION TO SUPPRESS STATEMENTS</i> <i>Heard By: A. William Maupin</i>
11/28/1994	Motion to Extend Discovery (9:00 AM) Events: 11/16/1994 Motion <i>DEFENDANT'S MOTION FOR DISCOVERY OF BRADY AND GIGLIO MATERIALS</i> <i>Heard</i> <i>By: A. William Maupin</i>
11/28/1994	Motion to Strike (9:00 AM) Events: 11/18/1994 Motion <i>DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCE BASED UPON FELONY</i> <i>OF ROBBERY</i> <i>Heard By: A. William Maupin</i>
11/28/1994	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-28-94 Court Clerk: JULIE HALL Reporter/Recorder: PATSY</i> <i>SMITH</i> <i>Heard By: A. William Maupin</i>
11/29/1994	 Motion <i>Motion and Notice of Motion to Endorse Names on Information</i>
11/30/1994	Calendar Call (9:00 AM) <i>CALENDAR CALL</i>
11/30/1994	Motion to Sever (9:00 AM) <i>DEFENDANT'S MOTION TO SEVER</i> <i>Heard By: A. William Maupin</i>












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CASE SUMMARY
CASE NO. 94C120857-2

11/30/1994	Motion to Compel (9:00 AM) Events: 11/17/1994 Motion <i>DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF DOCUMENTS MAINTAINED BY LVMPD Heard By: A. William Maupin</i>
11/30/1994	Motion for Judgment Notwithstanding the Verdict (9:00 AM) <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE Heard By: A. William Maupin</i>
11/30/1994	Conversion Hearing Type (9:00 AM) Events: 11/29/1994 Motion <i>STATE'S MOTION TO ENDORSE NAMES ON INFORMATION Heard By: A. William Maupin</i>
11/30/1994	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-30-94 Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
11/30/1994	Motion (11:00 AM) <i>DEFENDANT'S MOTION FOR DISCLOSURE OF TIBOR LAKICEVIC'S POLYGRAPH TEST Heard By: A. William Maupin</i>
11/30/1994	Motion (11:00 AM) <i>DEFT'S MOTION CHALLENGING COMPOSITION OF PETIT JURY FOR UNDER REPRESENTATION Heard By: A. William Maupin</i>
11/30/1994	Motion (11:00 AM) <i>DEFT'S MOTION TO INTERVIEW STATE'S WITNESS Heard By: A. William Maupin</i>
11/30/1994	Motion (11:00 AM) <i>DEFT'S MOTION FOR IN CAMERA REVIEW OF PRESENTENCE REPORTS Heard By: A. William Maupin</i>
11/30/1994	Motion to Suppress (11:00 AM) <i>DEFENDANT'S MOTION TO SUPPRESS STATEMENTS Heard By: A. William Maupin</i>
11/30/1994	Motion to Extend Discovery (11:00 AM) <i>DEFENDANT'S MOTION FOR DISCOVERY OF BRADY AND GIGLIO MATERIALS Heard By: A. William Maupin</i>
11/30/1994	Motion to Strike (11:00 AM) <i>DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCE BASED UPON FELONY OF ROBBERY Heard By: A. William Maupin</i>
11/30/1994	 Answer <i>Answer in Opposition to Motion to Sever</i>
11/30/1994	 Writ <i>Return to Writ of Habeas Corpus</i>
11/30/1994	 Certificate of Mailing
11/30/1994	 Order
12/01/1994	 Reporters Transcript <i>Reporter's Transcript of July 8, 1994</i>
12/01/1994	 Reporters Transcript <i>Reporter's Transcript of July 18, 1994</i>

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12/01/1994	 Reporters Transcript <i>Reporter's Transcript of July 20, 1994</i>
12/01/1994	 Reporters Transcript <i>Reporter's Transcript of September 12, 1994</i>
12/01/1994	 Reporters Transcript <i>Reporter's Transcript of November 28, 1994</i>
12/01/1994	 Reporters Transcript <i>Reporter's Transcript of November 30, 1994</i>
12/01/1994	 Order <i>Order for Transcript</i>
12/02/1994	Motion for Judgment Notwithstanding the Verdict (9:00 AM) Events: 11/21/1994 Motion <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE Heard By: A. William Maupin</i>
12/02/1994	 Reporters Transcript <i>Reporter's Transcript of June 29, 1994</i>
12/02/1994	 Reporters Transcript <i>Reporter's Transcript of August 31, 1994</i>
12/02/1994	 Reporters Transcript <i>Reporter's Transcript of November 14, 1994</i>
12/02/1994	 Writ of Habeas Corpus
12/02/1994	 Certificate of Mailing
12/05/1994	Motion (11:00 AM) <i>DEFENDANT'S MOTION FOR DISCLOSURE OF TIBOR LAKICEVIC'S POLYGRAPH TEST</i> <i>Heard By: A. William Maupin</i>
12/05/1994	Motion (11:00 AM) <i>DEFT'S MOTION CHALLENGING COMPOSITION OF PETIT JURY FOR UNDER</i> <i>REPRESENTATION Heard By: A. William Maupin</i>
12/05/1994	Motion (11:00 AM) <i>DEFT'S MOTION TO INTERVIEW STATE'S WITNESS Heard By: A. William Maupin</i>
12/05/1994	Motion (11:00 AM) <i>DEFT'S MOTION FOR IN CAMERA REVIEW OF PRESENTENCE REPORTS Heard By: A.</i> <i>William Maupin</i>
12/05/1994	Motion to Suppress (11:00 AM) <i>DEFENDANT'S MOTION TO SUPPRESS STATEMENTS Heard By: A. William Maupin</i>
12/05/1994	Motion to Extend Discovery (11:00 AM) <i>DEFENDANT'S MOTION FOR DISCOVERY OF BRADY AND GIGLIO MATERIALS Heard</i> <i>By: A. William Maupin</i>
12/05/1994	





DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2

	Motion to Compel (11:00 AM) <i>DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF DOCUMENTS MAINTAINED BY LVMPD Heard By: A. William Maupin</i>
12/05/1994	Motion to Strike (11:00 AM) <i>DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCE BASED UPON FELONY OF ROBBERY Heard By: A. William Maupin</i>
12/05/1994	Hearing (11:00 AM) <i>ARGUMENT ON PENDING PRETRIAL MOTIONS Heard By: A. William Maupin</i>
12/05/1994	All Pending Motions (11:00 AM) <i>ALL PENDING MOTIONS 12-5-94 Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
12/05/1994	 Answer <i>Answer in Opposition to Motion for In-Camera Review of Presentence Reports</i>
12/05/1994	 Amended Information
12/05/1994	 Answer <i>Answer in Opposition to Motion to Sever</i>
12/05/1994	 Answer <i>Answer in Opposition to Motion to Suppress Statements</i>
12/05/1994	 Answer <i>Answer in Opposition to Motion challenging the Composition of the Petit Jury for Under-Representation of Cognizable Groups</i>
12/06/1994	Jury Trial (10:30 AM) <i>TRIAL BY JURY Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
12/06/1994	 Memorandum <i>Guilty Plea Memorandum</i>
12/06/1994	 Amended Information <i>Second Amended Information</i>
12/07/1994	 Order <i>Order to Endorse Names on Information</i>
12/07/1994	 Reporters Transcript <i>Reporter's Transcript of December 6, 1994</i>
12/07/1994	 Reporters Transcript <i>Reporter's Transcript of December 5, 1994</i>
12/14/1994	 Reply <i>Reply to Opposition for Writ of Habeas Corpus</i>
01/09/1995	Sentencing (9:00 AM) <i>SENTENCING (CT.IV) Court Clerk: JULIE HALL Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2










01/20/1995	 Judgment of Conviction <i>Judgment of Conviction (Plea)</i>
01/24/1995	 Stipulation
01/25/1995	 Order
02/03/1995	Hearing (9:00 AM) <i>ARGUMENT ON PRETRIAL MOTIONS & PETITIONFOR WRIT OF HABEAS CORPUS (RANDOLPH) Heard By: A. William Maupin</i>
02/10/1995	Hearing (9:00 AM) <i>ARGUMENT ON PRETRIAL MOTIONS & PETITIONFOR WRIT OF HABEAS CORPUS (RANDOLPH) Court Clerk: LARRY SNYDER Reporter/Recorder: PATSY SMITH Heard By: MAUPIN, A. WILLIAM</i>
02/13/1995	 Stipulation
02/15/1995	Hearing (9:00 AM) <i>ARGUMENT ON PRETRIAL MOTIONS & PETITIONFOR WRIT OF HABEAS CORPUS (RANDOLPH) Heard By: A. William Maupin</i>
02/15/1995	Status Check (9:00 AM) <i>STATUS CHECK: POSSIBLE NEGOTIATIONS</i>
02/15/1995	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (2/15/95) Court Clerk: LARRY SNYDER Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
02/15/1995	 Order
02/28/1995	 Ex Parte Order <i>Ex Parte Order to Appoint Investigator</i>
05/12/1995	 Request <i>Motion and Notice of Motion to Endorse Names on Information</i>
05/12/1995	 Order <i>Order for Production of Inmate Tibor Lakicevic, Back #43954</i>
05/15/1995	 Ex Parte <i>Ex Parte Motion for Order to Transport Witness</i>
05/15/1995	 Order <i>Order to Transport Witness</i>
05/16/1995	 Notice of Motion
05/16/1995	 Motion in Limine
05/17/1995	Calendar Call (9:00 AM) <i>CALENDAR CALL Heard By: A. William Maupin</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2









05/17/1995	Conversion Hearing Type (9:00 AM) <i>STATE'S MOTION TO ENDORSE NAMES ON INFORMATION Heard By: A. William Maupin</i>
05/17/1995	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (5/17/95) Court Clerk: LARRY SNYDER Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
05/17/1995	Motion <i>ALL PENDING MOTIONS (5/17/95)</i>
05/22/1995	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (5/22/95) Court Clerk: LARRY SNYDER Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
05/22/1995	 Motion <i>Notice of Motion and Motion to Amend Information</i>
05/23/1995	Conversion Hearing Type (9:00 AM) <i>STATE'S MOTION TO ENDORSE NAMES ON INFORMATION Heard By: A. William Maupin</i>
05/23/1995	Motion in Limine (10:45 AM) <i>MOTION IN LIMINE Heard By: A. William Maupin</i>
05/23/1995	Motion to Amend (10:45 AM) Events: 05/22/1995 Motion <i>STATE'S MOTION TO AMEND INFORMATION Heard By: A. William Maupin</i>
05/23/1995	All Pending Motions (10:45 AM) <i>ALL PENDING MOTIONS (5/23/95) Court Clerk: LARRY SNYDER Relief Clerk: LORI BROWN/LB Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>
05/23/1995	CANCELED Jury Trial (11:00 AM) <i>Vacated</i>
05/23/1995	 Points and Authorities <i>Supplemental Points and Authorities to Motion in Limine</i>
05/30/1995	 Answer <i>Answer in Opposition to Motion in Limine</i>
06/06/1995	 Reply <i>Defendant's Reply</i>
06/07/1995	Conversion Hearing Type (9:00 AM) <i>STATE'S MOTION TO ENDORSE NAMES ON INFORMATION Heard By: A. William Maupin</i>
06/07/1995	Motion in Limine (9:00 AM) <i>MOTION IN LIMINE Heard By: A. William Maupin</i>
06/07/1995	Motion to Amend (9:00 AM) <i>STATE'S MOTION TO AMEND INFORMATION Heard By: A. William Maupin</i>
06/07/1995	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (6/06/95) Court Clerk: LARRY SNYDER Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin</i>

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06/09/1995	 Order <i>Order to Endorse Names on Information</i>
06/30/1995	 Opposition <i>Opposition to Motion to Amend Information</i>
07/03/1995	Motion to Amend (9:00 AM) <i>STATE'S MOTION TO AMEND INFORMATION</i> Relief Clerk: LORI BROWN Reporter/Recorder: PATSY SMITH Heard By: MAUPIN, A. WILLIAM
07/05/1995	Motion to Amend (9:00 AM) <i>STATE'S MOTION TO AMEND INFORMATION</i> Relief Clerk: LORI BROWN Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin
07/05/1995	 Amended Information
07/10/1995	 Order <i>Order to Amend Information</i>
08/15/1995	 Order <i>Order to Transport Witness</i>
08/16/1995	Calendar Call (9:00 AM) <i>CALENDAR CALL</i> Court Clerk: LORIBROWN Reporter/Recorder: PATSY SMITH Heard By: A. William Maupin
08/17/1995	 Order <i>Order for Production of Inmate Tibor Lakicevic, Back #43954</i>
08/17/1995	 Order <i>Order to Transport Witness</i>
08/21/1995	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
08/23/1995	Jury Trial (11:00 AM) <i>TRIAL BY JURY</i> Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: LOEHRER, SALLY
08/24/1995	Jury Trial (8:00 AM) <i>TRIAL BY JURY</i> Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: LOEHRER, SALLY
08/24/1995	 Jury List
08/25/1995	Jury Trial (1:30 PM) <i>TRIAL BY JURY</i> Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: LOEHRER, SALLY
08/25/1995	 Subpoena
08/28/1995	Jury Trial (10:30 AM) <i>TRIAL BY JURY</i> Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY

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08/29/1995	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
08/29/1995	 Subpoena
08/30/1995	Jury Trial (10:30 AM) <i>TRIAL BY JURY Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
08/30/1995	 Subpoena Duces Tecum
08/30/1995	 Subpoena
08/31/1995	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: LOEHRER, SALLY</i>
09/01/1995	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
09/01/1995	 Subpoena
09/05/1995	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: A. William Maupin</i>
09/05/1995	 Instructions to the Jury
09/05/1995	 Verdict
09/11/1995	 Reporters Transcript <i>Reporter's Transcript of August 24, 1995</i>
09/19/1995	Conversion Hearing Type (9:00 AM) <i>TRIAL SETTING AS TO COUNTS I, II & IV Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: Sally Loehrer</i>
10/04/1995	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
10/10/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
10/17/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
11/02/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: LARRY SNYDER/LS Reporter/Recorder: KIT MACDONALD Heard By: MCGROARTY, JOHN S.</i>
11/07/1995	Sentencing (9:00 AM) <i>SENTENCING Heard By: Sally Loehrer</i>

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11/20/1995	Disposition (Judicial Officer: User, Conversion) 3. BATTERY WITH USE OF A DEADLY WEAPON Guilty
11/20/1995	Disposition (Judicial Officer: User, Conversion)
11/20/1995	Sentence (Judicial Officer: User, Conversion) 3. BATTERY WITH USE OF A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 8 Years to Maximum 8 Years Placement: NSP Converted Disposition: Sentence# 0002: FINE Amount: \$5000.00 Converted Disposition: Sentence# 0003: CREDIT FOR TIME SERVED Minimum 481 Days to Maximum 481 Days Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
11/21/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: LOEHRER, SALLY</i>
11/28/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
11/30/1995	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: Sally Loehrer</i>
12/05/1995	Motion to Set Trial Date (9:00 AM) <i>RESET TRIAL DATE Heard By: A. William Maupin</i>
12/07/1995	Motion to Set Trial Date (9:00 AM) <i>RESET TRIAL DATE Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: Sally Loehrer</i>
12/08/1995	 Request <i>Motion for Excess Fees and Order</i>
12/12/1995	 Order
12/14/1995	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
01/11/1996	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
01/16/1996	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
01/17/1996	 Ex Parte <i>Exparte Amended Motion for Excess Fees and Order</i>
02/01/1996	

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	 Order <i>Order for Production of Inmate</i>
02/15/1996	 Amended Order
06/20/1996	Calendar Call (9:00 AM) <i>CALENDAR CALL Court Clerk: JUDY NORMAN Reporter/Recorder: HELENE KARP Heard By: Sally Loehrer</i>
06/24/1996	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
09/05/1996	 Order <i>Order for Production of Inmate Tibor Lakicevic, Back #43954</i>
09/10/1996	 Order <i>Order for Transcript</i>
09/19/1996	 Request <i>Motion to Continue Jury Trial: Order Shortening Time</i>
09/24/1996	Motion to Continue (9:00 AM) <i>DEFT'S MOTION TO CONTINUE JURY TRIAL Court Clerk: JUDY NORMAN Reporter/Recorder: MARGIE CARLSON Heard By: Sally Loehrer</i>
09/26/1996	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
09/30/1996	CANCELED Jury Trial (9:30 AM) <i>Vacated</i>
10/16/1996	 Reporters Transcript <i>Reporter's Transcript of August 29, 1995</i>
10/16/1996	 Reporters Transcript <i>Reporter's Transcript of August 30, 1995</i>
10/16/1996	 Reporters Transcript <i>Reporter's Transcript of August 29, 1995</i>
10/16/1996	 Reporters Transcript <i>Reporter's Transcript of September 5, 1995</i>
10/16/1996	 Reporters Transcript <i>Reporter's Transcript of September 1, 1995</i>
01/06/1997	 Reporters Transcript <i>Reporter's Transcript of August 23, 1995</i>
01/06/1997	 Reporters Transcript <i>Reporter's Transcript of August 24, 1995</i>
01/06/1997	 Reporters Transcript <i>Reporter's Transcript of August 25, 1995</i>

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01/06/1997	 Reporters Transcript <i>Reporter's Transcript of August 31, 1995</i>
02/14/1997	 Order <i>Order for Production of Inmate Tibor Lakicevic, Back #43954</i>
02/19/1997	 Order <i>Order to Transport Prisoner</i>
02/24/1997	 Motion <i>Motion to Compel Production of "Rap Sheets"</i>
02/24/1997	 Motion <i>Motion to Compel Disclosure of Pre-Sentence Reports or, in the Alternative, for In-Camera Review</i>
02/24/1997	 Motion <i>Motion in Limine to Preclude Evidence Surrounding Defendant's Arrest</i>
02/24/1997	 Motion <i>Motion to Strike Deadly Weapon Allegation and Motion to Suppress Evidence That the Defendant was Convicted of Battery With use of a Deadly Weapon</i>
02/24/1997	 Request <i>Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation With Prosecution</i>
02/27/1997	Calendar Call (9:00 AM) <i>CALENDAR CALL</i>
02/27/1997	Motion to Compel (9:00 AM) Events: 02/24/1997 Motion <i>DEFT'S MOTION TO COMPEL PRODUCTION OF RAP SHEETS Heard By: Sally Loehrler</i>
02/27/1997	Motion to Compel (9:00 AM) Events: 02/24/1997 Motion <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF PRESENTENCE REPORTS Heard By: Sally Loehrler</i>
02/27/1997	Motion in Limine (9:00 AM) Events: 02/24/1997 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE Heard By: Sally Loehrler</i>
02/27/1997	Motion to Strike (9:00 AM) Events: 02/24/1997 Motion <i>DEFT'S MOTION TO STRIKE DEADLY WEAPON ALLEGATION Heard By: Sally Loehrler</i>
02/27/1997	Motion to Compel (9:00 AM) <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OF COOPERATION Heard By: Sally Loehrler</i>
02/27/1997	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS FOR 2/27/97 Court Clerk: CINDY HORTON Reporter/Recorder: MARGIE CARLSON Heard By: Sally Loehrler</i>
02/27/1997	

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CASE NO. 94C120857-2

	 Motion <i>Motion to Suppress Identifications of Defendant</i>
02/27/1997	 Response <i>Response to Motion to Compel Production of "Rap Sheets"</i>
02/27/1997	 Receipt of Copy <i>Receipt of Copies</i>
02/27/1997	 Opposition <i>Opposition to Motion for Disclosure of Pre-Sentence Reports or in the Alternative In-Camera Review of Pre-Sentence Reports</i>
02/27/1997	 Opposition <i>Opposition to Motion in Limine to Preclude Evidence Surrounding Defendant's Arrest</i>
02/27/1997	 Response <i>Response to Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation With Prosecution</i>
02/28/1997	Calendar Call (3:00 PM) <i>CALENDAR CALL</i>
02/28/1997	Motion to Compel (3:00 PM) <i>DEFT'S MOTION TO COMPEL PRODUCTION OF RAP SHEETS Heard By: Sally Loehrer</i>
02/28/1997	Motion to Compel (3:00 PM) <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF PRESENTENCE REPORTS Heard By: Sally Loehrer</i>
02/28/1997	Motion in Limine (3:00 PM) <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE Heard By: Sally Loehrer</i>
02/28/1997	Motion to Strike (3:00 PM) <i>DEFT'S MOTION TO STRIKE DEADLY WEAPON ALLEGATION Heard By: Sally Loehrer</i>
02/28/1997	Motion to Compel (3:00 PM) <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OF COOPERATION Heard By: Sally Loehrer</i>
02/28/1997	Motion (3:00 PM) Events: 02/27/1997 Motion <i>DEFT'S MOTION TO SUPPRESS IDENTIFICATION OF DEFT Heard By: Sally Loehrer</i>
02/28/1997	All Pending Motions (3:00 PM) <i>ALL PENDING MOTIONS FOR 2/28/97 Court Clerk: CINDY HORTON Reporter/Recorder: MARGIE CARLSON Heard By: Sally Loehrer</i>
02/28/1997	 Opposition <i>Opposition to Motion to Strike Deadly Weapon Allegation and Motion to Suppress Evidence That the Defendant was Convicted of Battery With use of a Deadly Weapon</i>
02/28/1997	 Opposition <i>Opposition to Motion to Suppress Identification of Defendant</i>
02/28/1997	 Exhibits

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Exhibits to State's Opposition to Motion to Suppress

03/03/1997	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
03/04/1997	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: JOANN ORDUNA Heard By: LOEHRER, SALLY</i>
03/04/1997	 Jury List
03/05/1997	Jury Trial (10:30 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
03/06/1997	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: MARGIE CARLSON Heard By: LOEHRER, SALLY</i>
03/07/1997	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: MARY BETH COOK Heard By: LOEHRER, SALLY</i>
03/10/1997	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: JUDY NORMAN Reporter/Recorder: MARGIE CARLSON Heard By: Sally Loehrer</i>
03/10/1997	 Verdict
03/10/1997	 Verdict
03/10/1997	 Verdict
03/10/1997	 Instructions to the Jury
04/01/1997	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
04/03/1997	 Order
04/08/1997	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARGIE CARLSON Heard By: LOEHRER, SALLY</i>
04/29/1997	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: Sally Loehrer</i>
04/29/1997	Disposition (Judicial Officer: User, Conversion) 1. BURGLARY. Guilty
04/29/1997	Disposition (Judicial Officer: User, Conversion)
04/29/1997	Disposition (Judicial Officer: User, Conversion) 2. ROBBERY WITH A DEADLY WEAPON

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	Guilty
04/29/1997	Disposition (Judicial Officer: User, Conversion)
04/29/1997	Disposition (Judicial Officer: User, Conversion) 4. MURDER WITH A DEADLY WEAPON Guilty
04/29/1997	Disposition (Judicial Officer: User, Conversion)
04/29/1997	Disposition (Judicial Officer: User, Conversion) 4. DEGREES OF MURDER Guilty
04/29/1997	Sentence (Judicial Officer: User, Conversion) 1. BURGLARY. Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 10 Years to Maximum 10 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001 Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 523 Days to Maximum 523 Days Converted Disposition: Sentence# 0003: CREDIT FOR TIME SERVED Minimum 500 Days to Maximum 500 Days Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
04/29/1997	Sentence (Judicial Officer: User, Conversion) 2. ROBBERY WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 15 Years to Maximum 15 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 15 Years to Maximum 15 Years Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0002 and Sentence#: 0001
04/29/1997	Sentence (Judicial Officer: User, Conversion) 4. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001 Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0004

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and Sentence#: 0001

05/01/1997	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (L. MELLA) Court Clerk: CINDY HORTON Reporter/Recorder: MARY BETH COOK Heard By: Sally Loehrer</i>
05/07/1997	 Order <i>Order of Appointment</i>
05/23/1997	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
06/09/1997	 Case Appeal Statement
06/09/1997	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
07/10/1997	 Reporters Transcript <i>Reporter's Transcript of March 3, 1997</i>
07/10/1997	 Reporters Transcript <i>Reporter's Transcript of April 29, 1997</i>
07/10/1997	 Reporters Transcript <i>Reporter's Transcript of March 5, 1997</i>
07/10/1997	 Reporters Transcript <i>Reporter's Transcript of March 7, 1997</i>
07/11/1997	 Certificate <i>Certificate Acknowledging Transmittal of Certified Transcript to the Clerk of the Supreme Court</i>
07/14/1997	 Reporters Transcript <i>Reporter's Transcript of September 24, 1996</i>
07/14/1997	 Certificate <i>Certificate Acknowledging Delivery of Transcripts to the Clerk of the Supreme Court</i>
07/15/1997	 Reporters Transcript <i>Reporter's Transcript of March 10, 1997</i>
07/15/1997	 Reporters Transcript <i>Reporter's Transcript of March 10, 1997</i>
07/15/1997	 Reporters Transcript <i>Reporter's Transcript of March 6, 1997</i>
07/22/1997	 Reporters Transcript <i>Reporter's Transcript of March 4, 1997</i>
07/25/1997	 Reporters Transcript















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	<i>Reporter's Transcript of February 10, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of February 15, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of May 17, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of May 22, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of May 23, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of June 7, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of July 3, 1995</i>
07/25/1997	 Reporters Transcript <i>Reporter's Transcript of July 5, 1995</i>
07/28/1997	 Certificate <i>Certificate Acknowledging Delivery of Certified Transcript to the Clerk of the Supreme Court and Certificate Acknowledging Delivery of Certified Copies of Transcript to Counsel</i>
12/17/1997	 Request <i>Motion for Correction of the Record on Appeal</i>
12/17/1997	 Receipt of Copy
12/29/1997	Motion (9:00 AM) <i>DEFT'S MOTION FOR CLARIFICATION OF THE RECORD Relief Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
01/05/1998	Motion (8:45 AM) <i>DEFT'S MOTION FOR CLARIFICATION OF THE RECORD Court Clerk: DENISE TRUJILLO Reporter/Recorder: KIT MacDONALD Heard By: McGroarty, John S.</i>
01/07/1998	Motion (8:45 AM) <i>DEFT'S MOTION FOR CLARIFICATION OF THE RECORD Court Clerk: DENISE TRUJILLO Reporter/Recorder: KIT MacDONALD Heard By: John McGroarty</i>
02/12/1998	 Reporters Transcript <i>Reporter's Transcript of November 28, 1995</i>
02/12/1998	 Reporters Transcript <i>Reporter's Transcript of November 30, 1995</i>
02/20/1998	 Certificate <i>Certificate Acknowledging Transmittal of Certified Transcript to the Clerk of the Supreme Court</i>










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02/24/1998	 Reporters Transcript <i>Reporter's Transcript of September 19, 1995</i>	
04/03/1998	 Reporters Transcript <i>Reporter's Transcript of October 19, 1994</i>	
04/03/1998	 Certificate <i>Certificate Acknowledging Delivery of Certified Transcript to the Clerk of the Supreme Court and Certificate Acknowledging Delivery of Certified Copies of Transcript to Counsel</i>	
05/21/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL</i>	94C120857- 20257.tif pages
05/21/1998	 Certificate <i>Certificate Acknowledging Transmittal of Certified Transcript to the Clerk of the Supreme Court</i>	
07/10/1998	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>	
07/21/1998	 Brief <i>Brief in Support of Petition for Writ of Habeas Corpus (Post-Conviction)</i>	
07/21/1998	 Receipt of Copy	
07/27/1998	 Opposition <i>Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction Relief)</i>	
08/04/1998	Petition for Writ of Habeas Corpus (8:30 AM) Events: 07/10/1998 Petition for Writ of Habeas Corpus <i>DEFT'S PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION Court Clerk: CAROL GREEN Relief Clerk: ROSA ARDESCH/RA Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>	
09/04/1998	 Reply <i>Reply to State's Opposition to Brief in Support of Petition for Petition for Writ of Habeas Corpus</i>	
09/08/1998	 Receipt of Copy	
09/18/1998	Request of Court (8:30 AM) <i>AT THE REQUEST OF THE COURT Court Clerk: CAROL GREEN/CG Relief Clerk: DENISE HUSTED Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>	
09/25/1998	Petition for Writ of Habeas Corpus (8:30 AM) <i>DEFT'S PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION Court Clerk: LINDA SKINNER Relief Clerk: PAULA GOODELL Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>	
10/05/1998	Status Check (9:00 AM) <i>STATUS CHECK (DEPT XV) Court Clerk: CINDY HORTON Reporter/Recorder: JOY HINCK Heard By: Sally Loehrer</i>	
10/05/1998	 Notice of Appeal (criminal) <i>Notice of Appeal</i>	

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CASE SUMMARY
CASE NO. 94C120857-2

10/05/1998	 Case Appeal Statement
10/09/1998	 Order <i>Order for Transcript</i>
10/16/1998	 Reporters Transcript <i>Reporter's Transcript of October 5, 1998</i>
11/17/1998	 Findings of Fact, Conclusions of Law and Order
11/17/1998	 Notice of Entry of Order
06/27/2001	 Motion <i>Motion to Place on Calendar</i>
07/09/2001	Motion (8:30 AM) Events: 06/27/2001 Motion <i>DEFT'S MOTION TO PLACE ON CALENDAR Court Clerk: THERESA LEE/TL Relief Clerk: APRIL WATKINS Reporter/Recorder: MARCIA HARNESS Heard By: Loehrer, Sally</i>
07/16/2001	Motion (8:30 AM) <i>DEFT'S MOTION TO PLACE ON CALENDAR Relief Clerk: KEITH REED Reporter/Recorder: MARCIA HARNESS Heard By: Sally Loehrer</i>
07/31/2001	 Order <i>Order Granting Attorney's Fees In Excess of the Statutory Limit</i>
02/21/2002	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed / Rehearing Denied</i>
02/21/2002	 Judgment <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed / Rehearing Denied</i>
09/26/2002	 Reporters Transcript <i>Reporter's Transcript of July 14, 1994</i>
10/29/2002	 Reporters Transcript <i>Reporter's Transcript of October 17, 1995</i>
04/16/2004	 Motion <i>Motion to Modify Correct or Reduce Sentence Pursuant to NRS 193.165 (3)</i>
04/16/2004	 Motion <i>Motion for Leave to File Motion to Modify Correct, or Reduce Sentence</i>
04/26/2004	Motion to Modify Sentence (8:30 AM) Events: 04/16/2004 Motion <i>DEFT'S PROPER MTN TO MODIFY/76 Court Clerk: Theresa Lee Reporter/Recorder: Julie Lever Heard By: Loehrer, Sally</i>
04/28/2004	 Opposition <i>State's Opposition to Defendant's Motion to Modify, Correct or Reduce Sentence</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2


05/26/2004	Motion to Modify Sentence (8:30 AM) <i>DEFT'S PROPER MTN TO MODIFY/76 Heard By: Sally Loehrer</i>
05/26/2004	Decision (8:30 AM) <i>DECISION Heard By: Sally Loehrer</i>
05/26/2004	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS (5/26/04) Court Clerk: Theresa Lee Reporter/Recorder: Mary Beth Cook Heard By: Sally Loehrer</i>
06/07/2004	 Reporters Transcript <i>Reporter's Transcript of May 26, 2004</i>
06/10/2004	 Order <i>Order for Transcripts</i>
06/28/2004	 Findings of Fact, Conclusions of Law and Order
07/06/2004	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>
12/16/2009	 Writ <i>Original Writ of Habeas Corpus, or in the Alternative Petition for Writ of Habeas Corpus (Post-Conviction), or in the Alternative Petition for Writ of Mandamus, or the Alternative Petition for Declaratory Judgment</i>
12/16/2009	 Writ <i>Original Writ of Habeas Corpus, or in the Alternative Petition for Writ of Habeas Corpus (Post-Conviction), or in the Alternative Petition for Writ of Mandamus, or the Alternative Petition for Declaratory Judgment</i>
01/12/2010	 Order for Petition for Writ of Habeas Corpus
02/16/2010	 Motion <i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/03/2010	Petition for Writ of Habeas Corpus (11:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS</i>
03/03/2010	Motion (11:00 AM) Events: 02/16/2010 Motion <i>STATE'S RSPNSE & MTN TO DISMISS PTN FOR WRIT</i>
03/03/2010	All Pending Motions (11:00 AM) <i>ALL PENDING MOTIONS (3/3/10) Court Clerk: Larry Snyder Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>
03/04/2010	Minute Order (9:00 AM) <i>MINUTE ORDER RE: COURT'S DECISION Court Clerk: Larry Snyder Heard By: Stefany Miley</i>
03/05/2010	 Order <i>Decision</i>

94C120857-
20287.tif pages








DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2

03/11/2010	 Reporters Transcript <i>Reporter's Transcript of March 3, 2010</i>
03/12/2010	 Notice of Entry of Decision and Order
04/14/2010	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
04/18/2010	 Case Appeal Statement
11/22/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Lewis, Clyde <i>Petition for Writ of Habeas Corpus(Post Conviction)</i>
12/05/2011	 Order for Petition for Writ of Habeas Corpus
01/19/2012	 Motion Filed By: Defendant Lewis, Clyde <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>
01/27/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Transport or Appearance by Telephonic or Video Conference</i>
01/30/2012	 Motion (9:30 AM) (Judicial Officer: Miley, Stefany) Events: 01/19/2012 Motion <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>
01/31/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Petition for Writ of Habeas Corpus and Motion to Dismiss</i>
02/08/2012	 Order Denying <i>Order Denying defendant's Motion for Transport or Appearance by Telephonic or video Conference</i>
02/15/2012	 Reply Filed by: Defendant Lewis, Clyde <i>Petitioner's Reply to State's Response to Petition for Writ of Habeas Corpus Post-Conviction</i>
02/16/2012	 Notice of Rescheduling <i>Notice Resetting Date and Time of Hearing</i>
02/22/2012	CANCELED Petition for Writ of Habeas Corpus (11:00 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> DUPLICATE ENTRY
02/27/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Reporter's Transcript of January 30, 2012</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2













03/05/2012	 Petition for Writ of Habeas Corpus (11:00 AM) (Judicial Officer: Miley, Stefany) Events: 11/22/2011 Petition for Writ of Habeas Corpus
03/19/2012	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Petition for Writ of Habeas Corpus</i>
03/22/2012	 Notice of Appeal (criminal) Party: Defendant Lewis, Clyde <i>Notice of Appeal</i>
03/22/2012	 Case Appeal Statement Filed By: Defendant Lewis, Clyde
03/23/2012	 Case Appeal Statement
03/23/2012	 Notice of Entry of Decision and Order
04/10/2012	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
07/06/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of Proceedings Re: Defendant's Petition for Writ of Habeas</i>
01/15/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
07/29/2013	 Notice of Motion Filed By: Defendant Lewis, Clyde <i>Notice of Motion and Motion to Appoint Counsel</i>
07/29/2013	 Motion Filed By: Defendant Lewis, Clyde <i>Accused Motion to Dismiss for Lack of Subject Matter Jurisdiction</i>
07/29/2013	 Document Filed Filed by: Defendant Lewis, Clyde <i>Caveat</i>
07/29/2013	 Errata Filed By: Defendant Lewis, Clyde <i>Errata to Accused Motion to Dismiss for Lack of Subject Matter Jurisdiction/Motion for Show of Proof</i>
08/09/2013	 Opposition <i>State's Opposition To Defendant's Pro Per Motion To Dismiss For Lack Of Subject Matter Jurisdiction, "Errata To Accused Motion To Dismiss For Lack Of Subject Matter Jurisdiction/Motion For Show Of Proof," "Caveat," And Motion To Appoint Counsel"</i>
08/19/2013	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Notice of Motion and Motion to Appoint Counsel</i>

CASE SUMMARY**CASE NO. 94C120857-2**





08/19/2013	Motion to Dismiss (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Accused Motion to Dismiss for Lack of Subject Matter Jurisdiction</i>
08/19/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
09/09/2013	 Request <i>Accused Request for Leave to File Motion for Rehearing Based upon State and Federal Constitutional Deprivation in Prior Proceedings</i>
09/09/2013	 Motion <i>Accused Motion for Rehearing</i>
09/09/2013	 Supplemental <i>Accused Supplemental to his Motion for Rehearing/and/or Reply to States Oppositions and or Courts Denial of Accused Filed Motion for Lack of Subject Matter Jurisdiction and Accused Motion to Strike States Opposition for Good Legal Cause Showing</i>
09/09/2013	 Notice of Motion <i>Notice of Motion</i>
09/09/2013	 Notice of Motion <i>Notice of Motion</i>
09/23/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion To Dismiss For Lack Of Subject Matter Jurisdiction, "Errata To Accused Motion To Dismiss For Lack Of Subject Matter Jurisdiction"/Motion For Show Of Proof, "Caveat" And Order Denying Defendant's Pro Per Motion To Appoint Counsel</i>
09/24/2013	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition To Defendant's Pro Per Request For Leave To File Motion For Rehearing, Motion For Rehearing, And "Accused Supplemental To His Motion For Rehearing/And/Or Reply To State's Opposition And/Or Court's Denial Of Accused Filed Motion For Lack Of Subject Matter Jurisdiction And Accused Motion To Strike State's Opposition For Good Legal Cause Showing"</i>
09/30/2013	Motion to Rehear (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Notice of Motion on Motion for Rehearing on Motion to Dismiss Lack of Subject Matter Jurisdiction (Errata) Show of Cause Hearing Discovery Motion</i>
09/30/2013	Motion for Leave (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Notice of Motion on Request for Leave of the Court to File Motion for Rehearing</i>
09/30/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
10/17/2013	 Reply to Opposition Filed by: Defendant Lewis, Clyde <i>Accused Reply to State's Opposition to Accused Request for Leave to File Motion for Rehearing, Motion for Rehearing, and "Accused Supplemental to His Motion for Rehearing</i>
10/22/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Notice Of Motion On Motion For Rehearing On Motion</i>

CASE SUMMARY**CASE NO. 94C120857-2**

To Dismiss Lack Of Subject Matter Jurisdiction (Errata) Show Of Cause Hearing Discovery Motion And Order Denying Defendant's Pro Per Notice Of Motion On Request For Leave Of The Court To File Motion For Rehearing

10/29/2013	 Notice of Appeal (criminal) Party: Defendant Lewis, Clyde <i>Notice of Appeal</i>
10/29/2013	 Designation of Record on Appeal Filed By: Defendant Lewis, Clyde
10/30/2013	 Case Appeal Statement Filed By: Defendant Lewis, Clyde <i>Case Appeal Statement</i>
11/13/2013	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Accused Reply to State's Opposition to Accused Request for Leave to File Motion for Rehearing, Motion for Rehearing, and "Accused Supplemental to His Motion for Rehearing"</i>
12/02/2013	 Petition for Writ of Habeas Corpus Filed by: Defendant Lewis, Clyde <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
12/02/2013	 Motion for Appointment of Attorney Filed By: Defendant Lewis, Clyde <i>Motion to Appoint Counsel</i>
12/02/2013	 Application to Proceed in Forma Pauperis Filed By: Defendant Lewis, Clyde
12/02/2013	 Certificate <i>Financial Certificate</i>
12/05/2013	 Order for Petition for Writ of Habeas Corpus
12/05/2013	 Notice of Hearing
12/17/2013	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
01/15/2014	 Response Filed by: Plaintiff State of Nevada <i>State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction), Opposition To Defendant's Pro Per Motion To Appoint Counsel And Opposition To Defendant's Pro Per Request For An Evidentiary Hearing</i>
02/10/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
02/10/2014	Petition for Writ of Habeas Corpus (11:00 AM) (Judicial Officer: Miley, Stefany) Events: 12/02/2013 Petition for Writ of Habeas Corpus <i>Defendant's Pro Per Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/10/2014	Motion for Appointment of Attorney (11:00 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Motion to Appoint Counsel</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 94C120857-2

02/10/2014	Response and Countermotion (11:00 AM) (Judicial Officer: Miley, Stefany) <i>State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction), Opposition To Defendant's Pro Per Motion To Appoint Counsel And Opposition To Defendant's Pro Per Request For An Evidentiary Hearing</i>
02/11/2014	 Reply Filed by: Defendant Lewis, Clyde <i>Petitioner's Reply to State's Response to Petition for Writ of Habeas Corpus Post-Conviction</i>
03/10/2014	 Notice of Appeal (criminal) Party: Defendant Lewis, Clyde <i>Notice of Appeal</i>
03/10/2014	 Designation of Record on Appeal Filed By: Defendant Lewis, Clyde <i>Designation of Record on Appeal</i>
03/11/2014	 Case Appeal Statement Filed By: Defendant Lewis, Clyde <i>Case Appeal Statement</i>

DATE	FINANCIAL INFORMATION	
	Defendant Lewis, Clyde	
	Total Charges	5,050.00
	Total Payments and Credits	1,302.72
	Balance Due as of 03/11/2014	3,747.28

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 20, 1994**

94C120857-2

The State of Nevada vs Clyde Lewis

June 20, 1994**9:00 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk: JULIE
HALL
Reporter/Recorder:
CONNIE MILLER
Heard By: A. William
Maupin****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Owens, Steven S.

Attorney

JOURNAL ENTRIES

- Deft. STRATTON ARRAIGNED, PLED NOT GUILTY TO ALL COUNTS and WAIVED the 60- day rule. COURT ORDERED, matter set for trial.

CUSTODY

9/21/94 9 AM CALENDAR CALL

9/26/94 10 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

June 29, 1994

9:00 AM

Request

AT REQUEST OF
DISTRICT
ATTORNEY
ANNOUNCE
INTENTION TO
SEEK DEATH
PENALTY Court
Clerk: JULIE HALL
Reporter/Recorder:
CONNIE MILLER
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Noxon, Arthur G.

Attorney

JOURNAL ENTRIES

- In absence of Mr. Tilman, COURT ORDERED, matter continued.

CUSTODY

CLERK'S NOTE: The trial date in this case 9/26/94 is currently set for the third week of a criminal stack. If the State is going to be seeking the Death Penalty, parties to consider moving the trial to the first week of the same stack (9/12/94) allowing two full weeks for the trial.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

July 08, 1994

9:00 AM

Request

AT REQUEST OF
DISTRICT
ATTORNEY
ANNOUNCE
INTENTION TO
SEEK DEATH
PENALTY Court
Clerk: JULIE HALL
Reporter/Recorder:
PATSY SMITH
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Robinson, Lynn M.

Attorney

JOURNAL ENTRIES

- In the absence of the deft. and counsel and due to the nature of the State's intent, Court felt a continuance was in order. Colloquy regarding Mr. Tilman as counsel. Ms. Robinson advised he was appointed in Justice Court. COURT ORDERED, matter continued and APPOINTED Ms. Laura Melia as co-counsel. Both attorneys to be present at the next hearing.

CUSTODY

CLERK'S NOTE: Mr. Tilman and Ms. Melia notified of continuance date.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 18, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

July 18, 1994

9:00 AM

Request

AT REQUEST OF
DISTRICT
ATTORNEY
ANNOUNCE
INTENTION TO
SEEK DEATH
PENALTY Court
Clerk: JULIE HALL
Reporter/Recorder:
PATSY SMITH
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mr. Mel Harmon present from the D.A.'s office and Ms. Laura Melia present. Conference at the bench. In the absence of Mr. Tilman, COURT ORDERED, matter continued and counsel to be confirmed. LATER: Mr. Tilman appeared and was notified of the continuance date.

CUSTODY

7/20/94 9 AM AT REQUEST OF D.A. ANNOUNCE INTENTION TO SEEK DEATH PENALTY
AND CONFIRMATION OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

July 20, 1994

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 7-20-94
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

JOURNAL ENTRIES

- AT REQUEST OF DISTRICT ATTORNEY: ANNOUNCE INTENTION TO SEEK DEATH PENALTY
... CONFIRMATION OF COUNSEL

Conference at the bench. Ms. Melia confirmed as counsel. COURT FOUND Ms. Melia, based on prior experience, to be competent and fully qualified to handle all proceedings in this case. Ms. Melia requested a continuance in the trial date as the State is just announcing to seek the Death Penalty and the trial is schedule for September. COURT ORDERED, trial date vacated and reset.

CUSTODY

11/30/94 9 AM CALENDAR CALL

12/5/94 9 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

August 31, 1994

9:00 AM

Petition for Writ of Habeas
Corpus

PETITION FOR
WRIT OF HABEAS
CORPUS Court
Clerk: JULIE HALL
Relief Clerk: NANCY
MILLER/nm
Reporter/Recorder:
CONNIE MILLER
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Robinson, Lynn M.

Attorney

JOURNAL ENTRIES

- Ms. Robinson advised Mr. Roger responded to the Writ of Habeas Corpus and requested a continuance for Mr. Roger to be present. Ms. Melia advised the State did not have a copy of the transcript and she had provided one to him this week. COURT ORDERED, CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 12, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

September 12, 1994

9:00 AM

Petition for Writ of Habeas
CorpusPETITION FOR
WRIT OF HABEAS
CORPUS Court
Clerk: JULIE HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Roger, David J.

Attorney

JOURNAL ENTRIES

- Arguments by counsel. COURT ORDERED, Petition is DENIED; FURTHER, Ms. Melia's request to strike portion of the language in the information is DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 17, 1994**

94C120857-2

The State of Nevada vs Clyde Lewis

October 17, 1994**9:00 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: MAUPIN,
A. WILLIAM****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Barker, David B.
Lewis, ClydeAttorney
Defendant**JOURNAL ENTRIES**

- In absence of Mr. McDonald, COURT ORDERED, matter continued. Clerk to phone counsel.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 19, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

October 19, 1994

9:00 AM

Initial Arraignment

INITIAL
ARRAIGNMENT
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Barker, David B.
Lewis, Clyde

Attorney
Defendant

JOURNAL ENTRIES

- Mr. Pat McDonald present. Mr. McDonald advised he was appointed in Justice Court to represent this deft. SO NOTED. DEFT. RANDOLPH ARRAIGNED, PLED NOT GUILTY AS CHARGED. Mr. McDonald advised if the deft. wishes to invoke the 60-day rule, he can no longer represent him due to his current schedule. Colloquy regarding co-deft's trial date. Deft. advised he would like to invoke the 60-day rule. COURT ORDERED, MATTER SET FOR TRIAL WITH CO-DEFT.; FURTHER, MR. CHARLES WATERMAN is APPOINTED as counsel. Matter set for confirmation of counsel. Mr. McDonald to be present also.

CUSTODY

10/26/94 9 AM CONFIRMATION OF COUNSEL

11/30/94 9 AM CALENDAR CALL

12/5/94 10 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 26, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

October 26, 1994

9:00 AM

Motion for Confirmation of
Counsel

CONFIRMATION
OF COUNSEL Court
Clerk: JULIE HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lewis, Clyde

Defendant

Robinson, Lynn M.

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Mr. Waterman CONFIRMED as counsel for deft. Randolph. Defense has 21 days from today to file a Writ.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 14, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

November 14, 1994

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 11-14-94
Court Clerk: JULIE
HALL
Reporter/Recorder:
CONNIE MILLER
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Barker, David B.

Attorney

JOURNAL ENTRIES

- THEODORE MANOS AND ASSOCIATES' MOTION TO WITHDRAW AS ATTORNEY OF
RECORD ... STATE'S MOTION TO ENDORSE NAMES ON INFORMATION

Mr. Tilman requested he be allowed to withdraw as counsel. Ms. Melia advised she has spoken with Mr. Langford and he would oppose the motion if it means a continuance in the trial. Further, Ms. Melia advised the Court that Mr. Tom Michaelides from her office has been working with her during the preparation and could be ready; therefore, a continuance would not be necessary. COURT ORDERED, Motion to Withdraw is GRANTED; Mr. Michaelides is APPOINTED AND THE TRIAL DATE WILL STAND. FURTHER, Motion to Endorse Names is GRANTED, given the appropriate discovery.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 28, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

November 28, 1994

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 11-28-94
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Langford, Robert L.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR UNDER
REPRESENTATION OF COGNIZABLE GROUPS DEFT'S MOTION TO INTERVIEW STATE'S
WITNESS DEFT'S MOTION FOR IN-CAMERA REVIEW OF PRESENTENCE REPORTS DEFT'S
MOTION TO SUPPRESS STATEMENTS DEFT'S MOTION FOR DISCLOSURE OF TIBOR
LAKICEVIC'S POLIGRAPH TEST QUESTIONS AND THE TEST RESULTS DEFT'S MOTION TO
SERVER DEFT'S MOTION FOR DISCOVERY OF BRADY AND GIGLIO MATERIALS DEFT'S
MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES BASED UPON FELONY OF ROBBERY
AND BURGLARY

Colloquy regarding pending motions. In the absence of Ms. Melia, COURT ORDERED, pre-trial
Motions are continued. Calendar call date stands.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

November 30, 1994

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 11-30-94
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Langford, Robert L.
Lewis, Clyde
Waterman, Charles

Attorney
Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR UNDER-
REPRESENTATION OF COGNIZABLE GROUPS DEFT'S MOTION TO INTERVIEW STATE'S
WITNESS DEFT'S MOTION FOR IN-CAMERA REVIEW OF PRESENTENCE REPORTS DEFT'S
MOTION TO SUPPRESS STATEMENTS DEFT'S MOTION FOR DISCLOSURE OF TIBOR
LAKICEVIC'S POLYGRAPH TEST QUESTIONS AND TEST RESULTS DEFT'S MOTION TO SEVER
DEFT'S MOTION FOR DISCOVERY OF BRADY AND GIGILO MATERIALS DEFT'S MOTION TO
STRIKE AGGRAVATING CIRCUMSTANCES BASED UPON FELONY OF ROBBERY AND
BURGLARY DEFT'S MOTION TO COMPEL DISCLOSURE OF DOCUMENTS MAINTAINED BY
THE LVMPD RECORDS SECTION DEFT'S MOTION FOR JURY QUESTIONNAIRE STATE'S
MOTION TO ENDORSE NAMES ON INFORMATION CALENDAR CALL
AS TO THE MOTION TO ENDORSE NAMES ON INFORMATION: There being no opposition,

COURT ORDERED, Motion to Endorse is GRANTED, given full discovery.

Counsel agreed to the Motion for Jury Questionnaire, therefore, COURT ORDERED, Motion is GRANTED. Ms. Melia advised, once the State reviews the questionnaire, she will provide Jury Services with it.

AS TO THE MOTION TO SEVER: Court took oral argument. Mr. Waterman advised he joins in Ms. Melia Motion. Arguments by all counsel. Mr. Waterman advised he cannot possibly be ready to proceed to trial with deft. RANDOLPH. Opposition by Mr. Langford. Based on Mr. Waterman's position, COURT ORDERED Motion to Sever is GRANTED. Deft. RANDOLPH WAIVED the 60-DAY RULE. Deft. RANDOLPH'S trial will be reset. State's Answer to Motion to Sever FILED IN OPEN COURT.

AS TO THE PETITION FOR WRIT OF HABEAS CORPUS: Return to the Writ FILED IN OPEN COURT. Due to the continuance granted, parties agreed to argue any pre-trial motions for deft. Randolph and the pending Writ at a future time. COURT ORDERED, matter set for oral argument on any pre-trial motions and the Writ of Habeas Corpus. Briefing schedule set.

Colloquy regarding deft's STRATTON'S trial proceedings. With agreement by all parties, COURT ORDERED, further argument on the remaining motions will be held on Monday at 11 AM. The Jury panel will be given the questionnaires Monday morning; then excused. Counsel can review the questionnaires that afternoon and evening. Jury selection will begin on Tuesday at 10:30 AM. Trial will proceed on STRATTON only.

CUSTODY (BOTH)

12/5/94 11 AM PENDING PRE-TRIAL MOTIONS (STRATTON)

12/6/94 10:30 AM JURY TRIAL (STRATTON)

2/3/95 9 AM ORAL ARGUMENT PRE-TRIAL MOTIONS (RANDOLPH) AND WRIT OF HABEAS CORPUS

5/17/95 9 AM CALENDAR CALL (RANDOLPH)

5/22/95 10 AM JURY TRIAL (RANDOLPH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

December 05, 1994

11:00 AM

All Pending Motions

ALL PENDING
MOTIONS 12-5-94
Court Clerk: JULIE
HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Langford, Robert L.

Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR UNDER-REPRESENTATION OF COGNIZABLE GROUPS DEFT'S MOTION TO INTERVIEW STATE'S WITNESS DEFT'S MOTION FOR IN-CAMERA REVIEW OF PRESENTENCE REPORTS DEFT'S MOTION TO SUPPRESS STATEMENTS DEFT'S MOTION FOR DISCLOSURE OF TIBOR LAKICEVIC'S POLYGRAPH TEST QUESTIONS AND TEST RESULTS DEFT'S MOTION FOR DISCOVERY OF BRADY AND GIGLIO MATERIALS DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES BASED UPON FELONY OF ROBBERY AND BURGLARY DEFT'S MOTION TO COPEL DISCLOSURE OF DOCUMENTS MAINTAINED BY THE LVMPD RECORDS SECTION
AS TO THE DEFT'S MOTION CHALLENGING THE COMPOSITION OF THE PETIT JURY FOR UNDER-REPRESENTATION OF COGNIZABLE GROUPS: Counsel submitted the matter. COURT ORDERED, Motion is DENIED.
AS TO DEFT'S MOTION TO INTERVIEW STATE'S WITNESS: Arguments by counsel. COURT

ORDERED, Motion is GRANTED; interview will take place with the witnesses' attorney, Mr. Archie or Mr. Walton. The State does not need to be present. Additional argument. Ruling stands.

AS TO DEFT'S MOTION FOR IN-CAMERA REVIEW OF PRESENTENCE REPORTS: Arguments by counsel. COURT ORDERED, Motion is GRANTED; the Court will review any PSI records of the co-defendants, if necessary.

AS TO DEFT'S MOTION TO SUPPRESS STATEMENTS: Arguments by counsel. COURT ORDERED, Motion, without further information from the Police Officer is DENIED; however, the COURT WILL ALLOW a 15 minute offer of proof prior to the trial.

AS TO DEFT'S MOTION FOR DISCLOSURE OF TIBOR LAKICEVIC'S POLYGRAPH TEST QUESTIONS AND TEST RESULTS: Arguments by counsel. COURT ORDERED, Motion is GRANTED; the information will come in, but polygraph will not be mentioned.

AS TO DEFT'S MOTION FOR DISCOVERY OF BRADY AN GIGLIO MATERIALS: Counsel submitted the matter with the exception that any other cases which were to be dismissed pursuant to negotiations be provided to Ms. Melia. COURT ORDERED, Motion is MOOT with the exception as stated.

DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES BASED UPON FELONY OF ROBBERY AND BURGLARY: Arguments by counsel. COURT ORDERED, Motion is DENIED WITHOUT PREJUDICE, as the issue may be revisited at the time of jury instructions.

DEFT'S MOTION TO COMPEL DISCLOSURE OF DOCUMENTS MAINTAINED BY THE LVMPD RECORDS SECTION: Counsel advised the motion may be MOOT with the exception of Mr. Bush and a prior conviction. COURT ORDERED, it will allow the material regarding Mr. Bush to be produced in chambers. Court will decide if any briefing is necessary. Ms. Melia advised the DR # is 1228-1493, dated November 28, 1992.

Mr. Harmon advised an Amended Information has been prepared and requested it be filed in open Court. There being no objection, AMENDED INFORMATION FILED IN OPEN COURT. Colloquy regarding the scheduling of the trial and the penalty phase. Court advised it's intention was to try the case in the next two week, through its conclusion. Opposition by Ms. Melia. Court advised Ms. Melia she can raise her objection prior to the penalty phase. Trial date stands.

CUSTODY

12/6/94 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 06, 1994

94C120857-2

The State of Nevada vs Clyde Lewis

December 06, 1994

10:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JULIE
HALLReporter/Recorder:
PATSY SMITHHeard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**Harmon, Melvyn T.
Langford, Robert L.Attorney
Attorney**JOURNAL ENTRIES**

- Mr. Tom Michaelides present for the defense. Counsel advised the matter is resolved. SECOND AMENDED INFORMATION AND GUILTY PLEA MEMORANDUM filed in open Court. DEFT. STRATTON ARRAIGNED AND PLED GUILTY TO CT. IV OF THE SECOND AMENDED INFORMATION CHARGING "MURDER OF THE 1ST DEGREE WITH USE OF A DEADLY WEAPON (F). NEGOTIATIONS: Deft. is to enter a plea of guilty to Ct. IV, State will make a recommendation of Life with the Possibility of Parole and recommend the deft. serve his prison time in the State of Oregon. Further, Mr. Harmon advised the request for the death penalty is being dropped, and the remaining counts will be dismissed after sentence is rendered. Deft. advised his true name being FREDRICK LEON STRATTON, COURT AMENDED the Second Amended Information to so reflect. FURTHER ACCEPTED the plea as binding and referred the matter to P&P. Matter set for sentencing.

CUSTODY

1/9/95 9 AM SENTENCING CT. IV / DISMISS REMAINING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

January 09, 1995

9:00 AM

Sentencing

SENTENCING
(CT.IV) Court Clerk:
JULIE HALL
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Harmon, Melvyn T.

Attorney

JOURNAL ENTRIES

- Ms. Joy Mundy Neal present for P&P. Conference at the bench. COURT ADJUDGED DEFT. STRATTON GUILTY TO CT. IV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F). Statements by Ms. Irene Moden and in mitigation of sentencing by counsel. COURT ORDERED, pursuant to the binding negotiations in this matter and in addition to a \$25 Assessment Fee, deft. STRATTON is SENTENCED to LIFE IN THE NEVADA DEPARTMENT OF PRISONS WITH THE POSSIBILITY OF PAROLE and a CONSECUTIVE LIFE WITH THE POSSIBILITY OF PAROLE for the enhancement. FURTHER ORDERED, deft. to pay \$4,499.90 in restitution and given 252 days credit for time served. Remaining Counts are DISMISSED.
 CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

February 10, 1995

9:00 AM

Hearing

ARGUMENT ON
PRETRIAL
MOTIONS &
PETITIONFOR
WRIT OF HABEAS
CORPUS
(RANDOLPH) Court
Clerk: LARRY
SNYDER
Reporter/Recorder:
PATSY SMITH
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Mr. Waterman advised he has talked with Mr. Harmon, and an offer has been made in this matter. Mr. Waterman requested a continuance to review the offer with the Deft. There being no objection from the State, COURT ORDERED, this matter CONTINUED, and also SET for a Status Check on Possible Negotiations.

CUSTODY

2/15/95 9:00 AM ARGUMENT ON PRETRIAL MOTIONS AND PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: POSSIBLE NEGOTIATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 15, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

February 15, 1995

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS (2/15/95)
Court Clerk: LARRY
SNYDER
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- ARGUMENT ON PRETRIAL MOTIONS AND PETITION FOR WRIT OF HABEAS CORPUS...
STATUS CHECK: POSSIBLE NEGOTIATIONS

Mr. Waterman advised the Deft. has refused the negotiations offered by the State, and noted he is prepared to go forward at this time and argue the Writ Of Habeas Corpus. Arguments by Counsel. COURT ORDERED, the Court concludes from the transcripts and briefs there is probable cause to bind the Deft. over on all charges, and substantial evidence to prove the Deft. was a principal. COURT FURTHER ORDERED, Petition For Writ Of Habeas Corpus is DENIED, and future Calendar Call date of 5/17/95 and Trial date of 5/22/95 STAND. Mr. Harmon informed Mr. Waterman and the Deft. the State's offer will remain in effect until the date of the Calendar Call.

CUSTODY

5/17/95 9:00 AM CALENDAR CALL

5/22/95 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 17, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

May 17, 1995

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS (5/17/95)
Court Clerk: LARRY
SNYDER
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...CALENDAR CALL

Counsel announced ready for Trial; matter should take approximately one week with two or three out of State witnesses. Conference at the Bench between Court and Counsel. COURT ORDERED, Trial will commence at 11:00 AM Monday morning depending on Mr. Waterman's health. COURT FURTHER ORDERED, State's Motion To Endorse Names On Information and the Motion In Limine to be heard at 9:00 AM on the Monday morning Calendar.

CUSTODY

5/22/95 9:00 AM State's Motion To Endorse Names On Information...Motion In Limine

5/22/95 11:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

May 22, 1995

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS (5/22/95)
Court Clerk: LARRY
SNYDER
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde

Attorney
Defendant

JOURNAL ENTRIES

- STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...DEFT.'S MOTION IN LIMINE
Mr. Waterman not present. Court advised Counsel need to address issues applicable to the Guy
decision, and the issue of flight. Mr. Harmon noted he will be filing a Motion To Amend The
Information. COURT ORDERED, these matters CONTINUED.

CUSTODY

5/23/95 10:45 AM STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...STATE'S
MOTION TO AMEND INFORMATION...DEFT.'S MOTION IN LIMINE

5/23/95 11:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 23, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

May 23, 1995

10:45 AM

All Pending Motions

ALL PENDING
MOTIONS (5/23/95)
Court Clerk: LARRY
SNYDER Relief
Clerk: LORI
BROWN/LB
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Harmon, Melvyn T.	Attorney
	Mueller, Craig	Attorney
	Waterman, Charles	Attorney

JOURNAL ENTRIES

- STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...DEFT'S MOTION IN LIMINE...
STATE'S MOTION TO AMEND INFORMATION

Upon inquiry of the court, counsel stipulated to waive the presence of Deft. Randolph. Due to health reasons, Mr. Waterman requested that the Calendar Call and Jury Trial be CONTINUED, and there being no opposition, by the COURT, SO ORDERED. The court noted for the record that the State was ready to proceed in this matter.

CUSTODY

6-7-95 9:00 A.M. STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...MOTION IN
LIMINE...STATE'S MOTION TO AMEND INFORMATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

June 07, 1995

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS (6/06/95)
Court Clerk: LARRY
SNYDER
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- STATE'S MOTION TO ENDORSE NAMES ON INFORMATION...DEFT.'S MOTION IN LIMINE...
STATE'S MOTION TO AMEND INFORMATION

Arguments by Counsel. State's Motion To Endorse Names On Information is GRANTED. COURT
FURTHER ORDERED, Weapons portion of the Motion In Limine is MOOT, and noted the Court will
DEFER RULING on the Deft.'s Motion In Limine. COURT ADDITIONALLY ORDERED, State's
Motion To Amend Information is CONTINUED.

CUSTODY

7/03/95 9:00 AM STATE'S MOTION TO AMEND INFORMATION

8/16/95 9:00 AM CALENDAR CALL

8/21/95 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 03, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

July 03, 1995

9:00 AM

Motion to Amend

STATE'S MOTION
TO AMEND
INFORMATION
Relief Clerk: LORI
BROWN
Reporter/Recorder:
PATSY SMITH
Heard By: MAUPIN,
A. WILLIAM

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- COURT ORDERED, this matter CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 05, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

July 05, 1995**9:00 AM****Motion to Amend****STATE'S MOTION
TO AMEND
INFORMATION
Relief Clerk: LORI
BROWN
Reporter/Recorder:
PATSY SMITH
Heard By: A. William
Maupin****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Harmon, Melvyn T.
Lewis, Clyde
Waterman, CharlesAttorney
Defendant
Attorney**JOURNAL ENTRIES**

- Arguments of counsel. COURT ORDERED, State's Motion to Amend Information is GRANTED.
Order signed in open court this date. Amended Information FILED IN OPEN COURT.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 16, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 16, 1995

9:00 AM

Calendar Call

CALENDAR CALL

Court Clerk: LORI
BROWN

Reporter/Recorder:

PATSY SMITH

Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Lewis, Clyde

Waterman, Charles

Attorney

Defendant

Attorney

JOURNAL ENTRIES

- Counsel advised the court that they were ready to proceed to trial, and expect it to last approximately one week. COURT ORDERED, trial to begin Wednesday.

CUSTODY

8-23-95 11:00 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 23, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

August 23, 1995**11:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: CINDY
HORTON****Reporter/Recorder:****JANIE OLSEN****Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Harmon, Melvyn T.

Lewis, Clyde

Waterman, Charles

Attorney

Defendant

Attorney

JOURNAL ENTRIES

- Outside the presence of the jury, Upon inquiry by the Court, counsel requested that the deft be referred to as Clyde Lewis. COURT ORDERED, WHEN THE INFORMATION IS READ, THE DEFT WILL BE REFERRED TO AS CLYDE LEWIS ONLY. Jury panel administered the Vior Dire oath at 10:30. COURT ORDERED, NOON RECESS AT 12:10. Vior Dire resumed at 1:00. Twelve Jurors and two alternates sworn at 6:00. Court admonished jury and ORDERED, TRIAL CONTINUED TO AUGUST 24, 1995 AT 10:30.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 24, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 24, 1995

8:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTONReporter/Recorder:
JANIE OLSENHeard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Counsel stipulated as to the presense of the jury at 10:40. Court advised the jury of the proceedure the trial will take, information read to the jury. State invoked the exclusionary rule. Opening statement by Mr. Harmon. Opening statement by Mr. Waterman. COURT ORDERED, NOON RECESS AT 12:00, jury admonished and advised to return as 1:30. Counsel stipulated as to the presence of the jury at 1:30, testimony and exhibits per attached worksheet. COURT ORDERED, TRIAL RECESSED FOR THE DAY AT 5:10, jury admonished and advised to return on August 25, 1995 at 8:00 a.m. Outside the presence of the jury, Mr. Waterman requested witness Barker be given a drug test as he believes the witness is under the influence. Response by Mr., Mueller. Court advised does not know if this Court has the authority to order the witness be drug tested. Conference at the bench. Upon inquiry by the Court, Ms. Barker advised she is willing to take a drug test. Mr. Harmon stated for the record that Ms. Barker may be willing to take the test but there is no basis for this in the record and there is no cause to subject the witness to a drug test because of the

defense counsel's opinion and the State objects. Mr. Waterman stipulated that if the test comes back dirty, it will only be held against the witness as to her testimony here today.

CUSTODY

8/28/95 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 25, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 25, 1995

1:30 PM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTON

Reporter/Recorder:

JANIE OLSEN

Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Counsel stipulated as to the presence of the jury at 8:05. Testimony and exhibits per attached worksheet. AT 9:00, COURT ORDERED A BRIEF RECESS for Mr. Waterman to make appearance in Dept VIII & XIV, jury admonished and advised to return at 9:15. Counsel stipulated as to the presence of the jury at 9:30, testimony and exhibits per attached worksheet. COURT ORDERED, TRIAL RECESSED FOR THE DAY AT 12:20, jury admonished and advised to return on Monday, August 28, 1995 at 1:30 p.m. Outside the presence of the jury, colloquy between Court and counsel regarding trial schedule.

CUSTODY

8/28/95 1:30 PM JURY TRIAL CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 28, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

August 28, 1995**10:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: CINDY
HORTON****Reporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Harmon, Melvyn T.
Lewis, Clyde
Mueller, Craig
Waterman, CharlesAttorney
Defendant
Attorney
Attorney**JOURNAL ENTRIES**

- Counsel stipulated as to the presence of the jury at 1:35. Testimony and exhibits per attached worksheet. Brief recesses taken at 3:13 p.m. and 5:05 p.m. COURT ORDERED, TRIAL RECESSED FOR THE DAY AT 7:20, jury admonished and advised to return on 8/29/95 at 10:30 a.m.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 29, 1995

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Counsel stipulated as to the presence of the jury at 10:35, testimony and exhibits per attached worksheet. COURT ORDERED, NOON RECESS AT 11:55, jury admonished and advised to return at 1:30. Counsel stipulated as to the presence of the jury at 1:34, testimony and exhibits per attached worksheet. Jury excused from the Courtroom at 2:30. Outside the presence of the jury, Mr. Waterman presented motion as to testimony of the State's next witness, Bert Gutierrez regarding remoteness in time and prejudicial effects. Response by State. Officer Gutierrez brought into Courtroom and sworn and testified. COURT ORDERED, TESTIMONY AS TO THE GUN BEING STOLEN WILL BE SUPRESSED AND THE BALANCE OF THE TESTIMONY WILL BE ALLOWED. Upon inquiry by the Court, Officer Gutierrez advised when the officer knocked on the deft's door he identified himself as police. Counsel stipulated as to the presence of the jury at 2:50. Outside the presence of the jury, Mr. Waterman moved for a mistrial pursuant to testimony of State's witness Gutierrez. Response by State. COURT ORDERED, MOTION FOR MISTRIAL DENIED and advised the jury

will be instructed to disregard the witnesses comments about the motel. Jury present in Courtroom. Court advised the jury to disregard the discription of the lodge given by the witness. COURT ORDERED, AFTERNOON RECESS AT 3:15, jury admonished and advised to return at 3:30. Outside the presence of the jury, Court advised the Court has been faxed eighteen pages medical documents for the deft at the request of Mr. Waterman. Copies of documents provided to both counsel. Counsel stipulated as to the presence of the jury at 4:00, testimony and exhibits per attached worksheet. COURT ORDERED, TRIAL RECESSED FOR THE DAY AT 5:10, jury admonished and advised to return on 8/30/95 at 10:00 a.m. Outside the presence of the jury, Court advised the deft of his right to testify or not to testify. Court requested counsel be present at 9:45 to go over jury instructions. CUSTODY
8/30/95 10 AM JURY TRIAL CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 30, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 30, 1995

10:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Mueller, Craig
Waterman, Charles

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Outside the presence of the jury, Mr. Waterman advised he was not able to serve Dr. Seip as he was no able to serve a subpoena. Mr. Waterman further advised he was not advised the the deft's physical affirmaties until the first day of trial. COURT ORDERED, MEDICAL RECORDS ADMITTED AS COURT'S EXHIBIT #1. Counsel stipulated as to the presence of the jury at 10:35. State rest. Testimony and exhibits per attached worksheet. COURT ORDERED, NOON RECESS AT 11:55, jury admonished and advised to return at 1:30. Outside the presence of the jury, jury instructions settled. Counsel stipulated as to the presence of the jury at 2:30. Defense rest. Rebuttal testimony by the State. Jury instructions read to the jury. Closing argument by counsel. Bailiff and Secretary sworn to take charge of the jury and alternates at 5:00. Jury stopped deliberating for the day at 5:30, Deliberation to resume on 8/31/95 at 8:45. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

August 31, 1995

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTON

Reporter/Recorder:

JANIE OLSEN

Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Jury resumed deliberating at 8:45. At 4:45, pursuant to a note from the jury, Court, Counsel and all officer of the Court present and the Court reread instructions 24 and 25 to the jury. Court explained the instructions pursuant to conference between Court and counsel in chambers. Mr. Waterman waived the presence of the deft for this proceeding. Jury resumed deliberating at 5:00. Jury left for the day at 5:20, to resume on 9/1/95 at 9:00 a.m.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 01, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

September 01, 1995

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

Waterman, Charles

Attorney

JOURNAL ENTRIES

- Jury resumed deliberating at 9:00 a.m. Jury brought into the Courtroom at 4:55, Judge A. William Maupin presiding, all officers of the Court present. Court advised understands the jury has not been able to reach a verdict as to Counts I, II & IV. Court read a new instruction to the jury as to deliberation. COURT ORDERED, JURY EXCUSED FOR THE WEEKEND, Jury admonished and advised to return on Tuesday, September 5 at 9:00 a.m. Outside the presence of the jury, Mr. Waterman objected to the Court bringing the jury back on Tuesday. Court advised counsel with jury will be allowed to continue deliberations until mid-afternoon and if at that time the Jury has not reached a decision as to Counts I, II & IV, the Court will declare a mistrial as to those counts.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 05, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

September 05, 1995

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOK
Heard By: A. William
Maupin

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Jury resumed deliberating at 9:00 a.m. Jury returned into the Courtroom at 2:00, Judge A. William Maupin presiding and all officers of the Court present. Jury Foreperson advised the jury only reach a verdict as to Court III. All members of the jury concurred. COURT ORDERED, MISTRIAL DECLARED AS TO COUNTS I, II & IV AND DEFT FOUND GUILTY OF COUNT III - BATTERY WITH USE OF A DEADLY WEAPON (F). COURT FURTHER ORDERED, MATTER CONTINUED TO RESET TRIAL AS TO COUNTS I, II & III AND MATTER REFERRED TO PAROLE AND PROBATION FOR PSI AND SET OVER FOR SENTENCING AS TO COUNT III. Court thanked and excused the jury.

CUSTODY

9/19/95 9 AM TRIAL SETTING AS TO COUNTS I, II & IV...10/10/95 9 AM SENTENCING COUNT
III

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

September 19, 1995	9:00 AM	Conversion Hearing Type	TRIAL SETTING AS TO COUNTS I,II & IV Court Clerk: CINDY HORTON Reporter/Recorder: JANIE OLSEN Heard By: Sally Loehrer
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HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Lewis, Clyde	Defendant
	Rehfeldt, Laura C.	Attorney
	Waterman, Charles	Attorney

JOURNAL ENTRIES

- Mr. Waterman requested trail be set in the ordinary course. Deft requested a speedy trial. Mr. Waterman advised since the jury verdict found the deft guilty of one count of battery, the jury did not specify on who the battery was committed and believes it is a lesser included for murder. State requested matter be passed to Thursday to set trial date if there is an issue. COURT ORDERED, MATTER SET FOR TRIAL IN THE ORDINARY COURSE. Mr. Waterman advised he may have a motion prior to sentencing on Count III regarding the deft being adjudged guilty of a felony and being able to take the stand in pending trial. Court advised sentencing date will stand at this time. CUSTODY

1/11/96 9 AM CALENDAR CALL...1/16/96 9:30 AM JURY TRIAL COUNTS I, II & III

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 10, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

October 10, 1995**9:00 AM****Sentencing****SENTENCING****Court Clerk: CINDY
HORTON****Reporter/Recorder:
MARY BETH COOK****Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Laurent, Christopher J.
Lewis, ClydeAttorney
Defendant**JOURNAL ENTRIES**

- Mr. Laurent advised this is Mr. Harmon's case and he requested a continuance and believes Mr. Harmon contacted Mr. Waterman who has no objection to a continuance. COURT ORDERED, SENTENCING CONTINUED FOR ONE WEEK.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 17, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

October 17, 1995

9:00 AM

Sentencing

SENTENCING

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.
Lewis, Clyde
Waterman, Charles

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Peggy Coleman of Parole and Probation present. DEFT LEWIS ADJUDGED GUILTY OF COUNT III - BATTERY WITH USE OF A DEADLY WEAPON, PURSUANT TO JURY VERDICT. Mr. Waterman requested he be allowed to withdraw from the case as he has developed antipathy for the deft and cannot say one good thing about him. COURT ORDERED, ORAL MOTION TO WITHDRAW IS GRANTED AND THE STATE PUBLIC DEFENDER'S OFFICE IS APPOINTED AS COUNSEL. J. Savage of the SPD'S Office present in Court and advised can confirm as counsel. COURT ORDERED, STATE PUBLIC DEFENDER'S OFFICE CONFIRMED AS COUNSEL, TRIAL DATE ON REMAINING COUNTS STANDS AND SENTENCING AS TO COUNT III CONTINUED FOR TWO WEEKS.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 02, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

November 02, 1995**9:00 AM****Sentencing****SENTENCING****Court Clerk: LARRY
SNYDER/LS****Reporter/Recorder:
KIT MACDONALD****Heard By:
MCGROARTY,
JOHN S.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Harmon, Melvyn T.

Attorney

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

JOURNAL ENTRIES

- COURT ORDERED, this matter CONTINUED to be heard by Judge Loehrer.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 21, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

November 21, 1995**9:00 AM****Sentencing****SENTENCING****Court Clerk: CINDY
HORTON****Reporter/Recorder:
JANIE OLSEN****Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Lewis, Clyde

Defendant

Mueller, Craig

Attorney

JOURNAL ENTRIES

- Officer McKenzie of Parole and Probation present. Upon inquiry by the Court, deftd advised the no one from the State Public Defender's Office has been to see him regarding the PSI report. COURT ORDERED, SENTENCING CONTINUED FOR ONE WEEK and requested the Clerk contact the State Public Defender's Office regarding this matter.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 28, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

November 28, 1995**9:00 AM****Sentencing****SENTENCING****Court Clerk: CINDY
HORTON****Reporter/Recorder:
MARY BETH COOK****Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

LaPorta, Peter R.

Attorney

Lewis, Clyde

Defendant

Porterfield Jr, Owen W.

Attorney

JOURNAL ENTRIES

- John Delvillan of Parole and Probation present. Court advised met in chambers with Mr. Jackson and Mr. Rogers and indicated this is the third time the State Public Defender has moved to continue sentencing. Court further advised understands that the SPD just received the deft's file this morning and the deft would like to discuss the PSI with counsel. Mr. LaPorta concurred and advised spoke with Mr. Harmon and he has no objection to a short continuance. COURT ORDERED, SENTENCING CONTINUED ONE LAST TIME TO THURSDAY, NOVEMBER 30 AT 9:00 AM.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 30, 1995**

94C120857-2

The State of Nevada vs Clyde Lewis

November 30, 1995**9:00 AM****Sentencing****SENTENCING****Court Clerk: CINDY
HORTON****Reporter/Recorder:
MARY BETH COOK****Heard By: Sally
Loehrer****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

LaPorta, Peter R.

Attorney

Lewis, Clyde

Defendant

Porterfield Jr, Owen W.

Attorney

JOURNAL ENTRIES

- Thomas Ely of Parole and Probation present. Pursuant to jury verdict, DEFT LEWIS ADJUDGED GUILTY OF COUNT III- BATTERY WITH USE OF A DEADLY WEAPON (F). Argument by State requesting ten years. Statement by deft stating he would like to appeal this case and inquired when he would be getting appeal counsel. Court advised deft he has counsel, however the appeal process does not begin until the Judgment of Conviction is filed. Mr. LaPorta stated he has advised his client to make no further statement because of pending trial on remaining counts in this case. COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, Deft. SENTENCED to Nevada Department of Prisons for EIGHT (8) YEARS with 481 DAYS Credit For Time Served and Deft. is Assessed a \$5,000 FINE. Court advised the deft is not to be released to the State Prison system as trial is scheduled on 1/11/96. Mr. LaPorta advised he has a trial scheduled for 1/16/96 in Dept. V. Court advised will reset trial date, however, Mr. Harmon has to be present with his trial schedule. COURT ORDERED, 1/16/96 TRIAL AND 1/11/96 CALENDAR CALL VACATED AND MATTER CONTINUED TO TUESDAY TO RESET TRIAL DATE.

94C120857-2

CUSTODY

12/5/95 9 AM RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 07, 1995

94C120857-2

The State of Nevada vs Clyde Lewis

December 07, 1995

9:00 AM

Motion to Set Trial Date

RESET TRIAL DATE

Court Clerk: CINDY
HORTON

Reporter/Recorder:

JANIE OLSEN

Heard By: Sally

Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Harmon, Melvyn T.

Attorney

LaPorta, Peter R.

Attorney

Lewis, Clyde

Defendant

JOURNAL ENTRIES

- COURT ORDERED, MATTER SET FOR TRIAL. Deft requested he be allowed to return to the State prison. COURT ORDERED, DEFT ALLOWED TO RETURN TO STATE PRISON PENDING TRIAL, HOWEVER, IT IS COUNSEL'S RESPONSIBILITY TO MAINTAIN COMMUNICATION WITH DEFT.

CUSTODY

6/20/96 9 AM CALENDAR CALL...6/24/96 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 1996

94C120857-2

The State of Nevada vs Clyde Lewis

June 20, 1996

9:00 AM

Calendar Call

CALENDAR CALL

Court Clerk: JUDY
NORMANReporter/Recorder:
HELENE KARPHeard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Lewis, Clyde

Roger, David J.

Attorney

Defendant

Attorney

JOURNAL ENTRIES

- Mr. Roger advised not ready for Trial as three criminologists are not available and moved for an oral Hill Motion to continue. There being no objection, COURT ORDERED, TRIAL DATE VACATED AND RESET.

NDP

9/26/96 9:00 AM CALENDAR CALL

9/30/96 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 24, 1996

94C120857-2

The State of Nevada vs Clyde Lewis

September 24, 1996

9:00 AM

Motion to Continue

DEFT'S MOTION
TO CONTINUE
JURY TRIAL Court
Clerk: JUDY
NORMAN
Reporter/Recorder:
MARGIE CARLSON
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

O'Callaghan, Michael N.

Attorney

JOURNAL ENTRIES

- The Court noted counsel had indicated ready for Trial. Ms. Lempke advised because of the McKenna Trial, she was not ready at this time and requested a continuance. Further, had spoken with Defendant and, in light of the circumstances, he did not have a problem with it. COURT ORDERED, TRIAL DATE VACATED AND RESET.

NDP

2/27/97 9:00 AM CALENDAR CALL

3/3/97 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

February 27, 1997

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS FOR
2/27/97 Court Clerk:
CINDY HORTON
Reporter/Recorder:
MARGIE CARLSON
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

JOURNAL ENTRIES

- CALENDAR CALL...DEFT'S MOTION TO STRIKE DEADLY WEAPON ALLEGATIONS...DEFT'S MOTION TO COMPEL PRODUCTION OF RAP SHEETS...DEFT'S MOTION TO COMPEL DISCLOSURE OF PRESENTENCE REPORTS...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OF COOPERATION...DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE

Ms. Lemcke filed DEFT'S MOTION TO SUPPRESS IDENTIFICATIONS OF DEFT IN OPEN COURT. State advised has an investigator working on this matter and would request pre-trial motions be continued. COURT ORDERED, ALL PRE-TRIAL MOTIONS AND CALENDAR CONTINUED TO FRIDAY, FEBRUARY 28 AT 3:00 PM. Upon inquiry by the Court, counsel advised trial will take approximately one week, trial counsel will be M. O'Callaghan for the State and Ms. Lemcke and Mr. Palma for the defense. State advised if case comes to a penalty phase would have no problem with the Court handling that phase. Court advised that is up to the deft if convicted. Ms. Lemcke advised

would like the opportunity to discuss this matter with client and co-counsel. Court advised counsel this trial will be #1 to go on Monday. At the request of Ms. Lemcke, COURT ORDERED, DEFT TO BE HELD AT THE CLARK COUNTY DETENTION CENTER THROUGH HIS TRIAL.
CUSTODY

2/28/97 3:00 PM CALENDAR CALL CONTINUED AND ALL PRE-TRIAL MOTIONS.

3/3/97 9:30 JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 28, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

February 28, 1997

3:00 PM

All Pending Motions

ALL PENDING
MOTIONS FOR
2/28/97 Court Clerk:
CINDY HORTON
Reporter/Recorder:
MARGIE CARLSON
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO STRIKE DEADLY WEAPON ALLEGATION...DEFT'S MOTION TO COMPEL PRODUCTION OF RAP SHEETS...DEFT'S MOTION TO COMPEL DISCLOSURE OF PRESENTENCE REPORTS...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OF COOPERATION. DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE... DEFT'S MOTION TO SUPPRESS IDENTIFICATION OF DEFT...CALENDAR CALL

Upon inquiry by the Court, State advised believes ready for trial, however, Ms. Atkins will be in trial in Reno and believes can pick a jury on Monday. State further advised is having trouble locating the victims spouse and would request if she is not available that the previous deposition be used.

COURT ORDERED, TRIAL STANDS AS #1 ON 3/3/97 AT 9:30 AM. As to DEFT'S MOTION TO STRIKE DEADLY WEAPON ALLEGATION, COURT ORDERED, MOTION GRANTED, THE WORDS "OR HAMMER" ON LINE 14 WILL BE STRICKEN. Following argument by counsel,

COURT ORDERED, DEFT'S MOTION TO COMPEL PRODUCTION OF RAP SHEETS GRANTED in that the DA's Staff will run NCIC on names provided by defense counsel and the information will be provided by the DA by Tuesday. As to Deft motion to compel disclosure of presentence report, Court inquired how many witnesses in this case have been convicted in this jurisdiction where a PSI is available. State advised does not know if will be calling the co-deft. Case numbers of possible witnesses with cases in the system provided and will be made available to counsel to review if appropriate. COURT ORDERED, DEFT'S MOTION TO COMPEL DISCLOSURE OF PRESENCE REPORTS GRANTED. As to DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OF COOPERATION, COURT ORDERED, MOTION GRANTED as the PSI report can be reviewed. Argument by counsel regarding the deft's motion in limine to preclude evidence. COURT ORDERED, MOTION TO PRECLUDE EVIDENCE DENIED UNLESS THE DEFT TAKES THE STAND. Response by Ms. Lemcke. Court advised will allow a certified JOC if deft says was not there for impeachment purposes. As to Deft's motion to suppress identification of deft, photo of line-up provided to the Court. Court advised does not find anything suggestive in the photo. Ms. Lemcke requested the State be precluded from bringing up the line-up photo at time of direct. Objection by the State. COURT ORDERED, MOTION TO SUPPRESS IDENTIFICATION OF DEFT DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 03, 1997

9:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JUDY
NORMAN

Reporter/Recorder:

MARY BETH COOK

Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Mr. Palma requested Defendant referred to as Clyde Lewis for purposes of Trial. COURT SO ORDERED. Jury Panel given voir dire oath at 9:45 AM. Noon recess at 12:00 PM. Jury selection resumed at 1:35 PM. Jury excused at 5:10 PM. Outside the presence of the Jury, Mr. Palma moved for mistrial. Arguments by Mr. O'Callaghan. COURT ORDERED, DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 04, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 04, 1997

9:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JUDY
NORMANReporter/Recorder:
JOANN ORDUNAHeard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Outside the presence of the Jury, Mr. O'Callaghan requested witness testify prior to openings as had to leave today at 3:00 PM. Objections by Mr. Palma. Mr. Palma advised would stipulate that bullet was taken from body and given to someone else. Jury sworn to hear the case at 11:20 AM. Opening statement by Mr. O'Callaghan at 11:25 AM. Opening statement by Mr. Palma at 11:40 AM. Witnesses sworn and testified. Exhibits per attached worksheet. Noon recess at 12:10 PM. Counsel stipulated to the presence of the Jury at 1:35 PM. Witnesses sworn and testified. Exhibits per attached worksheet. Exclusionary rule invoked at 1:50 PM. Outside the presence of the Jury, the Court advised Mr. Ford would prepare a new Exhibit I as there are other marks from prior Trial on the exhibit. Arguments by Mr. O'Callaghan. The Court gave Exhibit I to Mr. Ford who will return tomorrow with new diagram. Evening recess at 5:15 PM.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 05, 1997

10:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JUDY
NORMANReporter/Recorder:
MARY BETH COOK
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Counsel stipulated to the presence of the Jury at 9:55 AM. Witnesses sworn and testified. Exhibits per attached worksheet. Noon recess at 11:50 AM. Counsel stipulated to the presence of the Jury at 1:40 PM. Witnesses sworn and testified. Exhibits per attached worksheet. Outside the presence of the Jury, Ms. Lemcke took witness McIntyre on voir dire. Counsel stipulated to the presence of the Jury at 2:20 PM. Outside the presence of the Jury, Ms. Lemcke moved for mis Trial. COURT FINDS objection was not lodged timely and, ORDERED, MOTION DENIED. Counsel stipulated to the presence of the Jury at 3:25 PM. Witnesses sworn and testified. Exhibits per attached worksheet. Evening recess at 5:05 PM.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 06, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 06, 1997

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JUDY
NORMANReporter/Recorder:
MARGIE CARLSON
Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Counsel stipulated to the presence of the Jury at 10:40 AM. Witnesses sworn and testified. Exhibits per attached worksheet. Noon recess 12:25 PM. Counsel stipulated to the presence of the Jury at 1:50 PM. Witnesses sworn and testified. Exhibits per attached worksheet. Evening recess at 5:10 PM.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 07, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 07, 1997

8:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: JUDY
NORMAN

Reporter/Recorder:

MARY BETH COOK

Heard By: LOEHRER,
SALLY

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Counsel stipulated to the presence of the Jury at 9:35 AM. Witnesses sworn and testified. Exhibits per attached worksheet. Noon recess at 12:00 AM. Counsel stipulated to the presence of the Jury at 1:35. Witnesses sworn and testified. Exhibits see attached worksheet. Evening recess at 5:25.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 10, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

March 10, 1997

8:30 AM

Jury Trial

TRIAL BY JURY
Court Clerk: JUDY
NORMAN
Reporter/Recorder:
MARGIE CARLSON
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Outside the presence of the Jury, the Court advised Defendant of his right to testify. Counsel stipulated to the presence of the Jury at 9:45 AM. Exhibits see attached worksheet. State rested at 9:50 AM. Defendant rested at 9:55 AM. The Court instructed the Jury at 9:56 AM. Closing arguments by Ms. Lemcke at 10:20 AM. Closing arguments by Mr. Palma at 11:00 AM. Closing arguments by Mr. O'Callaghan at 11:50 AM. Bailiff and Court's secretary sworn to take charge of the Jury at 1:25 PM. The Jury returned with a verdict at 4:45 PM. DEFENDANT, LEWIS FOUND GUILTY OF COUNT I-BURGLARY, COUNT II-ROBBERY WITH USE OF A DEADLY WEAPON, COUNT IV-MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON. The Court thanked and excused the Jury. COURT ORDERED, SET FOR SENTENCING CUSTODY
4/8/97 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 08, 1997**

94C120857-2

The State of Nevada vs Clyde Lewis

April 08, 1997**9:00 AM****Sentencing****SENTENCING****Court Clerk: CINDY
HORTON****Reporter/Recorder:
MARGIE CARLSON****Heard By: LOEHRER,
SALLY****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Lewis, Clyde

Defendant

O'Callaghan, Michael N.

Attorney

Palma, Richard

Attorney

JOURNAL ENTRIES

- Mr. Palma advised he and Ms. Lemcke have not been able to go over the PSI with the deft and would request a ten day continuance so Ms. Lemcke could be present. State advised defense has been put on notice that the State has victim speakers present. Court advised will allow speakers to make statements to the Court today and will continue formal sentencing. Irene Moden and Eric Moden sworn and made statements to the Court. COURT ORDERED, SENTENCING CONTINUED. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 29, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

April 29, 1997

9:00 AM

Sentencing

SENTENCING

Court Clerk: CINDY
HORTONReporter/Recorder:
MARY BETH COOKHeard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Hehn, William A.

Attorney

Lemcke, Nancy L.

Attorney

Lewis, Clyde

Defendant

Palma, Richard

Attorney

JOURNAL ENTRIES

- Angela Lorence of Parole and Probation present. DEFT LEWIS ADJUDGED GUILTY OF COUNT I - BURGLARY (F), COUNT II - ROBBERY WITH USE OF A DEADLY WEAPON (F) AND COUNT IV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F) PURSUANT TO JURY VERDICT. (DEFT FOUND GUILTY OF COUNT III BATTERY WITH USE OF A DEADLY WEAPON ON 9/5/95 AND SENTENCED AS TO TIME TO EIGHT (8) YEARS IN THE NEVADA DEPT OF PRISONS. Statements in mitigation of sentencing. Deft requested counsel for appeal on all counts. Court advised the deft the SPD will be representing him on these convictions and believes the time may have run on the previous conviction of count III and therefore will Order the SPD to represent on post conviction relief as to count III. Conference at the bench. COURT ORDERED, L. MELIA APPOINTED AS COUNSEL TO REPRESENT DEFT ON DIRECT APPEAL AS TO CONVICTIONS ON COUNTS I, II AND IV AND FOR POST CONVICTION RELIEF AS TO COUNT III. Further statements in mitigation of sentencing. COURT ORDERED, IN ADDITION TO THE \$25

ADMINISTRATIVE ASSESSMENT FEE, DEFT SENTENCED AS TO COUNT I - TEN (10) YEARS IN THE NEVADA DEPT OF PRISONS CONSECUTIVE TO COUNT III, AS TO COUNT II - DEFT SENTENCED TO FIFTEEN (15) YEARS IN THE NEVADA DEPT OF PRISONS PLUS AN EQUAL AND CONSECUTIVE FIFTEEN (15) YEARS PENALTY ENHANCEMENT CONSECUTIVE TO COUNTS I AND III, AS TO COUNT IV - DEFT SENTENCED TO LIFE IN THE NEVADA DEPT OF PRISONS WITH THE POSSIBILITY OF PAROLE PLUS AN EQUAL AND CONSECUTIVE LIFE WITH THE POSSIBILITY OF PAROLE PENALTY ENHANCEMENT CONSECUTIVE TO COUNTS I, II AND III WITH 1023 DAYS CREDIT FOR TIME SERVED. COURT FURTHER ORDERED, MATTER CONTINUED TO THURSDAY FOR L. MELIA TO CONFIRM AS COUNSEL. CUSTODY

5/1/97 9 AM CONFIRMATION OF COUNSEL (L. MELIA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 01, 1997

94C120857-2

The State of Nevada vs Clyde Lewis

May 01, 1997

9:00 AM

Motion for Confirmation of
Counsel

CONFIRMATION
OF COUNSEL (L.
MELIA) Court Clerk:
CINDY HORTON
Reporter/Recorder:
MARY BETH COOK
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Hehn, William A.

Attorney

JOURNAL ENTRIES

- C. Oram, Esq. present as the Court's request. Court advised L. Melia was appointed, however previously represented the co-deft in this case, therefore, the Court contacted Mr. Oram and requested he be present today. Upon inquiry by the Court, Mr. Oram advised he can confirm as counsel. COURT ORDERED, C. ORAM APPOINTED AND CONFIRMED AS COUNSEL FOR DEFT LEWIS.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 29, 1997**

94C120857-2

The State of Nevada vs Clyde Lewis

December 29, 1997

9:00 AM

Motion

DEFT'S MOTION
FOR
CLARIFICATION
OF THE RECORD
Relief Clerk: LINDA
SKINNER
Reporter/Recorder:
JAMES HELLESO
Heard By:
Pavlikowski, Joseph
S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Krisko, Susan R.

Attorney

JOURNAL ENTRIES

- Since Mr. Oram is not present, COURT ORDERED, matter OFF CALENDAR.

MATTER RECALLED WITH MR. ORAM PRESENT: Mr. Oram advised that he was in Dept. XV as Judge Loehrer heard both of the trials and Mr. Oram needs a transcrpit from the first trial. Colloquy between Court and counsel. Counsel advised that all of Dept. XV criminal cases were sent to Dept. XVI. COURT ORDERED, matter CONTINUED and SENT TO DEPT. XVI.
NDP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 1998

94C120857-2

The State of Nevada vs Clyde Lewis

January 05, 1998

8:45 AM

Motion

DEFT'S MOTION
FOR
CLARIFICATION
OF THE RECORD
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
KIT MacDONALD
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Hartsell, James B.

Attorney

Oram, Christopher R.

Attorney

JOURNAL ENTRIES

- Mr. Oram advised of history and requested transcript of deft's first trial. Mr. Hartsell advised he does not have the file as this is a major violator case. COURT ORDERED, matter CONTINUED for DA from the MJ unit to be present.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 07, 1998

94C120857-2

The State of Nevada vs Clyde Lewis

January 07, 1998

8:45 AM

Motion

DEFT'S MOTION
FOR
CLARIFICATION
OF THE RECORD
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
KIT MacDONALD
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Guymon, Gary L.

Attorney

Lewis, Clyde

Defendant

Oram, Christopher R.

Attorney

JOURNAL ENTRIES

- Mr. Oram advised he is requesting transcript from deft's first trial. There being no opposition,
COURT SO ORDERED. Mr. Oram to prepare the order.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 1998

94C120857-2

The State of Nevada vs Clyde Lewis

August 04, 1998

8:30 AM

Petition for Writ of Habeas
Corpus

DEFT'S PETITION
FOR WRIT OF
HABEAS
CORPUS POST-
CONVICTION
Court Clerk: CAROL
GREEN Relief Clerk:
ROSA
ARDESCH/RA
Reporter/Recorder:
JAMES HELLESO
Heard By:
Pavlikowski, Joseph
S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Krisko, Susan R.

Attorney

Lewis, Clyde

Defendant

Oram, Christopher R.

Attorney

JOURNAL ENTRIES

- Mr. Oram advised Deft. is in Ely State Penitentiary, and requested 30 days to supplement the petition. COURT ORDERED supplement to be filed by 9/4/98 at 5:00 PM. Ms. Krisko requested 3 weeks to file reply. COURT ORDERED, for status check and to set time for hearing.
NDP

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 18, 1998**

94C120857-2

The State of Nevada vs Clyde Lewis

September 18, 1998**8:30 AM****Request of Court****AT THE REQUEST
OF THE COURT
Court Clerk: CAROL
GREEN/CG Relief
Clerk: DENISE
HUSTED
Reporter/Recorder:
JAMES HELLESO
Heard By: Joseph
Pavlikowski****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Philip H.

Attorney

JOURNAL ENTRIES

- Mr. Brown advised that he has a note requesting one week. COURT ORDERED, matter will be heard next week.

NDP

9/25/98 DEFT'S PETITION FOR WRIT OF HABEAS CORPUS - POST CONVICTION

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 25, 1998**

94C120857-2

The State of Nevada vs Clyde Lewis

September 25, 1998**8:30 AM****Petition for Writ of Habeas
Corpus****DEFT'S PETITION
FOR WRIT OF
HABEAS
CORPUS POST-
CONVICTION
Court Clerk: LINDA
SKINNER Relief
Clerk: PAULA
GOODELL
Reporter/Recorder:
JAMES HELLESO
Heard By: Joseph
Pavlikowski****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Lalli, Christopher J.

Attorney

Oram, Christopher R.

Attorney

JOURNAL ENTRIES

- Court noted Deft. is in Nevada Department of Prisons and ORDERED, matter TRANSFERRED TO DEPARTMENT XV and set for status check.

NDP

10/5/98 9:00 AM STATUS CHECK (DEPT XV)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 05, 1998

94C120857-2

The State of Nevada vs Clyde Lewis

October 05, 1998

9:00 AM

Status Check

STATUS CHECK
(DEPT XV) Court
Clerk: CINDY
HORTON
Reporter/Recorder:
JOY HINCK Heard
By: Sally Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

O'Callaghan, Michael N.

Attorney

Oram, Christopher R.

Attorney

JOURNAL ENTRIES

- Upon inquiry by the Court, State advised does not believe an evidentiary hearing is necessary as it is a legal argument. Mr. Oram concurred as long as the Court does not establish who should have filed the notice. State advised believes everything should be up on appeal at one time, however, that is now what happened and now there are seperate issues. COURT ORDERED, MATTER CONTINUED TO 10:30 FOR HEARING. MATTER RECALLED, all parties present as before. Mr. Oram presented petition for post conviction relief on the charge of battery with use of a deadly weapon. Response by State referring to 174.015. Reply by Mr. Oram. Court advised as to the charges in count III, Mr. Waterman, the deft's attorney at that time, is very competent trial attorney. Court further finds that 174.015 does apply in this case and was waived as to double jeopardy was only charged with murder as to Molden and therefore would never has been double jeopardy and as to failure to effect appeal time, Mr. Waterman was not responsible for filing appeal. Court further finds there was no ineffective assistance of counsel for not perfecting appeal believes the Supreme Court should look at appealable issue. Mr. Oram requested pursuant to Lazado that his client be released for the record and moved for dismissal of the case. Court advised believes the remedy

would be another trial. State advised believes there should be consolidation. Court advised finds no ineffective assistance of counsel for failure to perfect appeal and DENIED PETITION FOR POST CONVICTION RELIEF because has already been on direct appeal on other charges and does not believe it will effect prison time. Court further advised finds there is nothing wrong with the say count III is pled. At the request of Mr. Oram, COURT ORDERED, C. ORAM APPOINTED COUNSEL FOR THE PURPOSE OF THE APPEAL OF DENIAL OF POST CONVICTION RELIEF. NDP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2001

94C120857-2

The State of Nevada vs Clyde Lewis

July 09, 2001

8:30 AM

Motion

DEFT'S MOTION
TO PLACE ON
CALENDAR Court
Clerk: THERESA
LEE/TL Relief Clerk:
APRIL WATKINS
Reporter/Recorder:
MARCIA HARNESS
Heard By: Loehrer,
Sally

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Oram, Christopher R.
Pace, Barter G.

Attorney
Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Oram stated he calendared this matter so that he can get paid on everything. He was appointed to do the second appeal on the second trial. The first trial was not appealed, Deft. was convicted of battery of several people. The Court appointed the Public Defender to do the writ. The Public Defender did not file one. That is why he filed the writ on behalf of the Deft. The Supreme Court ordered him to file an appeal on the second trial, but informed them he needed to consolidate the issues and bring a writ from the first trial. He appealed the writ after the Court denied it, the issues were consolidated, filed a reply brief and everything has now been denied and is being sent back down. Mr. Oram requested to be paid for the entire bill. Mr. Pace stated Art Noxon of his office needs a copy of Mr. Oram's itemized statement. Mr. Oram stated he submitted one. COURT ORDERED, Mr. Oram to submit another statement and ORDERED, matter CONTINUED one week.

94C120857-2

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 16, 2001

94C120857-2

The State of Nevada vs Clyde Lewis

July 16, 2001

8:30 AM

Motion

DEFT'S MOTION
TO PLACE ON
CALENDAR Relief
Clerk: KEITH REED
Reporter/Recorder:
MARCIA HARNESS
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Oram, Christopher R.
Pace, Barter G.

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Oram stated he faxed a copy of the bill to Mr. Noxon has not received any response. COURT ORDERED, bill is APPROVED; counsel to submit order.
NDP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2004

94C120857-2

The State of Nevada vs Clyde Lewis

April 26, 2004

8:30 AM

Motion to Modify Sentence

DEFT'S PRO PER
MTN TO
MODIFY/76 Court
Clerk: Theresa Lee
Reporter/Recorder:
Julie Lever Heard
By: Loehrer, Sally

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Palmer, Raelene K.

Attorney

JOURNAL ENTRIES

- State requested one week to file a response, by 5/3/04. Mr. Erickson present in the courtroom on another matter, advised the Court Ms. Melia moved to California. COURT ORDERED, Laura Melia is allowed to WITHDRAW from this case, and the Court will put deft in PRO PER status. COURT ORDERED, State will have one week to respond by 5/3/04, and send a copy of same to deft in prison, and deft will have until 5/13/04 to file his reply. Upon Court's inquiry, Ms. Palmer stated she does not believe deft's motion has merit. The Court was trying to determine if deft should be transported. The Court will make a decision on 5/26/04 without argument.

NDC

5/26/04 8:30 A.M. (SAME)...DECISION.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 26, 2004

94C120857-2

The State of Nevada vs Clyde Lewis

May 26, 2004

8:30 AM

All Pending Motions

ALL PENDING
MOTIONS (5/26/04)
Court Clerk: Theresa
Lee
Reporter/Recorder:
Mary Beth Cook
Heard By: Sally
Loehrer

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Knapp, Gregory D.

Attorney

JOURNAL ENTRIES

- Court stated for the record, Deft was found guilty of murder in the first degree in 1995. Deft. received a sentence of Life With the possibility of parole and a consecutive Life With the possibility of parole for Use of a Deadly Weapon. Deft. filed a motion indicating he has an illegal sentence because he believes the Use of a Deadly Weapon was part of the murder, therefore, unlawful to impose an equal and consecutive sentence. Court noted, Deft. misapprehends the Law and Statutes in the State of Nevada. If the deft committed the murder with his hands, by way of strangulation or beating, then he would have received a first degree murder without the enhancement and received one life sentence. The Legislature in the State of Nevada says the use of a deadly weapon is to be discouraged and is not acceptable behavior. The Legislature has stated, the penalty is doubled for the use of a deadly weapon. Therefore, IT IS HEREBY ORDERED, Deft's Pro Per Motion to Correct or Reduce Sentence is DENIED. Mr. Knapp to prepare the Order and Findings.

NDC

CLERK'S NOTE: A copy of this minute order was placed in the U.S. Mail to deft at ID#45193, Lovelock Correctional Center, P.O. BOX 359, Lovelock, NV 89419

PRINT DATE: 03/11/2014

Page 78 of 88

Minutes Date:

June 20, 1994

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2010

94C120857-2

The State of Nevada vs Clyde Lewis

March 03, 2010

11:00 AM

All Pending Motions

ALL PENDING
MOTIONS (3/3/10)
Court Clerk: Larry
Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- PETITION FOR WRIT OF HABEAS CORPUS...STATE'S RESPONSE AND MOTION TO DISMISS
DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION).

Defendant Stratton not present. Court NOTED, Defendant not transported for the purpose of this
Hearing. Court FURTHER NOTED, it will not entertain oral argument.

COURT ORDERED, matter taken UNDER ADVISEMENT. Court ADVISED, it will render a written
Decision, and will provide copies to the Defendant and State.

NDC

UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 04, 2010

94C120857-2

The State of Nevada vs Clyde Lewis

March 04, 2010

9:00 AM

Minute Order

MINUTE ORDER
RE: COURT'S
DECISION Court
Clerk: Larry Snyder
Heard By: Stefany
Miley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- o1is matter was last before the Court on March 3, 2010 pursuant to Defendant s Petition for Writ of Habeas Corpus or in the Alternative Petition for Writ of Mandamus or in the Alternative Petition for Declaratory Judgment and the State s Response and Motion to Dismiss Defendant s petition for Writ of Habeas Corpus (Post-Conviction). Defendant was not transported for purposes of this hearing as the Court did not entertain oral argument.

On January 9, 1995, Defendant was sentenced by the District Court to a sentence of Life with the Possibility of Parole, plus an equal and consecutive term for Defendant s use of a deadly weapon. The Judgment of Conviction was filed on January 20, 1995. Defendant did not file a direct appeal. Defendant s instant motion was filed on December 16, 2009. Defendant alleged the Nevada Court lacked jurisdiction over him due to the absence of enacting clauses in the Nevada Revised Statutes. Furthermore, Defendant alleged the deadly weapon enhancement was unconstitutional and violated his constitutional rights.

The State disputed the Defendant s contentions alleging his claims were time barred as the Judgment of Conviction was filed over 14 years ago and the Defendant did not take a direct appeal.

Additionally, the State alleged the Defendant failed to show good cause for the delay in order to overcome the strictly construed time bar. The State also alleged the Defendant s arguments

regarding the enacting clause were not sufficient to demonstrate good cause. The State argued that while it is well established that the laws of Nevada must include an enacting clause, the Nevada Revised Statutes do not have the same requirement, as they are not laws enacted by the legislature. Rather, the Nevada Revised Statutes consist of previously enacted laws which have been classified, codified, and annotated by the Legislative Counsel. See NRS 220.120. Thus, the lack of an enacting clause in the Nevada Revised Statutes does not render them unconstitutional. Furthermore, the State argued that the deadly weapon enhancement has previously been found constitutional by the Nevada Supreme Court. Lastly, the State alleged laches should apply because of the excessive time delay between the filing of the judgment of conviction and the instant motion.

COURT FINDS, Defendant's Motion is time barred pursuant to NRS 34.726 as it was not filed until nearly fourteen (14) years after the one year deadline. Furthermore, COURT FINDS, Defendant has failed to demonstrate good cause for failing to file his Petition within the required statutory time frame. Also, COURT FINDS, the Nevada Supreme Court has previously addressed the constitutionality of the deadly weapon enhancement per NRS 193.165 thus Defendant's claims are without merit. Lastly, COURT FINDS, Defendant's claims are barred by the doctrine of laches. As discussed above, over fourteen years elapsed between the filing of the Judgment of Conviction and Defendant's instant motion. The extensive time lapse is prejudicial to the State. COURT ORDERS Defendant's Petition DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2012

94C120857-2

The State of Nevada vs Clyde Lewis

January 30, 2012

9:30 AM

Motion

**Motion and Order for
Transportation of
Inmate for Court
Appearance or, in the
Alternative, for
Appearance by
Telephone or Video
Conference**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller; Christine Erickson

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Michael Radovcic, Deputy District Attorney, present for State

Deft. not present. Court advised an opposition was filed by State and ORDERED Deft's motion DENIED. Court further stated it is not entertaining oral argument, Deft was not transported, and the post conviction petition is set for February 22, 2012. Court further stated that if oral argument is needed, Deft. will be transported. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 2012

94C120857-2

The State of Nevada vs Clyde Lewis

March 05, 2012

11:00 AM

Petition for Writ of Habeas
Corpus

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Robert Stephens, Deputy District Attorney, present for the State of Nevada.

Deft. not present. Court noted this is post conviction and Deft. was not transported as it is not entertaining oral argument. Upon Court's inquiry, Mr. Stephens advised the State's response was filed 1/27/12. COURT ORDERED, Motion DENIED as time barred advising Deft. was sentenced on 4/29/97, District Court filed the Judgment of Conviction (JOC) on 5/23/97 and the Deft. didn't file a direct appeal. Court further advised Deft. filed a post conviction Writ on 7/10/98 saying he was denied the right to timely and direct appeal and the Court doesn't show anything after that. COURT FINDS it is time barred in as more than one year after the JOC and the Doctrine of Laches, as pled by the State, applies; there is a presumption of prejudice given the number of years that have passed. State to prepare an order consistent with the Court's findings.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to: Clyde Lewis #48875, P.O. Box 650 [HDSP], Indian Springs, NV 89018. anm/3/8/12

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 19, 2013**

94C120857-2

The State of Nevada vs Clyde Lewis

August 19, 2013**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Ying Pan**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**State of Nevada
Wiborg, Erika L.Plaintiff
Attorney**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER ACCUSED MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION ... DEFENDANT'S PRO PER NOTICE OF MOTION AND MOTION TO APPOINT COUNSEL

Defendant not present.

Court NOTED, it is not entertaining oral arguments and it is adopting the judicial history filed by the State. COURT STATED ITS FINDINGS, and ORDERED, Motions DENIED as they are without merit. State to prepare a proposed Order including finding of facts and conclusion of law.

NDC

CLERK'S NOTE: The above minute order has been distributed via U.S. Mail to Defendant:

Louis Randolph, aka, Clyde Lewis #48875

Southern Desert Correctional Center

20825 Cold Creek Rd.

P.O. Box 208

Indian Springs, NV 89070

- YP 8/19/13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 30, 2013

94C120857-2

The State of Nevada vs Clyde Lewis

September 30, 2013 9:30 AM

All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Leah Beverly, Deputy District Attorney, present for the State of Nevada.

DEFT'S PRO PER NOTICE OF MOTION ON MOTION FOR REHEARING ON MOTION TO DISMISS LACK OF SUBJECT MATTER JURISDICTION (ERRATA) SHOW OF CAUSE HEARING DISCOVERY MOTION...DEFT'S PRO PER NOTICE OF MOTION ON REQUEST FOR LEAVE OF THE COURT TO FILE MOTION FOR REHEARING

Deft. not present. Court noted Deft. wasn't transported as it is not entertaining oral argument. COURT ADOPTED the procedural history as set forth in the State's Opposition, stated its FINDINGS, and ORDERED, Motions DENIED. State to prepare the order with findings of fact and conclusions of law.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to:

Louis Randolph #48875

S.D.C.C.

P.O. Box 208

Indian Springs, NV 89070. anm/10/1/13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2014

94C120857-2

The State of Nevada vs Clyde Lewis

February 10, 2014

9:30 AM

All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Giancarlo Pesci, Deputy District Attorney, present for the State of Nevada.

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)...DEFT'S PRO PER MOTION TO APPOINT COUNSEL...STATE'S RESPONSE AND MOTION TO DISMISS DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION), OPPOSITION TO DEFT'S PRO PER MOTION TO APPOINT COUNSEL AND OPPOSITION TO DEFT'S PRO PER REQUEST FOR AN EVIDENTIARY HEARING

Deft. not present. Court noted Deft. wasn't transported as it is not entertaining oral argument. COURT ADOPTED the Procedural History as set forth by the State FINDING it is an accurate recitation of the case. COURT stated its FINDINGS and ORDERED, Motions DENIED. State to prepare the order.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to:

Louis Randolph #1356378

SDCC

P.O. Box 208

Indian Springs, NV 89070. anm/2/13/14

Exhibit List

Case: 94C120857-2 Party: Sort Order: Status Defendant Name: Lewis, Clyde DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P	Plaintiff			JUSTICE COURT EXHIBITS		State of Nevada	District Court Criminal/Civil 06/13/1994	Evidence Vault
Comment: ExhibitID : 2803								
P/D	Plaintiff			JUSTICE COURT EXHIBITS		State of Nevada	District Court Criminal/Civil 10/10/1994	Evidence Vault

Comment: ExhibitID : 2804



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

CLYDE LEWIS #48875
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: March 11, 2014
CASE: C120857-2

RE CASE: STATE OF NEVADA vs. CLYDE LEWIS aka LOUIS RANDOLPH

NOTICE OF APPEAL FILED: March 10, 2014

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; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

CLYDE LEWIS aka LOUIS RANDOLPH,

Defendant(s).

Case No: C120857-2
Dept No: XXIII

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 11 day of March 2014.

Steven D. Grierson, Clerk of the Court



Teodora Jones, Deputy Clerk