

MICHAEL J. SCHOFIELD INMATE NO. 1679195
330 S. CASINO CENTER BLVD
LAS VEGAS NEVADA 89101

FEBRUARY 22, 2014

NOTICE OF APPEAL TO THE SUPREME COURT
FROM A JUDGEMENT OF A DISTRICT COURT

CASE NO C-13-287009-1

Electronically Filed
Mar 12 2014 03:45 p.m.
Tracie K. Lindeman
Clerk of Supreme Court
03/06/2014 11:17:22 AM

IN THE 6 JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK


CLERK OF THE COURT

STATE OF NEVADA
PLAINTIFF


VS

MICHAEL J. SCHOFIELD
DEFENDANT

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT MICHAEL J. SCHOFIELD
DEFENDANT ABOVE NAMED, HEREBY APPEALS TO THE
SUPREME COURT OF NEVADA FROM THE JUDGEMENT
OF GUILTY OF FIRST DEGREE KIDNAPPING
ENTERED IN THIS ACTION ON THE 22 DAY OF FEBRUARY 2014

DEFENDANT, MICHAEL J. SCHOFIELD, IN PROPER PERSON
IS REPRESENTING HIMSELF AT THIS TIME


DEFENDANT

FEBRUARY 22, 2014
MICHAEL J. SCHOFIELD
Michael Schofield

CASE APPEAL STATEMENT

CASE NO C-13-287009-1 DISTRICT COURT DEPT NO. 6

STATE OF NEVADA

PLAINTIFF

VS

MICHAEL SCHOFIELD

DEFENDANT

HONORABLE JUDGE CADISH

MICHAEL SCHOFIELD APPELLANT

NO COUNSEL FOR APPELLANT

THE APPELLANT MICHAEL J SCHOFIELD WAS REPRESENTED
BY JOHN PARRIS 324 S. 3RD ST BLDG 1 L.V.NV.89101 (702) 392-0905
FOR PART OF THE DISTRICT COURT CASE ~~13-287009-1~~ UNTIL THE STATE
RESTED DURING JURY TRIAL AND AT SAID TIME THE ATTORNEY
JOHN PARRIS TOLD THE DEFENDANT THAT THE DEFENSE WAS
GOING TO REST AS WELL, THE DEFENDANT LET THE COURT
AND JUDGE CADISH THAT THE DEFENDANT WOULD NO
LONGER BE REPRESENTED BY JOHN PARRIS BUT WOULD BE
REPRESENTING HIMSELF. IF FORMA PAUPERIS MEANS TO
REPRESENT HIMSELF, THEN THE HONORABLE JUDGE CADISH
GRANTED THIS ON JANUARY 30, 2014. THE JURY TRIAL,
INCLUDING JURY SELECTION BEGAN ON JANUARY 27, 2014 AND
FINISHED ON FEBRUARY 3, 2014. A BRIEF DESCRIPTION OF THE
NATURE OF THE ACTION AND RESULT IN THE DISTRICT COURT
WOULD BE INCLUDING THE TYPE OF JUDGEMENT BEING APPEALED
THE JUDGEMENT BEING APPEALED IS THE JURY VERDICT OF
Michael Schofield

CASE NO C-13-287009-1
DISTRICT COURT DEPT 6
JUDGE CADISH

FEBRUARY 22, 2014
APPELLANT MICHAEL SCHOFIELD
Michael Schofield

GUILTY OF FIRST DEGREE KIDNAPPING. THE DEFENDANT IS FOUND GUILTY OF TWO COUNTS AND NOT GUILTY OF TWO COUNTS. BURGLARY AND DOMESTIC VIOLENCE ^(STRANGULATION) NOT GUILTY. GUILTY OF CHILD ABUSE TO HIS FOURTEEN YEAR OLD BOY AND GUILTY OF FIRST DEGREE KIDNAPPING. THE DEFENDANT MICHAEL J SCHOFIELD ACKNOWLEDGED GUILT OF CHILD ABUSE BEFORE, DURING, AND AFTER THE TRIAL. THE DEFENDANT IS APPEALING THE GUILTY VERDICT OF FIRST DEGREE KIDNAPPING ON SEVERAL GROUNDS, BRIEFLY INCLUDING:

- ① IN ORDER TO TESTIFY ON HIS OWN BEHAVE THE DEFENDANT WAS FORCED TO FIRE HIS COUNSELOR (ATTORNEY JOHN PARRIS) BEING THAT HE WAS TOLD BY JOHN PARRIS "IF YOU TAKE THE STAND I WILL ASK YOU 2 YES OR NO QUESTIONS THEN TURN YOU OVER TO THE D.A. TO LET HER TEAR YOU APART," AND "I'M NOT GOING TO LET YOU SIT UP THERE AND TELL YOUR SIDE OF THE STORY". IN ESSENCE
● DENYING ME MY RIGHT TO TESTIFY ON MY OWN BEHAVE. ALSO DENYING ME MY RIGHT TO EFFECTIVE COUNSEL.
- ② JURY INSTRUCTION NO. 10 MISLED THE JURY ON THE MEANING OF FIRST DEGREE KIDNAPPING WHICH BY ITS MEANING IN JURY INSTRUCTION NO 10 WOULD MAKE IT KIDNAPPING WITH OR WITHOUT PERMISSION FROM THE GUARDIANS. THE VICTIM, THE DEFENDANT, AND THE VICTIM'S GUARDIAN ALL STATED IN FRONT OF THE JURY THAT THE GUARDIAN TOLD HIM TO GO WITH THE DEFENDANT OR GAVE HIM PERMISSION TO GO. THIS JURY INSTRUCTION NO 10 MADE THAT TESTIMONY IRRELEVANT IN CREATING REASONABLE DOUBT TO GUILT. ALSO THE DEFENDANT, WHO WAS REPRESENTING HIMSELF AFTER THE
Michael Schofield

CASE NO C-13-287009-1
DISTRICT COURT DEPT 6
JUDGE CADISH

FEBRUARY 22, 2014
APPELLANT MICHAEL J SCHOFIELD
Michael Schofield

D.A. RESTED AND BEFORE THE DEFENSE ATTORNEY TOLD THE JUDGE THAT THE DEFENSE WILL REST AS WELL, INQUIRED ABOUT JURY INSTRUCTION NO 10 BY ASKING THE JUDGE "WHICH NRS IS THAT DEFINITION OF KIDNAPPING IN" THE JUDGE REPLIED "I DON'T KNOW BUT I'M SURE IT IS IN THERE I'M NOT TEACHING LAW RIGHT NOW! DOES THE STATE (D.A.) KNOW WHICH NRS IT IS IN?" THE STATE SAID THEY DID NOT KNOW OFF HAND EITHER. WHICH I FIND STRANGE BEING THAT THE STATE (D.A.) WROTE THE JURY INSTRUCTIONS.

③ THE D.A. OBJECTED TO TESTIMONY BASED ON HER NOT HAVING A FOREKNOWLEDGE OF ANY MEDICAL OR PSYCHOLOGICAL CONDITIONS AT THE TIME OF THIS INCIDENT OR CRIME TAKING PLACE WHICH IN FACT SHE MISLED THE JUDGE AND THE COURT MAKING THIS CLAIM. IN MAY OF 2013 THE D.A., AS WELL AS THE COUNSELOR OF THE DEFENDANT AT THE TIME DAN JENKINS OF THE PUBLIC DEFENDERS OFFICE, RECEIVED A LETTER WHICH IN PART STATED, "IN RECENT MONTHS BEFORE THE INCIDENT ON JANUARY 6, 2013 MICHAEL J SCHOFIELD (THE DEFENDANT) HAD INCURRED SEVERAL MEDICAL INCIDENTS WHICH REQUIRED HOSPITALIZATION. ON ONE INCIDENT HE WAS DIAGNOSED WITH HAVING SEIZURES WHICH REQUIRED MEDICATION. IT IS MY UNDERSTANDING THAT THIS INFORMATION WAS SUPPORTED BY THE MEDICAL STAFF AT THE CLARK COUNTY DETENTION CENTER, AND IN FACT, HE HAS BEEN HOUSED IN THE PSYCHIATRIC UNIT AT C.C.D.C. YOU MAY WISH TO REVIEW THIS AND DETERMINE IF DIMINISHED MENTAL CAPACITY MAY BE AN ISSUE IN THIS CASE."

④ THE ATTORNEY JOHN PARRIS WHO REPRESENTED ME FOR 'HALF' THE JURY TRIAL, WHEN HE WAS RELIEVED OF HIS DUTIES, WAS REQUESTED IN OPEN COURT

Michael Schofield

CASE NO C-13-287009-1
DISTRICT COURT DEPT 6
JUDGE CADISH

FEBRUARY 22, 2014
APPELLANT MICHAEL SCHOFIELD
Michael Schofield

to give THE CASE FILE TO THE DEFENDANT, WHO WAS NOW REPRESENTING HIMSELF, AND TO THIS DATE HAS STILL NOT RECEIVED THE CASE FILE.

⑤ CLOSING ARGUMENT GIVEN BY THE DEFENDANT WAS DONE SO UNDER EXTREME DURESS.

⑥ DURING CLOSING ARGUMENT THE DEFENDANT WHO WAS GIVING THE CLOSING ARGUMENT REQUESTED OF THE STAND BY COUNCIL TO PUT THE Q11 TAPE ON AS WELL AS TO OPERATE THE TELE PROMPTER, BEING THAT THE DEFENDANT WAS INCARCERATED AT THE TIME OF TRIAL AND WAS NOT ALLOWED TO LEAVE THE DEFENSE TABLE TO OPERATE THESE ITEMS ON HIS OWN, TO WHICH THE STAND BY COUNCIL REFUSED TO DO.

⑦ VERY DECEPTIVE COUNSEL. LIED ABOUT WITNESS LIST AND CRIME DEF.

⑧ INEFFECTIVE COUNSEL NO VISIT NO CALLS NO WITNESS LIST NO EVIDENCE LIST, DID NOT EVEN ASK ME WHAT HAPPENED ON JANUARY 6, 2013.

THERE HAS NOT BEEN A PREVIOUS APPEAL IN THIS CASE.

THE DATE OF THE CRIME IS JANUARY 6, 2013 THE DATE OF THE JURY TRIAL IS FROM JANUARY 27, 2014 TO FEBRUARY 3, 2014.

IF APPLYING FOR AMENDED NOTICE OF APPEAL DOES NOT INTERFERE WITH THE FILING OF THIS NOTICE OF APPEAL, I WOULD THEN LIKE TO DO ~~IT~~

I BELIEVE MY TRIAL WAS DONE VERY IMPROPERLY. FROM 2 MINUTES BEFORE JURY SELECTION WHEN THE D.A. AND THE DEFENSE ATTORNEY ANNOUNCED TO THE COURT AND THE JUDGE AND TO THE DEFENDANT THAT THERE MAY BE A POTENTIAL CONFLICT OF INTEREST IN THAT THE DEFENSE ATTORNEY REPRESENTED THE D.A. IN OTHER MATTERS - WHICH THEY WAITED UNTIL THE LAST MINUTE TO DISCLOSE,

CASE No C-13-287009-1
DISTRICT COURT DEPT 6
JUDGE CADISH

FEBRUARY 22, 2014
MICHAEL J SCHOFIELD
APPELLANT
Michael Schofield

UNTIL THE CLOSING ARGUMENT WITH STAND BY COUNSEL NOT
ASSISTING ME WITH ITEMS NOT AT MY DISPOSAL. THERE ARE NUMEROUS
INSTANCES THAT WERE NOT INCLUDED BASED ON THE DIRECTIVE
TO KEEP IT BRIEF I DID NOT INCLUDE THEM.

I HOPE THAT YOU WILL LOOK INTO THIS CASE TO
TRY AND HELP JUSTICE BE SERVED MORE PROPERLY.

Sincerely
Michael Schofield
MICHAEL J SCHOFIELD
DEFENDANT
AND
APPELLANT

Michael Setfield #1679195
Name/ID
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89101

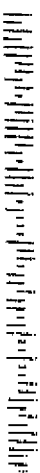
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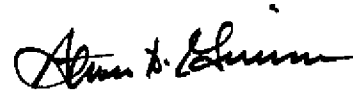


~~Regional Justice Center
200 Lewis Ave
Las Vegas Nevada 89101
Ditch
Judge Cadish
A Pools~~

LEGAL
MAIL

Dis





CLERK OF THE COURT

ASTA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff(s),

vs.

MICHAEL JOHN SCHOFIELD,

Defendant(s),

Case No: C-13-287009-1
Dept No: VI

CASE APPEAL STATEMENT

1. Appellant(s): Michael J. Schofield

2. Judge: Elissa Cadish

3. Appellant(s): Michael J. Schofield

Counsel:

Michael J. Schofield #1679195
330 S. Casino Center Blvd.
Las Vegas, NV 89101

4. Respondent: The State of Nevada

Counsel:

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

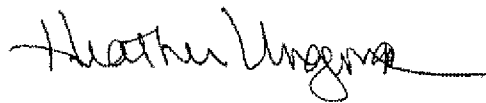
5. Respondent's Attorney Licensed in Nevada: Yes

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: January 28, 2013
4 10. Brief Description of the Nature of the Action: Criminal
5 Type of Judgment or Order Being Appealed: Judgment of Conviction
6 11. Previous Appeal: No
7 Supreme Court Docket Number(s): N/A
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 Heather Ungermann, Deputy Clerk
15 200 Lewis Ave
16 PO Box 551601
17 Las Vegas, Nevada 89155-1601
18 (702) 671-0512
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DEPARTMENT 6
CASE SUMMARY
CASE NO. C-13-287009-1

State of Nevada
vs
Michael Schofield

§ Location: Department 6
§ Judicial Officer: Cadish, Elissa F.
§ Filed on: 01/28/2013
§ Case Number History:
§ Cross-Reference Case Number: C287009
§ Defendant's Scope ID #: 1679195
§ Lower Court Case Number: 13F00320

CASE INFORMATION

Offense	Deg	Date	Case Type:
1. BURGLARY	F	01/06/2013	Felony/Gross Misdemeanor
2. BATTERY CONSTITUTING DOMESTIC VIOLENCE-STRANGULATION	F	01/06/2013	Case Flags: Appealed to Supreme Court Custody Status - In Custody Bail Modified Charge Description Updated
3. CHILD ABUSE, NEGLECT, OR ENDANGERMENT	F	01/06/2013	
4. FIRST DEGREE KIDNAPPING	F	01/06/2013	

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-13-287009-1
Court	Department 6
Date Assigned	01/28/2014
Judicial Officer	Cadish, Elissa F.

PARTY INFORMATION

Defendant Schofield, Michael John

Lead Attorneys

Parris, John P.
Retained
702-382-0905(W)




Plaintiff State of Nevada

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

DATE

EVENTS & ORDERS OF THE COURT

INDEX

01/24/2013	Bail Set \$75,000
01/28/2013	 Criminal Bindover Criminal Bindover
01/29/2013	 Information Information
01/31/2013	 Initial Arraignment (9:30 AM) (Judicial Officer: De La Garza, Melissa)
01/31/2013	Plea (Judicial Officer: Cadish, Elissa F.) 1. BURGLARY Not Guilty 2. BATTERY CONSTITUTING DOMESTIC VIOLENCE-STRANGULATION Not Guilty

DEPARTMENT 6
CASE SUMMARY
CASE NO. C-13-287009-1

02/14/2013	 Reporters Transcript <i>Reporter's Transcript of Preliminary Hearing 1/23/13</i>
02/21/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
02/22/2013	 Supplemental Witness List <i>Supplemental Notice of Witnesses</i>
03/07/2013	 Writ <i>PETITION FOR WRIT OF HABEAS CORPUS</i>
03/11/2013	 Return <i>Return to Writ of Habeas Corpus</i>
03/18/2013	 Order Filed By: Defendant Scholfield, Michael John
03/19/2013	 Writ <i>Writ of Habeas Corpus</i>
03/25/2013	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Re: Arraignment January 31, 2013</i>
03/28/2013	Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
03/28/2013	 Petition for Writ of Habeas Corpus (9:30 AM) (Judicial Officer: Villani, Michael) 03/28/2013, 04/11/2013, 04/23/2013 <i>Deft's Petition for Writ of Habeas Corpus</i>
03/28/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
04/01/2013	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
05/06/2013	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Petition for Writ of Habeas Corpus</i>
07/05/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
07/19/2013	 Motion to Dismiss Counsel Party: Defendant Scholfield, Michael John <i>Motion to Dismiss Counsel and Appointment of Alternate Counsel</i>
07/24/2013	 Notice of Witnesses and/or Expert Witnesses <i>Second Supplemental Notice of Witnesses</i>
08/01/2013	 Motion to Dismiss (9:30 AM) (Judicial Officer: Adair, Valerie) Events: 07/19/2013 Motion to Dismiss Counsel <i>Motion to Dismiss Counsel and Appointment of Alternate Counsel</i>

DEPARTMENT 6
CASE SUMMARY
CASE NO. C-13-287009-1

08/08/2013	 Calendar Call (9:30 AM) (Judicial Officer: Villani, Michael)
08/12/2013	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
10/09/2013	 Motion <i>Notice of Motion and State's Motion to Place on Calendar for the Purpose of Resetting Trial Date</i>
10/24/2013	 Motion (9:30 AM) (Judicial Officer: Adair, Valerie) <i>State - Notice of Motion and State's Motion to Place on Calendar for the Purpose of Resetting Trial Date</i>
10/31/2013	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
11/04/2013	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
01/15/2014	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses</i>
01/23/2014	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
01/24/2014	 Order <i>Order Releasing Certified Custody Records</i>
01/24/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Certified Custody Records</i>
01/24/2014	 Overflow (8:45 AM) (Judicial Officer: Villani, Michael) <i>3-4 days; 8-10 witnesses; M. Lavell/J. Parris trial counsel</i>
01/27/2014	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
01/27/2014	 Jury Trial (1:30 PM) (Judicial Officer: Cadish, Elissa F.) 01/27/2014-01/31/2014, 02/03/2014
01/27/2014	 Amended Information <i>Amended Information</i>
01/28/2014	 Jury List <i>Jury List</i>
01/30/2014	 Jury Instructions <i>State's Proposed Instructions to the Jury (includes Verdict)</i>
01/31/2014	 Amended Jury List <i>Amd Jury List</i>
02/03/2014	Disposition (Judicial Officer: Cadish, Elissa F.) 1. BURGLARY Not Guilty


DEPARTMENT 6
CASE SUMMARY
CASE NO. C-13-287009-1

2. BATTERY CONSTITUTING DOMESTIC VIOLENCE-STRANGULATION
Not Guilty


02/03/2014

 Verdict
Verdict


02/03/2014

 Jury Instructions
Instructions to the Jury

03/06/2014

 Notice of Appeal (criminal)
Notice of Appeal

03/11/2014

 Case Appeal Statement
Case Appeal Statement

04/07/2014

Sentencing (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 31, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 31, 2013

9:30 AM

Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level
Arraignment

COURT CLERK: Roshonda Mayfield; Sharon Coffman; Teresa Slade; Keri Cromer; Dania Batiste

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:

Benedict, Susan M

Attorney

Kierny, Carli L.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- DEFT. SCHOFIELD ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE.
COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, pursuant to Statute, Counsel
has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been
filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY

3/28/2013 9:30AM CALENDAR CALL

4/1/2013 9:30AM JURY TRIAL (Dept. 21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 28, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

March 28, 2013

9:30 AM

All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Dulce Romea; Keri Cromer; Dania Batiste; Sharon Coffman

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Jenkins, Daniel R.

Attorney

Lavell, Maria

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- CALENDAR CALL...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

Mr. Jenkins announced not ready to proceed with trial, as he had prepared for trial on a different case which did not proceed. State objected to any further continuances, advising it is ready to go forward. COURT ORDERED, Mr. Jenkins' oral motion for a continuance GRANTED, trial date VACATED and RESET, and Deft.'s petition for Writ of Habeas Corpus CONTINUED.

CUSTODY

4/11/2013 9:30 AM DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

8/8/2013 9:30 AM CALENDAR CALL

8/12/2013 9:30 AM JURY TRIAL

PRINT DATE: 03/11/2014

Page 2 of 24

Minutes Date:

January 31, 2013

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 11, 2013

C-13-287009-1

State of Nevada
vs
Michael Schofield

April 11, 2013

9:30 AM

**Petition for Writ of Habeas
Corpus**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted; Katrina Hernandez

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Lavell, Maria	Attorney
Piro, John J	Attorney
Schofield, Michael John	Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Piro informed this is Dan Jenkins, Deputy P.D.'s case and requested the matter be continued for his presence as he is currently ill. COURT ORDERED, matter CONTINUED.

CUSTODY

4/23/13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 23, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

April 23, 2013

9:30 AM

**Petition for Writ of Habeas
Corpus**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11C

COURT CLERK: Katrina Hernandez; Tia Everett

RECORDER: Michelle Ramsey

REPORTER:

PARTIES

PRESENT:

Fattig, John T

Attorney

Jenkins, Daniel R.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Arguments by Mr. Jenkins contesting count 4 - first degree kidnapping. Arguments by Mr. Fattig in opposition. COURT FINDS, slight or marginal evidence has been presented and ORDERED, Petition DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

August 01, 2013

9:30 AM

Motion to Dismiss

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Katrina Hernandez

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Jenkins, Daniel R.

Attorney

Lavell, Maria

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- ourt noted State requested this matter be placed on calendar and Mr. Jenkins had not received the Motion. Matter TRAILED for Mr. Jenkins to review the Motion.

Matter RECALLED. Statements by Mr. Jenkins clarifying the allegations in Defendant's Motion. Upon inquiry of the Court, Defendant agreed he is aware of Mr. Jenkins efforts. Court Stated its Findings, and ORDERED, Motion DENIED. Calendar Call and Trial Dates STAND.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

August 08, 2013

9:30 AM

Calendar Call

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11C

COURT CLERK: Katrina Hernandez

RECORDER: Michelle Ramsey

REPORTER:

PARTIES

PRESENT:

Lavell, Maria

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Mr. Parris substituted in as counsel, informed of his current status with getting up to speed on the case, and requested the trial be continued to the next stack. Ms. Lavell objected to another trial continuance, explained the Defendant's behavior as recorded on the jail house calls, and requested the Defendant be admonished. Court ADMONISHED Defendant that he is being watched and the State can file new charges if deemed appropriate. COURT ORDERED, trial VACATED and RESET. Court further Directed Mr. Parris that if there are any discovery matters he needs to address them.

CUSTODY

10/31/13 9:30 AM CALENDAR CALL

11/4/13 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2013

C-13-287009-1

State of Nevada

vs

Michael Schofield

October 24, 2013

9:30 AM

Motion

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Dania Batiste

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Lavell, Maria

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Ms. Lavell advised there are witnesses who are unavailable for the scheduled trial date, hence the reason the State filed this Motion before the Court. Mr. Parris concurred. There being no objection, COURT ORDERED, Motion is GRANTED; trial date is VACATED and RESET.

CUSTODY

1/23/2014 9:30 am CALENDAR CALL

1/27/2014 9:30 am JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 23, 2014

9:30 AM

Calendar Call

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Lavell, Maria

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Counsel announced ready for trial which should last 3-4 days with 8-10 witnesses. CONFERENCE AT BENCH. COURT ORDERED, matter set for overflow.

CUSTODY

1/24/14 8:45 AM OVERFLOW (DEPT. 17)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 24, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 24, 2014

8:45 AM

Overflow

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Carol Donahoo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Maria Lavell, Chf Dep DA, present on behalf of the State and John Parris, Esq., present on behalf of Deft. Schofield, who is also present.

This is the time set for Overflow; Mr. Parris advised that an offer was previously extended to the Deft. and then re-extended yesterday afternoon. Deft. rejected said offer and since the offer was still on the table this morning, he reiterated said offer to the Deft. again today. The Deft. is again rejecting the offer and, therefore, Mr. Parris is prepared to go forward with trial.

Ms. Lavell stated the offer for the record, which is now revoked. Upon Court's inquiry, Deft. stated that an offer was made by the State and communicated to him by Mr. Parris and he has rejected said offer. Ms. Lavell advised the State is ready for trial as well; the trial is expected to take three (3) to four (4) days. COURT ORDERED, matter REFERRED to Department VI for Jury Trial. Court instructed both counsel to provide their proposed Jury Instructions to Chambers on the first day of trial. Any special instructions should include case citations.

MATTER RECALLED: All present as before. The Deft. is requesting a haircut prior to trial; colloquy. Court directed Mr. Parris to prepare and submit an appropriate Order and the Court will sign it.

PRINT DATE: 03/11/2014

Page 10 of 24

Minutes Date:

January 31, 2013

C-13-287009-1

CUSTODY

01/27/14 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 27, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 27, 2014

1:30 PM

Jury Trial

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Amended Information FILED IN OPEN COURT. Parties advised the Court of the stipulation of the admittance of all exhibits other than #16. Mr. Parris advised the Court that he previously represented Ms. Lavell in 2 separate matters involving traffic tickets in Henderson and for which he never made court appearances for either only faxing information back and forth; representation never took place during his case and it was all resolved by the process. Ms. Lavell concurred with the representations of Mr. Parris noting the offers stayed the same. Upon the inquiry of the Court the Deft. stated he is prepared to waive any conflict that may exist due to counsels prior representation of Ms. Lavell on prior traffic ticket matters and he would like to proceed. Colloquy regarding the jury selection process and trial logistics of the 2-3 day trial. Colloquy regarding changes made within the Amended Information and potential and alleged ineffective assistance of counsel. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Role of prospective jurors called and sworn. Voir Dire. OUTSIDE THE PRESENCE OF THE PROSPECTIVE

JURY PANEL. Colloquy regarding the jury selection process. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Voir Dire. COURT ORDERED, proceedings CONTINUED; prospective jurors admonished and released. Outside the presence of other prospective jurors, parties address prospective juror #120 J. Bendavid regarding the jurors potential service. At the request of Mr. Parris, COURT ORDERED, Prospective Juror #120 DISMISSED. Colloquy regarding 911 calls, jail house records and stipulations.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 28, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 28, 2014

10:00 AM

Jury Trial

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. Parris advised the Court of offers too, and rejected by the Defendant and expressed the Deft's desire to proceed with trial. The Deft. stated with all that has taken place with the disclosures between counsel that he feels he is being rushed into matters just like with negotiations. Colloquy regarding the involvement of Mr. Parris with Ms. Lavell's traffic matter, the hesitance of the Deft. to proceed, negotiations/offers, potential change of representation for the Deft and jail calls. COURT ORDERED, matter trailed until 1:15 pm for the Deft. to either accept the deal or continue on with jury selection.

MATTER RECALLED AT 1:17 PM

After discussing matters with the Deft. Mr. Parris stated the Deft. would like another day to think

over the offer. The Defendant inquired as to his rights in regards to any conflict of interest between the District Attorney (D.A.) and Mr. Parris and inquired if he must hire other counsel. Court acknowledged counsel would have to be retained or the Deft. would need to attempt to qualify for the services of the Public Defender (P.D.). The Defendant stated the D.A. is just as guilty as he is by obtaining free services from Mr. Parris and this should be considered a mistrial. Ms. Lavell argued the Deft. is to either accept the offer or it will be withdrawn; the state's position is there is no conflict; it's a traffic ticket and if it's perceived by the Court to be a conflict the matter may need to be returned to the lower court. Court stated it's believed what is being suggested by the Defendant is that Ms. Lavell be removed from the case rather than Mr. Parris. Ms. Lavell stated she will not step down unless ordered by the Court; this is the last offer and if conflicted off of the case Ms. Anthony is not ready to proceed. Court noted jeopardy has not attached because the jury has not been impanelled. Upon the inquiry of the Court the Defendant stated he is not taking the offer. Ms. Lavell advised the offer is off the table. Colloquy regarding the client attorney relationship between Mr. Parris and the Deft. and how to proceed, and the interactions between Mr. Parris and Ms. Lavell in the handling of her traffic matters. The Defendant renewed the request for the removal of Ms. Lavell from the case. Ms. Lavell opposed the request arguing there is no conflict in Mr. Parris having represented her on a traffic ticket. Continued colloquy between the Court and Defendant regarding his request for the removal of Ms. Lavell from the case and Mr. Parris's representation of Ms. Lavell. Court stated findings and ORDERED, the Defendant's request to disqualify Ms. Lavell is DENIED as no conflict is seen now, or that it existed during the course of this case. Ms. Lavell inquired if the Defendant would like to accept the offer. Mr. Parris advised the Defendant would like to make a counteroffer of 1-6 years. Ms. Lavell stated the counter offer is rejected. COURT ORDERED, the case will proceed with the jury. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Voir Dire. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Peremptory Challenges exercised. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Jury Impanelled. CONFERENCE AT BENCH. COURT ORDERED, proceedings CONTINUED; jurors admonished and released. OUTSIDE THE PRESENCE OF THE JURY PANEL: Colloquy regarding trial proceedings/logistics, witness testimony and the redaction of jail calls. Mr. Parris advised he has a list of objections to the redacted phone calls. Court stated if need be the issue can be taken up at the start of the day tomorrow, depending on how much there is to cover.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 29, 2014

10:30 AM

Jury Trial

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Katrina Hernandez

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding redaction. Exclusionary Rule INVOKED.

JURY PRESENT: Jury Sworn. Clerk read the Amended Information to the jury and stated the defendant's plea thereto. Opening statements by counsel. Testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY: Arguments by Counsel as to the redaction of the certain statements contained in the jail calls. As to jail calls being presented to show Defendant as trying to discourage a witness from testifying, COURT FINDS it appears that evidence is relevant to the question of guilt and it is not evidence requiring a hearing. As to statements regarding witnesses in this case, Court FINDS they are relevant and not prejudicial over probative. Parties stipulated to

redacting any statements regarding anything penalty related.

Statements by Defendant requesting to terminate his attorney. Matter TRAILED for Ms. Anthony to provide case law regarding the matter, and for parties to review the redacted jail house calls. Matter RECALLED. Mr. Parris advised Defendant no longer wishes to terminate his attorney and upon Court's inquiry, Defendant agreed.

JURY PRESENT: Further testimony and exhibits presented. (See worksheets.)

Court recessed for the evening.

CUSTODY

1/30/14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 30, 2014**

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 30, 2014**10:00 AM****Jury Trial****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY: Testimony & Exhibits Presented. (See Worksheet) . OUTSIDE THE PRESENCE OF THE JURY: The Deft. stated his attorney is not working with him, calls him names and is upset he was not informed of the representation history of Ms. Lavell by Mr. Parris. Court stated the Deft's representation will not be changed at this point. Continued arguments by the Deft. regarding his representation by Mr. Parris. Mr. Paris advised he has spoken with the Deft. regarding various options and trial strategy and it's uncertain what his answer as to his representation will be. The Deft. inquired if counsel is fired will someone remain to assist him. Mr. Parris stated it was discussed regarding him remaining as standby counsel to answer legal questions. Colloquy regarding the Deft's potential self-representation. The Defendant requested he be represented by the Public Defender. COURT ORDERED, request DENIED. IN THE PRESENCE OF THE JURY: Testimony and Exhibits Presented (See Worksheet). OUTSIDE THE PRESENCE OF THE JURY: The Court informed the Defendant of his constitutional rights as to any testimony. Colloquy

regarding Deft's prior felony history. The Defendant moved to represent himself for the presentation of additional evidence. Colloquy regarding the Deft's self-representation request. IN THE PRESENCE OF THE JURY: Testimony and Exhibits Presented. (See Worksheet). State Rest. OUTSIDE THE PRESENCE OF THE JURY: The Defendant stated he will represent himself. Fareta canvas administered by the Court. Ms. Anthony objected to the Deft. representing himself arguing he cannot play his own jail calls. Colloquy regarding the hearsay rule. Court stated findings and ORDERED, the Deft's request for self-representation is GRANTED with his attorney's remaining on as standby counsel. Colloquy regarding trial proceedings, scheduling, witness availability/testimony, allowable questioning of witnesses. IN THE PRESENCE OF THE JURY: Jury admonished and released by the Court. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding the Defendants potential testimony. Instructions settled. State's Proposed Instructions To The Jury (Instruction No. 1) Members of the jury FILED IN OPEN COURT. The Deft. requested he be allowed to present proposed exhibits not previously disclosed. Colloquy regarding letters written and received by the Deft. Court stated prior evidence not disclosed cannot be entered and letters written by the Deft. cannot be admitted as they are hear say. Continued argument in support of admittance of letters into evidence by the Deft. Court stated findings and ORDERED, letters not previously disclosed by the deadline of 5 days prior to trial cannot come in. Ms. Lavell advised the State would have objected to the relevance even if disclosed. COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 31, 2014**

C-13-287009-1

State of Nevada

vs

Michael Schofield

January 31, 2014**9:00 AM****Jury Trial****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Parris, John P.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding Jury Instructions. The Defendant advised he attempted to contact the witnesses. The Court acknowledged information was received regarding the absence of the witnesses. Mr. Parris advised he spoke with both Pat and Norm Duplissie, informed them of the Defendants self-representation and that the prohibition to not speak with him has been lifted, it's uncertain if they spoke with the Defendant and they were asked to be present at 8:45 AM this morning. The Defendant stated he spoke with the witnesses and they were angry with having to be present, but they were not told to not appear. Ms. Lavell stated they she has not had any contact with the witnesses. Colloquy regarding guidelines for the Defendant's examination of witnesses and his potential testimony. Mr. Parris advised he spoke to Norm and Pat and they indicated the Deft. asked them not to appear and they sent Joshua to school based upon the conversation. Mr. Parris stated he told the witnesses he would call if things changed. Ms. Lavell and Mr. Parris acknowledged the witnesses were not released from their subpoenas. The Deft, reiterated

he never told the witnesses not to appear and alleged the witnesses have violated the court's order by discussing the case. Ms. Lavell argued the witnesses were not yet released from subpoena and told they may have to come back as a rebuttal witness and not to discuss the case. Argument by the Defendant regarding the alleged ineffectiveness of Mr. Parris's representation, the fact he was not previously informed regarding the prior professional relationship in a matter between Mr. Parris and Ms. Lavell and stated there should be a mistrial. Statement by Defendant regarding the injustice of proceedings. Colloquy between Court and Defendant. The Defendant requested the witnesses be called back and informed he will no longer represent himself. Argument in opposition of the Defendant no longer representing himself by Ms. Lavell. Court noted the Deft. fired his attorney and will represent himself. Colloquy regarding additional evidence to be presented by the Defendant, the Defendant's desire to testify, jury instructions and juror availability. Upon the inquiry of the Deft. the Court stated if counsel can be retained by the Deft. to continue on with the trial right now without causing further delay, he may do so. Colloquy regarding how the Deft. will address the witnesses during his questioning and what is proper and improper to say. Mr. Parris advised he will leave at 3 PM to catch a flight with Mr. Matsuda remaining as counsel and he will be back to address matters should they go into Monday. IN THE PRESENCE OF THE JURY: The Court informed the Jury the Defendant will now represent himself with prior counsel acting as standby counsel. Testimony and Exhibits presented. (See Worksheet). OUTSIDE THE PRESENCE OF THE JURY: Ms. Lavell noted her objection to certain portions of the Deft's testimony that will be read from the letters. Colloquy between the Court and Deft. regarding allowable testimony. IN THE PRESENCE OF THE JURY: Testimony & Exhibits presented. (See Worksheet). OUTSIDE THE PRESENCE OF THE JURY: Court admonished the Defendant regarding his testimony and behavior while on the stand. Colloquy regarding juror availability should matters proceed into Monday. IN THE PRESENCE OF THE JURY: Testimony and Exhibits Presented. (See Worksheet). Defendant REST. OUTSIDE THE PRESENCE OF THE JURY: John Parris not present. Colloquy regarding the availability of jurors for deliberations. IN THE PRESENCE OF THE JURY: jury instructed as to the law by the Court's reading of the Jury Instructions. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding errors within the Jury Instructions prepared by the State. Court stated the original document will be interlineated with the jury being so informed. IN THE PRESENCE OF THE JURY: Continued reading of Jury Instructions by the Court.

3:30 PM Court clerk Andrea Natali present.

OUTSIDE THE PRESENCE OF THE JURY: COURT NOTED, it hadn't noticed earlier as to the Jury Instruction number 21 regarding Battery Constituting Domestic Violence did not include reference to the minor. State agreed the statement "related by blood" was sufficient.

IN THE PRESENCE OF THE JURY: Ms. Anthony presented closing arguments on behalf of the State. Defendant presented closing arguments.

OUTSIDE THE PRESENCE OF THE JURY: COURT ADMONISHED, Defendant to comply with the laws related to closing arguments; noted appropriate arguments would include discussion of the evidence, applicable laws, and how you would like the verdict to be decided.

IN THE PRESENCE OF THE JURY: Defendant's closing arguments continued. Rebuttal arguments by Ms. Lavelle. At 4:56 PM Jury began deliberations.

OUTSIDE THE PRESENCE OF THE JURY: COURT NOTED, the questions presented by the Jury during the Defendant's testimony were marked as Court's Exhibits; noted the Deft. did not object to the questions. Ms. Lavelle concurred that the Defendant did not object to any of the jury questions. Colloquy regarding discussions with the Defendant regarding whether he should have testified about when he was put in a strait jacket/chair, regarding the discussions between the Defendant and his son about trying to change his testimony, and regarding the time the Defendant served in prison. COURT ADVISED, State to provide a copy of their PowerPoint presentation that would need to be marked as a Court's Exhibit. Colloquy regarding trial schedule. COURT FURTHER NOTED, NRS 33.018 includes the minor child reference and what was provided to the Jury indicates relation by blood; however, this was not disputed.

COURT ORDERED, trial CONTINUED for Jury Deliberations.

2/3/14 9:00 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2014

C-13-287009-1

State of Nevada

vs

Michael Schofield

February 03, 2014

9:00 AM

Jury Trial

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Anthony, Michelle

Attorney

Lavell, Maria

Attorney

MATSUDA, JESS Y.

Attorney

Schofield, Michael John

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- The Jury returned to continue with deliberations at 9:00 AM. IN THE PRESENCE OF THE JURY: At the hour of 10:56 AM the Jury returned with a verdict as follows:

COUNT I. BURGLARY - NOT GUILTY

COUNT II. BATTERY CONSTITUTING DOMESTIC VIOLENCE - NOT GUILTY

COUNT III. CHILD ABUSE, NEGLECT, OR ENDANGERMENT - GUILTY

COUNT IV. FIRST DEGREE KIDNAPPING - GUILTY

Court THANKED AND EXCUSED the Jury.

OUTSIDE THE PRESENCE OF THE JURY:

Ms. Lavell moved for the remand of the Defendant without bail. There being no opposition, COURT SO ORDERED. The Defendant requested he be provided the amended version of the Jury Instructions and presented argument as to his objections to page 10 of the instructions. Court informed the Defendant it's too late to argue the instructions; an appeal can be filed. Continued argument by the Defendant regarding his objections to the Jury Instructions and requested the Jury be polled as to their understanding of the Jury Instructions. COURT ORDERED, request DENIED; matter REFERRED to the Division of Parole and Probation and set for sentencing.

CUSTODY

4-7-14 8:30 AM SENTENCING

VAULT EXHIBIT FORM

DEPARTMENT 6

COUNSEL FOR PLAINTIFF
MARIA LAVELL & MICHELLE
ANTHONY

DEFENDANT
MICHAEL J SCHIOFIELD

COUNSEL FOR DEFENDANT
JOHN PARRIS & JESS MATSUDA

[illegible]

STATE'S EXHIBIT LIST

TRIAL OR HEARING DATE _____

Case No. C-13-287009-1	Clerk:
Dept. VI Judge: ELISSA CADISH	Recorder:
Plff(s): STATE OF NEVADA	Plff's Counsel:
	MARIAU LAVELL
	MICHELLE ANTHONY
Def(s): MICHAEL JOHN SCHOFIELD	Def's Counsel:
	JOHN PARRIS
	JESS MATSUDA

Exhibit No.	Description	Date Offered	Obj.	Adm.	Date Admitted
1	PHOTO OF MICHAEL SCHOFIELD (FULL PICTURE)	1/27/14	STP	✓	1/27/14
2	PHOTO OF MICHAEL SCHOFIELD (HEAD SHOT)	"	"	"	"
3	PHOTO OF MICHAEL SCHOFIELD (NECK SHOT)	"	"	"	"
4	PHOTO - FRONT OF HOME- DISTANT VIEW	"	"	"	"
5	PHOTO- FRONT OF HOME - DOOR CENTERED	"	"	"	"
6	PHOTO- FRONT OF HOME - DRIVEWAY	"	"	"	"
7	PHOTO- INSIDE HOME- FRONT DOOR ON LEFT/ STAIRS RIGHT	"	"	"	"
8	PHOTO- LOOKING OUT FRONT DOOR FROM LEFT OF STAIRS	"	"	"	"
9	PHOTO- ROOM WITH TABLE AND CHANDELIER	"	"	"	"
10	PHOTO- LAUNDRY ROOM	"	"	"	"
11	PHOTO- LOOKING DOWN HALLWAY	"	"	"	"
12	PHOTO- ROOM WITH GRANDFATHER CLOCK	"	"	"	"
13	PHOTO- LOOKING FROM DOORWAY DOWN HALLWAY	"	"	"	"
14	PHOTO- STAIRS	"	"	"	"
15	911 CD	1/27/14	STP	✓	1/27/14
16	CD WITH PHONE CALLS - swapped with redacted version 1-29-14	1/29/14	OBJ	✓	1/29/14
17	CUSTODY RECORD NORMAN DUPLISSIE	1/27/14	STP	✓	1/27/14
18	CUSTODY RECORD PATRICIA DUPLISSIE	1/27/14	STP	✓	1/27/14

T:\DEPT 18\EXHIBIT LIST FORMS-GENERIC.doc



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

MICHAEL J. SCHOFIELD #1679195
330 S. CASINO CENTER BLVD.
LAS VEGAS, NV 89101

DATE: March 11, 2014
CASE: C287009

RE CASE: STATE OF NEVADA vs. MICHAEL JOHN SCHOFIELD

NOTICE OF APPEAL FILED: March 6, 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; DISTRICT COURT
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

MICHAEL JOHN SCHOFIELD,

Defendant(s).

Case No: C287009
Dept No: VI

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



Heather Ungermann, Deputy Clerk