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Tracie K. Lindeman
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1 **NOASC**
2 **MATTHEW D. CARLING, ESQ.**
3 Nevada Bar No.: 007302
4 1100 S. Tenth Street
5 Las Vegas, NV 89101
6 (702) 419-7330 (Office)
7 (702) 446-8065 (Fax)
8 CedarLegal@gmail.com
9 *Attorney for Petitioner/Defendant,*
10 **GLENFORD ANTHONY BUDD**

11
12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 * * * * *

15 STATE OF NEVADA,
16
17 Plaintiff,
18
19 vs.
20
21 GLENFORD ANTHONY BUDD,
22
23 Defendant.

Case No.: 03C193182
Dept. No.: XVIII

24 **NOTICE OF APPEAL**

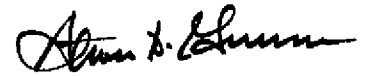
25 **TO: THE STATE OF NEVADA; STEVEN B. WOLFSON, DISTRICT ATTORNEY,**
26 **CLARK COUNTY, NEVADA and DEPARTMENT 18 OF THE EIGHTH JUDICIAL**
27 **DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY**
28 **OF CLARK.**

NOTICE is hereby given that GLENFORD ANTHONY BUDD, presently incarcerated at the Ely State Prison, appeals to the Supreme Court of the State of Nevada from the an Order denying his Petition for a Writ of Habeas Corpus (Post-Conviction) entered on or about October 14, 2014.

DATED this 30th day of October, 2014.

CARLING LAW OFFICE, PC

/s/ Matthew D. Carling
MATTHEW D. CARLING, ESQ.
Attorneys for Petitioner/Defendant,
GLENFORD ANTHONY BUDD



CLERK OF THE COURT

ASTA
MATTHEW D. CARLING, ESQ.
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Attorney for Petitioner/Defendant,
GLENFORD ANTHONY BUDD

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * * * *

STATE OF NEVADA,

vs.

GLENFORD ANTHONY BUDD,

Defendant.

Case No.: 03C193182
Dept. No.: XVIII

**CASE APPEAL STATEMENT
(NRAP 3(d)(4))**

1. Name of appellant filing this case appeal statement: GLENFORD ANTHONY BUDD.
2. Identify the judge issuing the decision, judgment, or order appealed from: THE HONORABLE DAVID BARKER.
3. Identify each appellant and the name and address of counsel for each appellant:

MATTHEW D. CARLING, ESQ.
1100 S. Tenth Street
Las Vegas, NV 89101
(702) 419-7330 (Office)
(702) 446-8065 (Fax)
CedarLegal@gmail.com
Attorneys for Petitioner/Appellant,
GLENFORD ANTHONY BUDD
4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is

unknown, indicate as much and provide the name and address of that respondent's trial counsel):

STEVEN B. WOLFSON
CLARK COUNTY DISTRICT ATTORNEY
200 Lewis Avenue
Las Vegas, NV 89155-2212
Attorneys for Plaintiff/Respondent

CATHERINE CORTEZ MASTO
ATTORNEY GENERAL OF NEVADA
Office of the Attorney General
Capitol Complex, Heroes' Memorial Building
100 North Carson Street
Carson City, Nevada 89701
Counsel for Respondent

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission): N/A
6. Indicate whether appellant was represented by appointed or retained counsel in the district court: HOWARD BROOKS, Deputy Public Defender, was appointed to assist the Defendant in District Court. HOWARD BROOKS, Deputy Public Defendant, was appointed to prepare the direct appeal. MATTHEW CARLING was appointed to assist the Petitioner during his post-conviction matter.
7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Appellant is represented by appointed counsel in the instant appeal.
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: Appellant did not file a Motion to Proceed in Forma Pauperis.
9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): June 26, 2003.
10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: On June 26, 2003, Appellant was charged with three (3) counts of First Degree Murder. Appellant was convicted after jury trial. The Court sentenced the Appellant on February 22, 2006. Appellant appealed (46977). Appellant filed a Petition for Writ of Habeas Corpus (Post-Conviction) on September 21, 2007. Petitioner, through appointed counsel, filed

1 a Supplemental Memorandum in Support of Petitioner for Writ of Habeas
2 Corpus (Post-Conviction) on May 23, 2013. The District Court conducted an
3 Evidentiary Hearing on August 22, 2014, and denied the Appellant's Petition.
4 Appellant is appealing the Court's Findings of Fact, Conclusions of Law and
5 Order entered on or about October 14, 2014.

- 6 11. Indicate whether the case has previously been the subject of an appeal to or
7 original writ proceeding in the Supreme Court and, if so, the caption and
8 Supreme Court docket number of the prior proceeding: Budd (Glenford) v.
9 State, Nos. 46977, 50008, & 50972. Appellant appeals directly pursuant to an
10 Findings of Fact and Order pursuant to NRAP 4(b).
- 11 12. Indicate whether this appeal involves child custody or visitation: N/A.
- 12 13. If this is a civil case, indicate whether this appeal involves the possibility of
13 settlement: N/A.

14 Dated this 30th day of October, 2014.

15 CARLING LAW OFFICE, PC

16 /s/ Matthew D. Carling
17 MATTHEW D. CARLING, ESQ.
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25 GLENFORD ANTHONY BUDD
26
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GLENFORD BUDD (#90043)
ELY STATE PRISON
P.O. BOX 1989
ELY, NEVADA 89301

CARLING LAW OFFICE, PC

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DEPARTMENT 18
CASE SUMMARY
CASE No. 03C193182

The State of Nevada vs Glenford A Budd

§ Location: **Department 18**
§ Judicial Officer: **Barker, David**
§ Filed on: **06/26/2003**
§ Case Number History:
§ Cross-Reference Case **C193182**
§ Number:
§ Defendant's Scope ID #: **1900089**
§ **0190089**
Lower Court Case Number: **03F09137**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. MURDER.	F	01/01/1900	Case Flags:	Appealed to Supreme Court Custody Status - Nevada Department of Corrections Death Penalty Case
1. DEGREES OF MURDER	F	01/01/1900		
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
2. MURDER.	F	01/01/1900		
2. DEGREES OF MURDER	F	01/01/1900		
2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
3. MURDER.	F	01/01/1900		
3. DEGREES OF MURDER	F	01/01/1900		
3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		

Related Cases

03F09137X (Bind Over Related Case)

Statistical Closures

09/03/2014 Other Manner of Disposition - Criminal
04/30/2007 USJR Reporting Statistical Closure
07/23/2007 USJR Reporting Statistical Closure
05/21/2007 USJR Reporting Statistical Closure
11/30/2007 USJR Reporting Statistical Closure

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number 03C193182
Court Department 18
Date Assigned 07/06/2007
Judicial Officer Barker, David

PARTY INFORMATION

Defendant	Budd, Glenford A	<i>Lead Attorneys</i> Carling, Matthew D. <i>Court Appointed</i> 435-865-1200(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)






DATE

EVENTS & ORDERS OF THE COURT








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01/01/1900 | **Plea** (Judicial Officer: User, Conversion) |













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01/01/1900	Plea (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. MURDER. Not Guilty	
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06/26/2003	Hearing <i>INITIAL ARRAIGNMENT</i>	03C1931820002.tif pages
06/26/2003	 Information <i>INFORMATION</i>	03C1931820003.tif pages
07/02/2003	Initial Arraignment (9:00 AM) Events: 06/26/2003 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: Amber Farley Reporter/Recorder: Kristine Cornelius Heard By: Nancy Saitta</i>	
07/03/2003	 Order <i>MEDIA REQUEST TO PERMIT CAMERA ACCESS TO PROCEEDINGS AND ORDER GRANTING</i>	03C1931820008.tif pages
07/07/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	03C1931820009.tif pages
07/25/2003	 Notice of Intent to Seek Death Penalty <i>NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	03C1931820010.tif pages

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07/28/2003	 Certificate <i>CERTIFICATE OF FACSIMILE TRANSMISSION</i>	03C1931820011.tif pages
08/08/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING VOLUME II</i>	03C1931820012.tif pages
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01/27/2004	 Motion <i>DEFT'S MTN TO VACATE /CONTINUE TRIAL DATE/4</i>	03C1931820014.tif pages
01/28/2004	 Media Request and Order <i>MEDIA REQUEST AND ORDER</i>	03C1931820015.tif pages
02/11/2004	Motion to Vacate (9:00 AM) Events: 01/27/2004 Motion <i>DEFT'S MTN TO VACATE /CONTINUE TRIAL DATE/4 Court Clerk: Amber Farley Reporter/Recorder: Dick Kangas Heard By: Nancy Saitta</i>	
02/18/2004	<i>CANCELED</i> Calendar Call (9:00 AM) <i>Vacated</i>	
02/23/2004	<i>CANCELED</i> Jury Trial (1:30 PM) <i>Vacated</i>	
05/12/2004	Hearing <i>STATE'S REQUEST RESET TRIAL DATE</i>	03C1931820018.tif pages
05/24/2004	Request (9:00 AM) Events: 05/12/2004 Hearing <i>STATE'S REQUEST RESET TRIAL DATE Court Clerk: Amber Farley Reporter/Recorder: Liz Garcia Heard By: Joseph Pavlikowski</i>	
07/14/2004	<i>CANCELED</i> Calendar Call (9:00 AM) <i>Vacated</i>	
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09/14/2004	 Motion <i>DEFT'S MTN 5/18</i>	<i>03C1931820029.tif pages</i>
09/14/2004	 Motion <i>DEFT'S MTN 9/19</i>	<i>03C1931820030.tif pages</i>
09/14/2004	 Motion <i>DEFT'S MTN 10/20</i>	<i>03C1931820031.tif pages</i>
09/15/2004	 Notice Filed By: Defendant Budd, Glenford A <i>CLARK COUNTY PUBLIC DEFENDERS NOTICE OF QUALIFICATIONS PURSUANT TO SUPREME COUNRT RULE 250(2)(g) AND (h) COUNRT RULE 250(2)(g) AND (h)</i>	<i>03C1931820032.tif pages</i>
09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE FOR ORDER PROIBITINGPROSECUTION MISCONDUCT IN ARGUMENT AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IN DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT PROSECUTION MISCONDUCT IN ARGUMENT AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IN DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT</i>	<i>03C1931820033.tif pages</i>
09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDING A POTENTIAL PENALTY PHASE PROCEEDING</i>	<i>03C1931820034.tif pages</i>
09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250 PURSUANT TO SUPREME COURT RULE 250</i>	<i>03C1931820035.tif pages</i>
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09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE GUILT PHASE FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE GUILT PHASE</i>	<i>03C1931820037.tif pages</i>
09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION WOULD</i>	<i>03C1931820038.tif pages</i>



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AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION

09/21/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO BIFURCATE PENALTY PHASE</i>	03C1931820039.tif pages
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09/28/2004	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	03C1931820041.tif pages
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10/04/2004	 Motion <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24</i>	03C1931820046.tif pages
10/06/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PROHIBIT THE STATE FROM USING PEREMPTORY CHALLENGES TO REMOVE MINORITIES FROM THE JURY USING PEREMPTORY CHALLENGES TO REMOVE MINORITIES FROM THE JURY</i>	03C1931820047.tif pages
10/08/2004	 Notice of Intent to Seek Death Penalty <i>AMENDED NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	03C1931820048.tif pages
10/08/2004	 Notice <i>NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	03C1931820049.tif pages
10/12/2004	 Response <i>STATES RESPONSE TO DEFENDANT BUDDS MOTION TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATES NOTICE OF INTENT TO SEEK DEATH PENALTY CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATES NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	03C1931820050.tif pages
10/12/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE PERTAINING TO VICTIM AND FAMILY MEMBERS CHARACTERIZATIONS IMPACT EVIDENCE PERTAINING TO</i>	03C1931820051.tif pages

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VICTIM AND FAMILY MEMBERS CHARACTERIZATIONS

10/12/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE</i>	<i>03C1931820052.tif pages</i>
10/14/2004	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS THE STATES NOTICE OF INTENT BECAUSE NEVADAS DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FILING TO REQUIRE A PRE TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS BECAUSE NEVADAS DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FILING TO REQUIRE A PRE TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS</i>	<i>03C1931820053.tif pages</i>
10/18/2004	Motion in Limine (9:00 AM) Events: 09/14/2004 Motion <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>	
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10/18/2004	Motion to Dismiss (9:00 AM) Events: 10/04/2004 Motion <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22</i> <i>Heard By: Nancy Saitta</i>
10/18/2004	Motion (9:00 AM) Events: 10/04/2004 Motion <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID</i> <i>IN/23 Heard By: Nancy Saitta</i>
10/18/2004	Motion (9:00 AM) Events: 10/04/2004 Motion <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING</i> <i>CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
10/27/2004	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 10-27-04 Court Clerk: Kristen Brown Reporter/Recorder: Jo</i> <i>Anne Pierpont Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
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10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
10/27/2004	Motion in Limine (10:30 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
10/27/2004	Motion (10:30 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY</i> <i>PROCEEDING/21 Heard By: Nancy Saitta</i>
10/27/2004	Motion to Dismiss (10:30 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22</i> <i>Heard By: Nancy Saitta</i>
10/27/2004	Motion (10:30 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID</i> <i>IN/23 Heard By: Nancy Saitta</i>

DEPARTMENT 18
CASE SUMMARY
CASE No. 03C193182

10/27/2004	Motion (10:30 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>	
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10/27/2004	Hearing <i>STATUS CHECK: RESET MOTIONS</i>	03C1931820055.tif pages
11/10/2004	Calendar Call (9:00 AM) <i>CALENDAR CALL</i>	
11/10/2004	Status Check (9:00 AM) Events: 10/27/2004 Hearing <i>STATUS CHECK: RESET MOTIONS</i>	
11/10/2004	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-10-04 Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Michael Cherry</i>	
11/10/2004	Motion <i>ALL PENDING MOTIONS 11-10-04</i>	03C1931820056.tif pages
11/15/2004	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>	
01/12/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>	
01/12/2005	Motion (10:30 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>	

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01/12/2005	Motion to Dismiss (10:30 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22</i> <i>Heard By: Nancy Saitta</i>
01/12/2005	Motion (10:30 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID</i> <i>IN/23 Heard By: Nancy Saitta</i>
01/12/2005	Motion (10:30 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING</i> <i>CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
01/12/2005	All Pending Motions (10:30 AM) <i>ALL PENDING MOTIONS 1-12-05 Court Clerk: Kristen Brown Reporter/Recorder: Jo</i> <i>Anne Pierpont Heard By: Nancy Saitta</i>
01/13/2005	Motion <i>ALL PENDING MOTIONS 1-12-05</i>
04/04/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
04/04/2005	Motion in Limine (10:30 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
04/04/2005	Motion (10:30 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY</i> <i>PROCEEDING/21 Heard By: Nancy Saitta</i>
04/04/2005	Motion to Dismiss (10:30 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22</i> <i>Heard By: Nancy Saitta</i>
04/04/2005	Motion (10:30 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID</i> <i>IN/23 Heard By: Nancy Saitta</i>

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04/04/2005	Motion (10:30 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
04/11/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
04/11/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
04/11/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>
04/11/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID IN/23 Heard By: Nancy Saitta</i>
04/11/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM)

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	<i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
04/20/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
04/20/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
04/20/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NYC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>
04/20/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACT EVID IN/23 Heard By: Nancy Saitta</i>
04/20/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
04/20/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 4-20-05 Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Kathy Hardcastle</i>
04/20/2005	Motion <i>ALL PENDING MOTIONS 4-20-05</i>
04/27/2005	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
05/02/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>

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08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
08/01/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
08/01/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
08/01/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>
08/01/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACT EVID IN/23 Heard By: Nancy Saitta</i>
08/01/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>

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09/14/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
09/14/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
09/14/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>
09/14/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACT EVID IN/23 Heard By: Nancy Saitta</i>
09/14/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
09/28/2005	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
10/05/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
10/05/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
10/05/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>



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10/05/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID IN/23 Heard By: Nancy Saitta</i>
10/05/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>
11/02/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>
11/02/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>
11/02/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>
11/02/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACCT EVID IN/23 Heard By: Nancy Saitta</i>
11/02/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>
11/02/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-02-05 Court Clerk: Kristen Brown Reporter/Recorder: Angela Lee Heard By: David Wall</i>
11/02/2005	Hearing <i>STATUS CHECK</i>

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11/03/2005	Motion <i>ALL PENDING MOTIONS 11-02-05</i>	03C1931820067.tif pages
11/14/2005	Status Check (9:00 AM) Events: 11/02/2005 Hearing <i>STATUS CHECK Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: J. CHARLES THOMPSON</i>	
11/18/2005	 Notice <i>AMENDED NOTICE OF EVIDENCE IN AGGRAVATION</i>	03C1931820068.tif pages
11/21/2005	 Expert Witness List Filed By: Defendant Budd, Glenford A <i>DEFENDANTS NOTICE OF EXPERT WITNESSES</i>	03C1931820069.tif pages
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 1/11 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 2/12 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 3/13 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 4/14 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 6/15 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 7/16 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 8/17 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 5/18 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 9/19 Heard By: Nancy Saitta</i>	
11/23/2005	Motion in Limine (9:00 AM) <i>DEFT'S MTN 10/20 Heard By: Nancy Saitta</i>	
11/23/2005	Motion (9:00 AM) <i>DEFT'S MTN #12 TO PRECLUDE THE ADMISSION DURING POSSIBLE PENALTY PROCEEDING/21 Heard By: Nancy Saitta</i>	
11/23/2005	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN #14 TO DISMISS STATE NTC OF INTENT BECAUSE NV DEATH/22 Heard By: Nancy Saitta</i>	
11/23/2005	Motion (9:00 AM) <i>DEFT'S MTN #13 TO BAR ADMISSION OF CUMULATIVE VICTIM IMPACT EVID IN/23 Heard By: Nancy Saitta</i>	
11/23/2005	Motion (9:00 AM) <i>DEFT'S MTN #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES/24 Heard By: Nancy Saitta</i>	





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11/23/2005	Calendar Call (9:00 AM) <i>CALENDAR CALL (FIRM)</i>	
11/23/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 11-23-05 Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>	
11/23/2005	Motion <i>ALL PENDING MOTIONS 11-23-05</i>	03C1931820070.tif pages
11/28/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
11/28/2005	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	03C1931820071.tif pages
12/01/2005	 Expert Witness List Filed By: Defendant Budd, Glenford A <i>DEFENDANTS AMENDED NOTICE OF EXPERT WITNESSES</i>	03C1931820072.tif pages
12/02/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANTS PRETRIAL MOTIONS</i>	03C1931820073.tif pages
12/05/2005	Jury Trial (1:30 PM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Gayle Pichierri Heard By: Saitta, Nancy M</i>	
12/06/2005	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Gayle Pichierri Heard By: Saitta, Nancy M</i>	
12/06/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 1</i>	03C1931820075.tif pages
12/08/2005	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Gayle Pichierri - AM / Jean Dahlberg - P Heard By: Saitta, Nancy M</i>	
12/08/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL VOLUME 2</i>	03C1931820077.tif pages
12/08/2005	 Filed Under Seal Filed By: Defendant Budd, Glenford A <i>FILED UNDER SEAL DEFENDANTS SUMMARY</i>	03C1931820079.tif pages
12/09/2005	Jury Trial (1:30 PM) <i>TRIAL BY JURY Relief Clerk: Jennifer Kimmel Reporter/Recorder: Janice David Heard By: Saitta, Nancy M</i>	
12/09/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL VOLUME 3-A</i>	03C1931820078.tif pages
12/09/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 3B PM SESSION</i>	03C1931820080.tif pages
12/12/2005	Jury Trial (1:30 PM)	

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	<i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Janice David Heard By: Saitta, Nancy M</i>	
12/12/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 4</i>	<i>03C1931820081.tif pages</i>
12/12/2005	 Stipulation Filed by: Defendant Budd, Glenford A <i>STIPULATION</i>	<i>03C1931820082.tif pages</i>
12/13/2005	Jury Trial (10:30 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Jean Dahlberg Heard By: Saitta, Nancy M</i>	
12/13/2005	 Verdict <i>VERDICT</i>	<i>03C1931820084.tif pages</i>
12/13/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 5</i>	<i>03C1931820085.tif pages</i>
12/13/2005	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	<i>03C1931820086.tif pages</i>
12/14/2005	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Janice David Heard By: Saitta, Nancy M</i>	
12/15/2005	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Jean Dahlberg Heard By: Saitta, Nancy M</i>	
12/15/2005	Hearing <i>STATUS CHECK (WITNESS)</i>	<i>03C1931820083.tif pages</i>
12/15/2005	 Order <i>ORDER RE: CUSTODY OF MATERIAL WITNESS GREG LEWIS ID/ #1693087</i>	<i>03C1931820087.tif pages</i>
12/15/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 6</i>	<i>03C1931820088.tif pages</i>
12/15/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 7</i>	<i>03C1931820089.tif pages</i>
12/16/2005	Jury Trial (9:00 AM) <i>TRIAL BY JURY Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>	
12/16/2005	Conversion Case Event Type <i>SENTENCING</i>	<i>03C1931820090.tif pages</i>
12/16/2005	 Judgment <i>SPECIAL VERDICT COUNTS 1, 2 AND 3</i>	<i>03C1931820091.tif pages</i>
12/16/2005	 Judgment <i>SPECIAL VERDICT COUNTS 1, 2 AND 3</i>	<i>03C1931820092.tif pages</i>

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12/16/2005	 Judgment PENALTY VERDICT COUNT 3	03C1931820093.tif pages
12/16/2005	 Judgment PENALTY VERDICT COUNT 1	03C1931820094.tif pages
12/16/2005	 Judgment PENALTY VERDICT COUNT 2	03C1931820095.tif pages
12/16/2005	 Instructions to the Jury INSTRUCTIONS TO THE JURY	03C1931820096.tif pages
12/16/2005	Disposition (Judicial Officer: User, Conversion) 1. MURDER. Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion)	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 1. DEGREES OF MURDER Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 2. DEGREES OF MURDER Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 3. DEGREES OF MURDER Guilty	
12/16/2005	Disposition (Judicial Officer: User, Conversion) 3. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty	
12/16/2005	Sentence (Judicial Officer: User, Conversion) 1. MURDER. Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0003: CREDIT FOR TIME SERVED Minimum 995 Days to Maximum 995 Days Converted Disposition: Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0005: ADMINISTRATION FEE	

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CASE No. 03C193182
















Amount: \$25.00

12/19/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE VERDICT</i>	03C1931820097.tif pages
12/19/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TELEPHONICE HEARING RE: POST TRIAL JURY QUESTIONS</i>	03C1931820098.tif pages
12/20/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PENALTY PHASE</i>	03C1931820099.tif pages
12/23/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	03C1931820100.tif pages
01/12/2006	 PSI - Misc <i>Defense Notification of Oral Statement Per NRS 176.015</i>	
01/24/2006	 PSI	
01/30/2006	Status Check (9:00 AM) Events: 12/15/2005 Hearing <i>STATUS CHECK (WITNESS) Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>	
01/31/2006	 Media Request and Order <i>MEDIA REQUEST AND ORDER</i>	03C1931820101.tif pages
01/31/2006	 Media Request and Order <i>MEDIA REQUEST AND ORDER</i>	03C1931820102.tif pages
02/01/2006	Sentencing (9:00 AM) Events: 12/16/2005 Conversion Case Event Type <i>SENTENCING Heard By: Nancy Saitta</i>	
02/15/2006	Status Check (9:00 AM) <i>STATUS CHECK (WITNESS) Court Clerk: Kristen Brown Relief Clerk: Michelle Jones/mj Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>	
02/22/2006	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>	
02/22/2006	Disposition (Judicial Officer: User, Conversion) 2. MURDER. Guilty	
02/22/2006	Disposition (Judicial Officer: User, Conversion)	
02/22/2006	Disposition (Judicial Officer: User, Conversion) 3. MURDER. Guilty	
02/22/2006	Disposition (Judicial Officer: User, Conversion)	
02/22/2006	Sentence (Judicial Officer: User, Conversion) 2. MURDER.	









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	Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0004 and Sentence#: 0001	
02/22/2006	Sentence (Judicial Officer: User, Conversion) 3. MURDER. Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE	
03/01/2006	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	03C1931820103.tif pages
03/01/2006	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>	03C1931820104.tif pages
03/01/2006	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	03C1931820105.tif pages
03/06/2006	Status Check (9:00 AM) <i>STATUS CHECK (WITNESS) Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>	
03/07/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 5</i>	03C1931820106.tif pages
03/07/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 8-B</i>	03C1931820107.tif pages
03/07/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME 4</i>	03C1931820108.tif pages
03/20/2006	 Order <i>ORDER FOR TRANSCRIPT</i>	03C1931820109.tif pages
03/23/2006	 Statement Filed by: Defendant Budd, Glenford A <i>CASE APPEAL STATEMENT</i>	03C1931820110.tif pages
03/23/2006	 Notice of Appeal Filed By: Defendant Budd, Glenford A <i>NOTICE OF APPEAL</i>	03C1931820111.tif pages
04/11/2006	 Order <i>ORDER RE: CUSTODY OF MATERIAL WITNESS GREG LEWIS ID#1693087</i>	03C1931820112.tif pages
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT CALENDAR CALL STATUS CHECK RESET MOTIONS</i>	03C1931820113.tif pages












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04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK</i>	<i>03C1931820114.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14</i>	<i>03C1931820115.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATES REQUEST TO RESET TRIAL DATE</i>	<i>03C1931820116.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK (WITNESS)</i>	<i>03C1931820117.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14</i>	<i>03C1931820118.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFTS MOTION TO VACATE AND CONTINUE TRIAL DATE</i>	<i>03C1931820119.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK</i>	<i>03C1931820120.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE MOTIONS #1 TO #14</i>	<i>03C1931820121.tif pages</i>
04/20/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT SENTENCING</i>	<i>03C1931820122.tif pages</i>
05/11/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT ALL PENDING MOTIONS</i>	<i>03C1931820123.tif pages</i>
02/08/2007	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	<i>03C1931820125.tif pages</i>
05/01/2007	 Affidavit in Support Filed By: Defendant Budd, Glenford A <i>AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS</i>	<i>03C1931820126.tif pages</i>
05/01/2007	 Motion <i>DEFT'S PRO PER TO PROCEED IN FORMA PAUPERIS /41</i>	<i>03C1931820128.tif pages</i>
05/01/2007	 Motion <i>DEFT'S PRO PER MIN TO WITHDRAW ATTORNEY, REQUEST FOR RECORDS & DOCUMENTS/42</i>	<i>03C1931820129.tif pages</i>
05/01/2007	 Certificate Filed By: Defendant Budd, Glenford A <i>FINANCIAL CERTIFICATE</i>	<i>03C1931820157.tif pages</i>
05/21/2007	Petition to Proceed in Forma Pauperis (8:30 AM) Events: 05/01/2007 Motion <i>DEFT'S PRO PER TO PROCEED IN FORMA PAUPERIS /41 Heard By: David Barker</i>	












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05/21/2007	Motion (8:30 AM) Events: 05/01/2007 Motion <i>DEFT'S PRO PER MTN TO WITHDRAW ATTORNEY,REQUEST FOR RECORDS & DOCUMENTS/42</i> Heard By: David Barker	
05/21/2007	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS (5/21/07) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas</i> Heard By: David Barker	
05/21/2007	Motion <i>ALL PENDING MOTIONS (5/21/07)</i>	03C1931820130.tif pages
07/05/2007	 Motion <i>DEFT'S PRO PER MTN TO HOLD HOWARD S BROOKS ATTORNEY OF RECORD IN CONTEMPT/44</i>	03C1931820133.tif pages
07/12/2007	 Response Filed by: Defendant Budd, Glenford A <i>CLARK COUNTY PUBLIC DEFENDERS RESPONSE TO GLENFORD BUDDS MOTION TO HOLD CLARK COUNTY PUBLIC DEFENDER IN CONTEMPT COUNTY PUBLIC DEFENDER IN CONTEMPT</i>	03C1931820135.tif pages
07/23/2007	Motion (8:15 AM) Events: 07/05/2007 Motion <i>DEFT'S PRO PER MTN TO HOLD HOWARD S BROOKS ATTORNEY OF RECORD IN CONTEMPT/44</i> Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker	
08/10/2007	 Notice of Appeal Filed By: Defendant Budd, Glenford A <i>NOTICE OF APPEAL (SC 50008)</i>	03C1931820137.tif pages
08/10/2007	 Motion <i>DEFT'S PRO PER MTN FOR REHEARING /45</i>	03C1931820138.tif pages
08/13/2007	 Statement Filed by: Defendant Budd, Glenford A <i>CASE APPEAL STATEMENT</i>	03C1931820139.tif pages
08/27/2007	Motion (8:15 AM) Events: 08/10/2007 Motion <i>DEFT'S PRO PER MTN FOR REHEARING /45</i> Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker	
09/21/2007	 Certificate Filed By: Defendant Budd, Glenford A <i>FINANCIAL CERTIFICATE</i>	03C1931820141.tif pages
09/21/2007	 Request Filed by: Defendant Budd, Glenford A <i>REQUEST FOR EVIDENTIARY HEARING</i>	03C1931820142.tif pages
09/21/2007	 Exhibits Filed By: Defendant Budd, Glenford A <i>PETITIONERS EXHIBITS IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION POST CONVICTION</i>	03C1931820143.tif pages

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09/21/2007	 Petition Filed by: Defendant Budd, Glenford A <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION</i>	03C1931820144.tif pages
09/21/2007	 Points and Authorities Filed by: Defendant Budd, Glenford A <i>MEMORANDUM OF POINTS AND AUTHORITY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION HABEAS CORPUS POST CONVICTION</i>	03C1931820145.tif pages
09/21/2007	 Request Filed by: Defendant Budd, Glenford A <i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS</i>	03C1931820146.tif pages
09/27/2007	Petition <i>PTN FOR WRIT OF HABEAS CORPUS /46</i>	03C1931820147.tif pages
09/27/2007	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	03C1931820149.tif pages
10/05/2007	 Judgment <i>CLERK'S CERTIFICATE APPEAL DISMISSED</i>	03C1931820150.tif pages
11/27/2007	 Response <i>STATES RESPONSE TO DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION CONVICTION</i>	03C1931820151.tif pages
11/28/2007	Petition for Writ of Habeas Corpus (8:15 AM) Events: 09/27/2007 Petition <i>PTN FOR WRIT OF HABEAS CORPUS /46 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i>	
11/30/2007	Petition for Writ of Habeas Corpus (8:15 AM) <i>PTN FOR WRIT OF HABEAS CORPUS /46 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i>	
01/07/2008	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	03C1931820153.tif pages
01/08/2008	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	03C1931820154.tif pages
01/23/2008	 Notice of Appeal Filed By: Defendant Budd, Glenford A <i>NOTICE OF APPEAL (SC 50972)</i>	03C1931820155.tif pages
01/25/2008	 Statement <i>CASE APPEAL STATEMENT</i>	03C1931820156.tif pages
10/23/2009	 Judgment Filed By: Defendant Budd, Glenford A <i>CLERK'S CERT JUDGMENT REVERSED AND REMANDED</i>	03C1931820162.tif pages
10/27/2009	Petition <i>APPOINTMENT OF COUNSEL (SC REMAND)</i>	03C1931820161.tif pages

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10/29/2009	 Order <i>ORDER SETTING HEARING APPOINTMENT OF COUNSEL RE SUPREME COURT REMAND</i>	03C1931820164.tif pages
11/16/2009	Motion for Appointment (8:15 AM) Events: 10/27/2009 Petition <i>APPOINTMENT OF COUNSEL (S CT REMAND) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i>	
11/25/2009	 Order <i>ORDER FOR PRODUCTION OF INMATE GLENFORD ANTHONY BUDD BAC #90043</i>	03C1931820163.tif pages
12/02/2009	Motion for Appointment (8:15 AM) <i>APPOINTMENT OF COUNSEL (S CT REMAND) Heard By: David Barker</i>	
12/14/2009	Motion for Appointment (8:15 AM) <i>APPOINTMENT OF COUNSEL (S CT REMAND) Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i>	
12/18/2009	Motion for Appointment (8:15 AM) <i>APPOINTMENT OF COUNSEL (S CT REMAND) Relief Clerk: Karina Kennedy/klk Reporter/Recorder: Richard Kangas Heard By: David Barker</i>	
09/13/2012	 Motion Filed By: Defendant Budd, Glenford A <i>Motion to withdraw as Petitioners Attorney</i>	
09/24/2012	 Motion to Withdraw as Counsel (8:15 AM) (Judicial Officer: Barker, David) 09/24/2012, 10/01/2012 <i>Robert E Glennen III, Esq's Motion to Withdraw as Petitioner's Attorney</i>	
10/08/2012	 Confirmation of Counsel (8:15 AM) (Judicial Officer: Barker, David)	
11/05/2012	 Order Filed By: Defendant Budd, Glenford A <i>Order of Appointment</i>	
01/07/2013	 Status Check (8:15 AM) (Judicial Officer: Barker, David) <i>Status Check: Briefing Schedule</i>	
03/29/2013	 Stipulation and Order Filed by: Defendant Budd, Glenford A <i>Stipulation to Enlarge Briefing Schedule and Order</i>	
05/23/2013	 Supplemental Filed by: Defendant Budd, Glenford A <i>First Supplemental Petition for Writ of Habeas Corpus Post Conviction</i>	
07/23/2013	 Stipulation and Order Filed by: Plaintiff State of Nevada <i>Stipulation and Order Extending Time</i>	
10/25/2013	 Supplement Filed by: Defendant Budd, Glenford A	

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Second Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)

11/06/2013	 Response Filed by: Plaintiff State of Nevada <i>State's Response To Defendant's Petition For Writ Of Habeas Corpus (Post-Conviction) And First Supplemental Petition For Writ Of Habeas Corpus Post-Conviction</i>
11/20/2013	 Reply Filed by: Defendant Budd, Glenford A <i>Petitioner's Reply Brief to the State's Response to the Defendant's Petition for Writ of Habeas Corpus and First Supplemental Petition for Writ of Habeas Corpus (Post Conviction)</i>
12/04/2013	 Status Check (8:15 AM) (Judicial Officer: Barker, David) 12/04/2013, 12/11/2013, 12/18/2013 <i>Petition for Writ of Habeas Corpus - Post Conviction (Remand)</i>
12/12/2013	 Supplemental Filed by: Defendant Budd, Glenford A <i>Third Supplemental Petition for Writ of Habeas Corpus (Post Conviction)</i>
12/12/2013	 Memorandum Filed By: Defendant Budd, Glenford A <i>Memorandum Regarding Petitioner's Exhibits (In Camera Review)</i>
12/17/2013	 Response Filed by: Plaintiff State of Nevada <i>State's Response To Defendant's Memorandum Regarding Petitioner's Exhibits (In Camera Review)</i>
12/23/2013	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate</i>
12/26/2013	 Supplemental Filed by: Defendant Budd, Glenford A <i>Fourth Supplemental Petition for Writ of Habeas Corpus (Post Conviction)</i>
01/10/2014	 Order Filed By: Plaintiff State of Nevada <i>Order Granting State's Request For All Thirty-Three (33) Pages Of Public Defender Brooks' Case Notes</i>
01/31/2014	 Argument (8:15 AM) (Judicial Officer: Barker, David) 01/31/2014, 08/22/2014 <i>Argument Re: Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) (Remand)</i>
06/09/2014	 Status Check (8:15 AM) (Judicial Officer: Becker, Nancy) <i>Status Check Re: Resetting Hearing</i>
08/22/2014	Evidentiary Hearing (8:15 AM) (Judicial Officer: Barker, David)
08/22/2014	 All Pending Motions (8:15 AM) (Judicial Officer: Barker, David)

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09/03/2014	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
09/23/2014	 Order Filed By: Plaintiff State of Nevada <i>Order for Transcript</i>
09/26/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript re: Argument Re: Defendant's Petition for Writ of Habeas Corpus - Post Conviction - Remand; Evidentiary Hearing - 8/22/2014</i>
10/17/2014	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
10/20/2014	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
10/30/2014	 Notice of Appeal (criminal) Party: Defendant Budd, Glenford A <i>Notice of Appeal</i>
10/30/2014	 Case Appeal Statement Filed By: Defendant Budd, Glenford A <i>Case Appeal Statement</i>

DATE

FINANCIAL INFORMATION

Defendant Budd, Glenford A

Total Charges

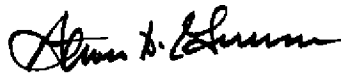
437.00

Total Payments and Credits

262.00

Balance Due as of 10/30/2014

175.00



CLERK OF THE COURT

FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
TALEEN R. PANDUKHT
Chief Deputy District Attorney
Nevada Bar #005734
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

GLENFORD ANTHONY BUDD
#1900089

Defendant.

CASE NO: 03C193182

DEPT NO: XVIII

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

DATE OF HEARING: AUGUST 22, 2014
TIME OF HEARING: 8:15 AM

THIS CAUSE having come on for hearing before the Honorable DAVID BARKER, District Judge, on the 22nd day of August, 2014, the Petitioner being present, REPRESENTED BY MATTHEW D. CARLING, the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through TALEEN R. PANDUKHT, Chief Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. On June 26, 2003, the State filed an Information charging GLENFORD ANTHONY BUDD (hereinafter "Defendant") with three (3) counts of MURDER WITH USE OF A DEADLY WEAPON.

1 2. Defendant's jury trial began on December 5, 2005. On December 13, 2005, the
2 jury found Defendant guilty on all three (3) counts as alleged in the Information.

3 3. The penalty phase of Defendant's jury trial began on December 14, 2005. On
4 December 16, 2005, the jury returned a penalty verdict of LIFE Without The Possibility Of
5 Parole on each of the three (3) counts. On February 22, 2006, this court sentenced Defendant
6 as follows: COUNT 1 – LIFE Without The Possibility Of Parole plus an equal and consecutive
7 LIFE Without The Possibility Of Parole for use of a deadly weapon; COUNT 2 – LIFE
8 Without The Possibility Of Parole plus an equal and consecutive LIFE Without The Possibility
9 Of Parole For Use Of A Deadly Weapon, to run consecutive to COUNT 1; and COUNT 3 –
10 LIFE Without The Possibility Of Parole plus an equal and consecutive LIFE Without The
11 Possibility Of Parole for use of a deadly weapon, to run consecutive to COUNT 2, with NINE
12 HUNDRED NINETY-FIVE (995) DAYS credit for time served. On March 1, 2006, the
13 Judgment of Conviction was filed.

14 4. On March 23, 2006, Defendant filed a Notice of Appeal. On January 9, 2007,
15 the Nevada Supreme Court affirmed Defendant's conviction. On February 6, 2007, Remittitur
16 was issued.

17 5. On July 5, 2007, Defendant filed a motion to hold his attorney in contempt. On
18 July 23, 2007, this court denied Defendant's motion. On August 10, 2007, Defendant filed a
19 Notice of Appeal. On September 7, 2007, the Nevada Supreme Court dismissed the appeal.
20 On October 2, 2007, Remittitur was issued.

21 6. On September 21, 2007, Defendant filed a pro per Petition for Writ of Habeas
22 Corpus (Post-Conviction). On November 27, 2011, the State filed a Response to Defendant's
23 Petition. On November 30, 2007, this court denied Defendant's Petition, and on January 7,
24 2008, it filed its Findings of Fact, Conclusions of Law and Order.

25 7. On January 23, 2008, Defendant filed a Notice of Appeal from the denial of his
26 Petition. On September 25, 2009, the Nevada Supreme Court reversed the denial of
27 Defendant's Petition on grounds that Defendant should have been appointed post-conviction
28

1 counsel; the Nevada Supreme Court remanded the case to this court. On October 20, 2009,
2 Remittitur was issued.

3 8. On May 23, 2013, represented by counsel, Defendant filed a First Supplemental
4 Petition for Writ of Habeas Corpus Post Conviction. On October 25, 2013, Defendant filed a
5 Second Supplemental Petition for Writ of Habeas Corpus. On November 6, 2013, the State
6 filed its Response to Defendant's Petition and First Supplement. On December 12, 2013,
7 Defendant filed a Third Supplemental Petition for Writ of Habeas Corpus and a Memorandum
8 Regarding Petitioner's Exhibits (*In Camera* Review). On December 17, 2013, the State filed
9 its Response to Defendant's Memorandum. On December 26, 2013, Defendant filed a Fourth
10 Supplemental Petition for Writ of Habeas Corpus. On January 10, 2014, the Court filed an
11 Order granting the State's request for Public Defender Howard Brooks' case notes.

12 9. On January 31, 2014, the Court conducted a hearing regarding the Defendant's
13 original Petition, along with the first through fourth supplemental Petitions. As outlined in
14 Defendant's First Supplemental Petition, the Court struck Ground "A," and ordered an
15 evidentiary hearing on the remaining claims.

16 10. On August 22, 2014, this court held an evidentiary hearing regarding
17 Defendant's claims of ineffective assistance of counsel. At the hearing, Howard Brooks, Esq.,
18 was sworn and testified. The Court finds Mr. Brooks to be credible.

19 11. Defendant first claims in Ground B that his counsel was ineffective for failing
20 to object to the State's use of the letter containing a rap song on the grounds that it would
21 unfairly prejudice Defendant. Counsel's choice to object on foundational, rather than
22 prejudicial, grounds was a reasonable strategy, and Defendant fails to show that an objection
23 based on prejudice would not have been futile. Further, Defendant fails to show a reasonable
24 probability for a more favorable outcome if his counsel had objected based on prejudice.

25 12. Defendant next claims in Ground B that his counsel was ineffective for failing
26 to object to the authentication of the letter by the State's witness, Greg Lewis. However, Lewis
27 was familiar with Defendant's handwriting, thus Defendant fails to show that an objection
28 would not have been futile. Defendant failed to demonstrate that his counsel's failure to object

1 during the proceedings fell below an objective standard of reasonableness. Further, Defendant
2 failed to demonstrate a reasonable probability of a more favorable outcome had counsel
3 objected to the authentication.

4 13. Defendant's claim in Ground B that his counsel was ineffective for failing to
5 object to hearsay is without merit. Defendant fails to show that the testimony was offered for
6 the truth of the matter asserted, or that the testimony would not have qualified as an excited
7 utterance. Defendant failed to demonstrate that his counsel's failure to object during the
8 proceedings fell below an objective standard of reasonableness. Further, Defendant failed to
9 demonstrate a reasonable probability of a more favorable outcome had counsel objected to the
10 testimony.

11 14. Lastly, Defendant claims in Ground B that his counsel was ineffective for
12 objecting to the testimony from a crime scene analyst regarding where one of the victims was
13 on the ground. Defendant fails to show that this objection would not have been futile because
14 the prior witness testified as to where he personally found the body and saw it removed.
15 Further, the analyst diagramed the scene to explain where she found a cartridge casing. Thus,
16 Defendant failed to demonstrate that his counsel's failure to object during the proceedings fell
17 below an objective standard of reasonableness. Further, Defendant failed to demonstrate a
18 reasonable probability of a more favorable outcome had counsel objected to the testimony.

19 15. Defendant's claim in Ground C that his trial counsel was ineffective for failing
20 to present evidence that would have created a reasonable doubt regarding premeditation is
21 rendered moot based on the overwhelming evidence of Defendant's guilt, including evidence
22 that defendant threatened to kill one of the victims and later confessed to his uncle why he
23 killed the victims. Thus, Defendant failed to show that his counsel's representation was
24 objectively unreasonable and that he was prejudiced by it.

25 16. Defendant's claim in Ground D that his counsel was ineffective by preventing
26 him from participating in the preparation of his own defense is belied by the record, wherein
27 despite Defendant's unwillingness to cooperate and participate in his defense, his counsel met
28 with Defendant and his family numerous times to discuss the case. This is reflected in his

1 counsel's case notes. Exhibit A to Defendant's Second Petition, 10/25/13. His counsel even
2 sought the Court's aid in addressing Defendant's unwillingness to cooperate. Defendant's
3 claim is further unsupported by legal authority. Thus, Defendant failed to show that his
4 counsel's representation was objectively unreasonable and that he was prejudiced by it.

5 17. Defendant's claim in Ground E that his counsel was ineffective for failing to
6 object when the Court provided legal advice to Defendant is belied by the record, wherein the
7 Court simply encouraged Defendant to cooperate with his counsel. Defendant fails to show
8 that any objection would not have been futile. Thus, Defendant failed to show that his
9 counsel's representation was objectively unreasonable and that he was prejudiced by it.

10 18. Defendant claims in Ground F that his counsel was ineffective for referring to
11 the trial as the "guilt phase" twice during voir dire. Since the jury was properly instructed
12 regarding the presumption of innocence and the burden of proof, Defendant fails to show how
13 this prejudiced him.

14 19. Defendant's first claim in Ground G that his counsel was ineffective for failing
15 to zealously represent his interests by informing the Court that Defendant's family did not
16 understand the facts of the case is a conclusory allegation and belied by the record.
17 Defendant's trial counsel attempted to meet with Defendant's family and sought the Court's
18 assistance. Thus, Defendant failed to show that his counsel's representation was objectively
19 unreasonable and that he was prejudiced by it.

20 20. Defendant next claims in Ground G that his counsel was ineffective for objecting
21 to the use of the preliminary hearing transcript of Winston Budd's testimony, since he was
22 unavailable at trial. Winston Budd is Defendant's uncle, who testified that Defendant
23 confessed to him after the crimes occurred. Defendant's trial counsel objected and argued that
24 the State failed to exercise reasonable diligence in attempting to obtain this witness for trial,
25 which is a reasonable strategy. Thus, Defendant failed to show that his counsel's
26 representation was objectively unreasonable and that he was prejudiced by it.

27 21. Defendant's claim in Ground H that his counsel was ineffective because his
28 counsel was conflicted is unsupported by any evidence of an actual conflict. Defendant's

1 counsel was objectively reasonable in explaining to the Court his frustration with Defendant
2 and his family in hopes that the Court might be able to encourage them to aid in the defense.
3 Further, Defendant failed to demonstrate a reasonable probability of a more favorable outcome
4 had counsel performed differently.

5 22. Defendant's claim in Ground I that his counsel was ineffective for failing to
6 preserve the record on appeal regarding a sidebar discussion is belied by the record.
7 Defendant's counsel made the appropriate record regarding his objection as to the foundation
8 for the letter containing the rap song. Thus, Defendant failed to show that his counsel's
9 representation was objectively unreasonable and that he was prejudiced by it.

10 23. Defendant claims in Ground J that his counsel was ineffective and violated his
11 right to remain silent when he stated during the opening statement that "some evidence will
12 show that [Defendant] killed these three (3) people," which Defendant claims was an
13 admission of guilt without his consent. RT, 12/8/05, at 58. However, Defendant's counsel
14 then explained that the evidence was insufficient to overcome reasonable doubt, which was an
15 objectively reasonable strategy given the overwhelming evidence against Defendant.
16 Moreover, Defendant did not receive the death penalty, thus Defendant cannot show that he
17 suffered prejudice.

18 24. Defendant claims in Ground K that his counsel's admission in the opening
19 statement, as discussed in Ground J, constituted ineffective assistance by eliminating the
20 presumption of innocence. However, counsel's strategy in approaching the State's
21 overwhelming evidence was reasonable. Therefore, Defendant fails to demonstrate that his
22 counsel's representation was objectively unreasonable and that he was prejudiced.

23 25. Defendant again claims in Ground L that his counsel's admission in the opening
24 statement, as discussed in Ground J, constituted ineffective assistance by alleviating the State's
25 burden of proof. However, counsel's strategy in approaching the State's overwhelming
26 evidence was reasonable. Therefore, Defendant fails to demonstrate that his counsel's
27 representation was objectively unreasonable and that he was prejudiced.

28 //

1 26. Defendant claims in Ground M that his counsel was ineffective for waiving
2 Defendant's right to confront witnesses when his counsel declined to cross-examine a witness
3 regarding relocation assistance payment from the State, which was requested based on the
4 witness' concern for her safety. Defendant's counsel made a tactical decision not to cross-
5 examine the witness about the money, which was reasonable in order to avoid any insinuation
6 that Defendant made the witness concerned for her safety. Further, Defendant fails to show
7 that if the jury had known about the received relocation assistance, the outcome would have
8 been different.

9 27. Defendant's claim in Ground N that his counsel was ineffective for violating
10 Defendant's right against self-incrimination when his counsel stated that Defendant and Mr.
11 Lewis were in jail together is belied by the record. Mr. Lewis testified specifically about his
12 relationship with Defendant while they were in jail. Further, Defendant's counsel discussed
13 their relationship in closing to argue that Lewis actually wrote the damaging letter. Therefore
14 Defendant fails to show that his counsel's representation was objectively unreasonable and
15 that Defendant was prejudiced.

16 28. Defendant claims in Ground O that his counsel was ineffective for failing to
17 request a competency hearing to determine whether Defendant was competent to stand trial.
18 Defendant fails to show that his counsel was aware of any information prior to trial that would
19 have indicated that Defendant was incompetent to stand trial. The record further belies
20 Defendant's claim because his conduct throughout the pendency of his case indicates that he
21 had sufficient ability to understand the charges against him, the strength and weaknesses of
22 his case, and the strength and weaknesses of the State's case. Therefore, Defendant fails to
23 show that his counsel's representation was objectively unreasonable and that Defendant was
24 prejudiced.

25 29. Defendant's claim in Ground P that his counsel was ineffective for failing to
26 communicate with him regarding his case thereby preventing him from participating in his
27 defense is belied by the record. Defendant's counsel diligently met with Defendant to discuss
28 case strategy, potential defenses, and all key trial decisions. Defendant's unwillingness to

1 cooperate at times in the preparation of his case does not render his counsel's performance
2 deficient, thus Defendant fails to demonstrate that his counsel failed to adequately
3 communicate with Defendant regarding the management of his case. Therefore, Defendant
4 fails to show that his counsel's representation was objectively unreasonable and that Defendant
5 was prejudiced.

6 30. Defendant claims in Ground Q that his counsel was ineffective for failing to
7 retain expert defense witnesses to evaluate Defendant's competency to stand trial, to refute the
8 State's eyewitness testimony, and to contest that Defendant actually wrote the letter. The
9 record belies Defendant's claim that he was incompetent to stand trial, showing that Defendant
10 fully understood and participated in the proceedings. Therefore, Defendant fails to show that
11 his counsel's representation was objectively unreasonable and that Defendant was prejudiced.

12 31. Further, Defendant fails to show what information an expert would have
13 provided to refute the State's eyewitness. Any information to attack the eyewitness's
14 recognition of Defendant was effectively accomplished by counsel on cross-examination,
15 wherein the witness admitted that she never saw Defendant's face and had eyesight problems.
16 Therefore, Defendant fails to show that his counsel's representation was objectively
17 unreasonable and that Defendant was prejudiced.

18 32. Defendant further fails to show that a handwriting expert would have revealed
19 any exculpatory evidence, and given the overwhelming evidence against Defendant, an expert
20 would likely have discovered incriminating evidence. This further would have limited
21 Defendant's counsel from arguing the lack of evidence that Defendant committed the killings
22 and wrote the letter. Therefore, Defendant fails to show that his counsel's representation was
23 objectively unreasonable and that Defendant was prejudiced.

24 33. Defendant claims in Ground R that he was denied a fair trial based on the
25 cumulative effect of his counsel's alleged errors. Defendant has failed to provide any claims
26 to warrant relief, thus there is no cumulative effect. This is merely a bare allegation, and
27 therefore his claim is denied.

28 //

1 34. Defendant failed to demonstrate that counsel's performance fell below an
2 objective standard of reasonableness.

3 35. Defendant failed to demonstrate prejudice based on any alleged errors of
4 counsel.

5 36. Defendant did not receive ineffective assistance of counsel.

6 CONCLUSIONS OF LAW

7 1. Nevada has adopted the standard outlined in Strickland v. Washington, 466 U.S.
8 668, 104 S.Ct. 2052 (1984), for determinations regarding the effectiveness of counsel. Under
9 Strickland, in order to assert a claim for ineffective assistance of counsel, the defendant must
10 prove that he was denied "reasonably effective assistance" of counsel by satisfying a two-
11 pronged test. 466 U.S. at 686-687, 104 S.Ct. at 2063-64; see State v. Love, 109 Nev. 1136,
12 1138, 865 P.2d 322, 323 (1993). Under this test, the defendant must show first, that his
13 counsel's representation fell below an objective standard of reasonableness, and second, that
14 but for counsel's errors, there is a reasonable probability that the result of the proceedings
15 would have been different. See Strickland, 466 U.S. at 687-688, 694, 104 S.Ct. at 2065, 2068.

16 2. "Surmounting Strickland's high bar is never an easy task." Padilla v. Kentucky,
17 559 U.S. 356, 371, 130 S.Ct. 1473, 1485 (2010). The question is whether an attorney's
18 representations amounted to incompetence under prevailing professional norms, "not whether
19 it deviated from best practices or most common custom." Harrington v. Richter, 131 S.Ct.
20 770, 778, 178 L.Ed.2d 624 (2011). Further, "[e]ffective counsel does not mean errorless
21 counsel, but rather counsel whose assistance is '[w]ithin the range of competence demanded
22 of attorneys in criminal cases.'" Jackson v. Warden, 91 Nev. 430, 432, 537 P.2d 473, 474
23 (1975) (quoting McMann v. Richardson, 397 U.S. 759, 771, 90 S.Ct. 1441, 1449 (1970)).
24 Also, the United States Supreme Court specifically "reject[ed] the claim that the Sixth
25 Amendment guarantees a 'meaningful relationship' between an accused and his counsel."
26 Morris v. Slappy, 461 U.S. 1, 14, 103 S.Ct. 1610, 1617 (1983).

27 3. The court begins with the presumption of effectiveness and then must determine
28 whether the defendant has demonstrated by a preponderance of the evidence that counsel was

1 ineffective. Means v. State, 120 Nev. 1001, 103 P.3d 35 (2004). The role of a court in
2 considering alleged ineffective assistance of counsel is “not to pass upon the merits of the
3 action not taken but to determine whether, under the particular facts and circumstances of the
4 case, trial counsel failed to render reasonably effective assistance.” Donovan v. State, 94 Nev.
5 671, 675, 584 P.2d 708, 711 (1978) (citing Cooper v. Fitzharris, 551 F.2d 1162, 1166 (9th Cir.
6 1977)).

7 4. In considering whether trial counsel was effective, the court must determine
8 whether counsel made a “sufficient inquiry into the information . . . pertinent to his client’s
9 case.” Doleman v State, 112 Nev. 843, 846, 921 P.2d 278, 280 (1996) (citing Strickland, 466
10 U.S. at 690–91, 104 S.Ct. at 2066). Then, the court will consider whether counsel made “a
11 reasonable strategy decision on how to proceed with his client’s case.” Id. Counsel’s strategy
12 decision is a “tactical” decision and will be “virtually unchallengeable absent extraordinary
13 circumstances.” Id. at 846, 921 P.2d at 280; see also Howard v. State, 106 Nev. 713, 722, 800
14 P.2d 175, 180 (1990); Strickland, 466 U.S. at 691, 104 S.Ct. at 2066.

15 5. This analysis does not indicate that the court should “second guess reasoned
16 choices between trial tactics, nor does it mean that defense counsel, to protect himself against
17 allegations of inadequacy, must make every conceivable motion no matter how remote the
18 possibilities are of success.” Donovan, 94 Nev. at 675, 584 P.2d at 711 (citing Cooper, 551
19 F.2d at 1166 (9th Cir. 1977)). In essence, the court must “judge the reasonableness of
20 counsel’s challenged conduct on the facts of the particular case, viewed as of the time of
21 counsel’s conduct.” Strickland, 466 U.S. at 690, 104 S.Ct. at 2066. However, counsel cannot
22 be deemed ineffective for failing to make futile objections, file futile motions, or for failing to
23 make futile arguments. Ennis v. State, 122 Nev. 694, 706, 137 P.3d 1095, 1103 (2006).

24 6. The court “need not consider both prongs of the test if the defendant makes an
25 insufficient showing on either one.” Molina v. State, 120 Nev. 185, 190, 87 P.3d 533, 537
26 (2004). Even if a defendant can demonstrate that his counsel’s representation fell below an
27 objective standard of reasonableness, he must still demonstrate prejudice and show a
28 reasonable probability that, but for counsel’s errors, the result of the trial would have been

1 different. McNelson v. State, 115 Nev. 396, 403, 990 P.2d 1263, 1268 (1999) (citing
2 Strickland, 466 U.S. at 687). “A reasonable probability is a probability sufficient to undermine
3 confidence in the outcome.” Strickland, 466 U.S. at 694, 104 S.Ct. at 2068. “[O]verwhelming
4 evidence of guilt is relevant to the question of whether a client had ineffective counsel.” Ford
5 v. State, 105 Nev. 850, 852, 784 P.2d 951, 952 (1989) (citing Strickland, 466 U.S. at 697, 10
6 S.Ct. at 2069).

7 7. Finally, claims asserted in a petition for post-conviction relief must be supported
8 with specific factual allegations, which if true, would entitle the petitioner to relief. Hargrove
9 v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). “Bare” or “naked” allegations are not
10 sufficient, nor are those belied and repelled by the record. Id.; see also NRS 34.735(6).

11 8. “[T]he trial lawyer alone is entrusted with decisions regarding legal tactics such
12 as deciding what witnesses to call [Counsel], not the client, has the immediate—and
13 ultimate—responsibility of deciding if and when to object, which witnesses, if any, to call, and
14 what defenses to develop. Rhyne v. State, 118 Nev. 1, 8, 38 P.3d 163, 167 (2002) (citation
15 omitted).

16 9. The management of a defendant’s case is for the attorney, not the Defendant, to
17 determine. Rhyne, 118 Nev. at 8, 38 P.3d at 167. This means that counsel, not the Defendant,
18 has the immediate and ultimate responsibility of deciding what motions to file, what defenses
19 to develop, and what witnesses to call. Id. Indeed, “[o]nce counsel is appointed, the day-to-
20 day conduct of the defense rests with the attorney.” Id. (internal quotation removed).

21 10. NRS 51.095 specifically states that “[a] statement relating to a startling event or
22 condition made while the declarant was under the stress of excitement caused by the event or
23 condition is not inadmissible under the hearsay rule.”

24 11. An actual conflict only exists when “an attorney is placed in a situation
25 conducive to divided loyalties.” Clark v. State, 108 Nev. 324, 326, 831 P.2d 1374, 1376 (1992)
26 (internal quotation omitted). “Conflict of interest and divided loyalty situations can take many
27 forms, and whether an actual conflict exists must be evaluated on the specific facts of each
28 case.” Id. For example, in Clark, an actual conflict occurred where counsel representing a

1 client charged with first-degree murder also had a pending civil suit against that same client
2 during trial, and further, counsel obtained a default judgment against that client while he was
3 awaiting sentencing on the murder conviction. Id.

4 12. The United States Supreme Court specifically stated that a strategy wherein a
5 Defendant concedes guilt at a capital trial is not the functional equivalent of a guilty plea.
6 Florida v. Nixon, 543 U.S. 175, 188, 125 S.Ct. 551, 560-61 (2004). Moreover, counsel is not
7 automatically deemed ineffective in executing such a strategy without first obtaining the
8 client's express consent. Id. at 186-87, 125 S.Ct. at 560. "Attorneys representing capital
9 defendants face daunting challenges in developing trial strategies, not least because the
10 defendant's guilt is often clear. Prosecutors are more likely to seek the death penalty, and to
11 refuse to accept a plea to a LIFE sentence, when the evidence is overwhelming and the crime
12 heinous." Id. at 191, 125 S.Ct. at 562.

13 13. A defendant is only incompetent to stand trial if he is "'not of sufficient mentality
14 to be able to understand the nature of the criminal charges against him,'" rendering him unable
15 to assist in his defense. Hernandez v. State, 124 Nev. 978, 992, 194 P.3d 1235, 1244 (2008)
16 overruled on other grounds by Armenta-Carpio v. State, 306 P.3d 395 (Nev. 2013) (quoting
17 Hill v. State, 114 Nev. 169, 176, 953 P.2d 1077, 1082 (1998)). Importantly, "[a] bare
18 allegation of incompetence is not sufficient to raise a reasonable doubt as to competence."
19 Martin v. State, 96 Nev. 324, 325, 608 P.2d 502, 503 (1980) (citations omitted).

20 14. However, the Nevada Supreme Court has not endorsed application of its direct
21 appeal cumulative error standard to the post-conviction Strickland context. See McConnell v.
22 State, 125 Nev. 243, 259, 212 P.3d 307, 318 (2009). Nevertheless, a cumulative error finding
23 in the context of a Strickland claim is extraordinarily rare and requires an extensive
24 aggregation of errors. See, e.g., Harris By and Through Ramseyer v. Wood, 64 F.3d 1432,
25 1438 (9th Cir. 1995). In fact, logic dictates that there can be no cumulative error where the
26 defendant fails to demonstrate any single violation of Strickland. See Turner v. Quarterman,
27 481 F.3d 292, 301 (5th Cir. 2007) ("where individual allegations of error are not of
28 constitutional stature or are not errors, there is 'nothing to cumulate.'") (quoting Yohey v.

1 Collins, 985 F.2d 222, 229 (5th Cir. 1993)); Hughes v. Epps, 694 F.Supp.2d 533, 563 (N.D.
2 Miss. 2010) (citing Leal v. Dretke, 428 F.3d 543, 552-53 (5th Cir. 2005)).

3 **ORDER**

4 THEREFORE, IT IS HEREBY ORDERED that the Petition for Post-Conviction Relief
5 shall be, and it is, hereby denied.

6 DATED this 14th day of October, 2014.

7
8 
DISTRICT JUDGE 

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

12 BY  For

13 TALEEN R. PANDUKHT
14 Chief Deputy District Attorney
Nevada Bar #5734

15
16
17 **CERTIFICATE OF SERVICE**

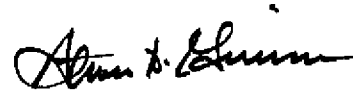
18 I certify that on the 10th day of October, 2014, I mailed a copy of the foregoing
19 proposed Findings of Fact, Conclusions of Law, and Order to:

20 MATTHEW D. CARLING, Esq.
21 CARLING LAW OFFICE, PC
22 1100 S. TENTH STREET
LAS VEGAS, NV 89101

23 BY 

24 R. JOHNSON
25 Secretary for the District Attorney's Office
26
27

28 BS/TRP/rj/M-1



CLERK OF THE COURT

NEO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

GLENFORD A. BUDD,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 03C193182

Dept No: XVIII

**NOTICE OF ENTRY OF FINDINGS OF
FACT, CONCLUSIONS OF LAW AND
ORDER**

PLEASE TAKE NOTICE that on October 17, 2014, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on October 20, 2014.

STEVEN D. GRIERSON, CLERK OF THE COURT



Teodora Jones, Deputy Clerk

CERTIFICATE OF MAILING

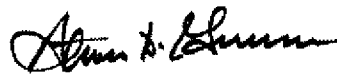
I hereby certify that on this 20 day of October 2014, I placed a copy of this Notice of Entry in:

- ☒ The bin(s) located in the Regional Justice Center of:
Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

- ☒ The United States mail addressed as follows:
Glenford A. Budd # 90043 Matthew D. Carling, Esq.
P.O. Box 1989 1100 S. Tenth St.
Ely, NV 89301 Las Vegas, NV 89101
(Last Known Address)



Teodora Jones, Deputy Clerk



CLERK OF THE COURT

FCL
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
TALEEN R. PANDUKHT
Chief Deputy District Attorney
Nevada Bar #005734
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

GLENFORD ANTHONY BUDD
#1900089

Defendant.

CASE NO: 03C193182

DEPT NO: XVIII

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

DATE OF HEARING: AUGUST 22, 2014
TIME OF HEARING: 8:15 AM

THIS CAUSE having come on for hearing before the Honorable DAVID BARKER, District Judge, on the 22nd day of August, 2014, the Petitioner being present, REPRESENTED BY MATTHEW D. CARLING, the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through TALEEN R. PANDUKHT, Chief Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. On June 26, 2003, the State filed an Information charging GLENFORD ANTHONY BUDD (hereinafter "Defendant") with three (3) counts of MURDER WITH USE OF A DEADLY WEAPON.

1 2. Defendant's jury trial began on December 5, 2005. On December 13, 2005, the
2 jury found Defendant guilty on all three (3) counts as alleged in the Information.

3 3. The penalty phase of Defendant's jury trial began on December 14, 2005. On
4 December 16, 2005, the jury returned a penalty verdict of LIFE Without The Possibility Of
5 Parole on each of the three (3) counts. On February 22, 2006, this court sentenced Defendant
6 as follows: COUNT 1 – LIFE Without The Possibility Of Parole plus an equal and consecutive
7 LIFE Without The Possibility Of Parole for use of a deadly weapon; COUNT 2 – LIFE
8 Without The Possibility Of Parole plus an equal and consecutive LIFE Without The Possibility
9 Of Parole For Use Of A Deadly Weapon, to run consecutive to COUNT 1; and COUNT 3 –
10 LIFE Without The Possibility Of Parole plus an equal and consecutive LIFE Without The
11 Possibility Of Parole for use of a deadly weapon, to run consecutive to COUNT 2, with NINE
12 HUNDRED NINETY-FIVE (995) DAYS credit for time served. On March 1, 2006, the
13 Judgment of Conviction was filed.

14 4. On March 23, 2006, Defendant filed a Notice of Appeal. On January 9, 2007,
15 the Nevada Supreme Court affirmed Defendant's conviction. On February 6, 2007, Remittitur
16 was issued.

17 5. On July 5, 2007, Defendant filed a motion to hold his attorney in contempt. On
18 July 23, 2007, this court denied Defendant's motion. On August 10, 2007, Defendant filed a
19 Notice of Appeal. On September 7, 2007, the Nevada Supreme Court dismissed the appeal.
20 On October 2, 2007, Remittitur was issued.

21 6. On September 21, 2007, Defendant filed a pro per Petition for Writ of Habeas
22 Corpus (Post-Conviction). On November 27, 2011, the State filed a Response to Defendant's
23 Petition. On November 30, 2007, this court denied Defendant's Petition, and on January 7,
24 2008, it filed its Findings of Fact, Conclusions of Law and Order.

25 7. On January 23, 2008, Defendant filed a Notice of Appeal from the denial of his
26 Petition. On September 25, 2009, the Nevada Supreme Court reversed the denial of
27 Defendant's Petition on grounds that Defendant should have been appointed post-conviction
28

1 counsel; the Nevada Supreme Court remanded the case to this court. On October 20, 2009,
2 Remittitur was issued.

3 8. On May 23, 2013, represented by counsel, Defendant filed a First Supplemental
4 Petition for Writ of Habeas Corpus Post Conviction. On October 25, 2013, Defendant filed a
5 Second Supplemental Petition for Writ of Habeas Corpus. On November 6, 2013, the State
6 filed its Response to Defendant's Petition and First Supplement. On December 12, 2013,
7 Defendant filed a Third Supplemental Petition for Writ of Habeas Corpus and a Memorandum
8 Regarding Petitioner's Exhibits (*In Camera* Review). On December 17, 2013, the State filed
9 its Response to Defendant's Memorandum. On December 26, 2013, Defendant filed a Fourth
10 Supplemental Petition for Writ of Habeas Corpus. On January 10, 2014, the Court filed an
11 Order granting the State's request for Public Defender Howard Brooks' case notes.

12 9. On January 31, 2014, the Court conducted a hearing regarding the Defendant's
13 original Petition, along with the first through fourth supplemental Petitions. As outlined in
14 Defendant's First Supplemental Petition, the Court struck Ground "A," and ordered an
15 evidentiary hearing on the remaining claims.

16 10. On August 22, 2014, this court held an evidentiary hearing regarding
17 Defendant's claims of ineffective assistance of counsel. At the hearing, Howard Brooks, Esq.,
18 was sworn and testified. The Court finds Mr. Brooks to be credible.

19 11. Defendant first claims in Ground B that his counsel was ineffective for failing
20 to object to the State's use of the letter containing a rap song on the grounds that it would
21 unfairly prejudice Defendant. Counsel's choice to object on foundational, rather than
22 prejudicial, grounds was a reasonable strategy, and Defendant fails to show that an objection
23 based on prejudice would not have been futile. Further, Defendant fails to show a reasonable
24 probability for a more favorable outcome if his counsel had objected based on prejudice.

25 12. Defendant next claims in Ground B that his counsel was ineffective for failing
26 to object to the authentication of the letter by the State's witness, Greg Lewis. However, Lewis
27 was familiar with Defendant's handwriting, thus Defendant fails to show that an objection
28 would not have been futile. Defendant failed to demonstrate that his counsel's failure to object

1 during the proceedings fell below an objective standard of reasonableness. Further, Defendant
2 failed to demonstrate a reasonable probability of a more favorable outcome had counsel
3 objected to the authentication.

4 13. Defendant's claim in Ground B that his counsel was ineffective for failing to
5 object to hearsay is without merit. Defendant fails to show that the testimony was offered for
6 the truth of the matter asserted, or that the testimony would not have qualified as an excited
7 utterance. Defendant failed to demonstrate that his counsel's failure to object during the
8 proceedings fell below an objective standard of reasonableness. Further, Defendant failed to
9 demonstrate a reasonable probability of a more favorable outcome had counsel objected to the
10 testimony.

11 14. Lastly, Defendant claims in Ground B that his counsel was ineffective for
12 objecting to the testimony from a crime scene analyst regarding where one of the victims was
13 on the ground. Defendant fails to show that this objection would not have been futile because
14 the prior witness testified as to where he personally found the body and saw it removed.
15 Further, the analyst diagramed the scene to explain where she found a cartridge casing. Thus,
16 Defendant failed to demonstrate that his counsel's failure to object during the proceedings fell
17 below an objective standard of reasonableness. Further, Defendant failed to demonstrate a
18 reasonable probability of a more favorable outcome had counsel objected to the testimony.

19 15. Defendant's claim in Ground C that his trial counsel was ineffective for failing
20 to present evidence that would have created a reasonable doubt regarding premeditation is
21 rendered moot based on the overwhelming evidence of Defendant's guilt, including evidence
22 that defendant threatened to kill one of the victims and later confessed to his uncle why he
23 killed the victims. Thus, Defendant failed to show that his counsel's representation was
24 objectively unreasonable and that he was prejudiced by it.

25 16. Defendant's claim in Ground D that his counsel was ineffective by preventing
26 him from participating in the preparation of his own defense is belied by the record, wherein
27 despite Defendant's unwillingness to cooperate and participate in his defense, his counsel met
28 with Defendant and his family numerous times to discuss the case. This is reflected in his

1 counsel's case notes. Exhibit A to Defendant's Second Petition, 10/25/13. His counsel even
2 sought the Court's aid in addressing Defendant's unwillingness to cooperate. Defendant's
3 claim is further unsupported by legal authority. Thus, Defendant failed to show that his
4 counsel's representation was objectively unreasonable and that he was prejudiced by it.

5 17. Defendant's claim in Ground E that his counsel was ineffective for failing to
6 object when the Court provided legal advice to Defendant is belied by the record, wherein the
7 Court simply encouraged Defendant to cooperate with his counsel. Defendant fails to show
8 that any objection would not have been futile. Thus, Defendant failed to show that his
9 counsel's representation was objectively unreasonable and that he was prejudiced by it.

10 18. Defendant claims in Ground F that his counsel was ineffective for referring to
11 the trial as the "guilt phase" twice during voir dire. Since the jury was properly instructed
12 regarding the presumption of innocence and the burden of proof, Defendant fails to show how
13 this prejudiced him.

14 19. Defendant's first claim in Ground G that his counsel was ineffective for failing
15 to zealously represent his interests by informing the Court that Defendant's family did not
16 understand the facts of the case is a conclusory allegation and belied by the record.
17 Defendant's trial counsel attempted to meet with Defendant's family and sought the Court's
18 assistance. Thus, Defendant failed to show that his counsel's representation was objectively
19 unreasonable and that he was prejudiced by it.

20 20. Defendant next claims in Ground G that his counsel was ineffective for objecting
21 to the use of the preliminary hearing transcript of Winston Budd's testimony, since he was
22 unavailable at trial. Winston Budd is Defendant's uncle, who testified that Defendant
23 confessed to him after the crimes occurred. Defendant's trial counsel objected and argued that
24 the State failed to exercise reasonable diligence in attempting to obtain this witness for trial,
25 which is a reasonable strategy. Thus, Defendant failed to show that his counsel's
26 representation was objectively unreasonable and that he was prejudiced by it.

27 21. Defendant's claim in Ground H that his counsel was ineffective because his
28 counsel was conflicted is unsupported by any evidence of an actual conflict. Defendant's

1 counsel was objectively reasonable in explaining to the Court his frustration with Defendant
2 and his family in hopes that the Court might be able to encourage them to aid in the defense.
3 Further, Defendant failed to demonstrate a reasonable probability of a more favorable outcome
4 had counsel performed differently.

5 22. Defendant's claim in Ground I that his counsel was ineffective for failing to
6 preserve the record on appeal regarding a sidebar discussion is belied by the record.
7 Defendant's counsel made the appropriate record regarding his objection as to the foundation
8 for the letter containing the rap song. Thus, Defendant failed to show that his counsel's
9 representation was objectively unreasonable and that he was prejudiced by it.

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11 right to remain silent when he stated during the opening statement that "some evidence will
12 show that [Defendant] killed these three (3) people," which Defendant claims was an
13 admission of guilt without his consent. RT, 12/8/05, at 58. However, Defendant's counsel
14 then explained that the evidence was insufficient to overcome reasonable doubt, which was an
15 objectively reasonable strategy given the overwhelming evidence against Defendant.
16 Moreover, Defendant did not receive the death penalty, thus Defendant cannot show that he
17 suffered prejudice.

18 24. Defendant claims in Ground K that his counsel's admission in the opening
19 statement, as discussed in Ground J, constituted ineffective assistance by eliminating the
20 presumption of innocence. However, counsel's strategy in approaching the State's
21 overwhelming evidence was reasonable. Therefore, Defendant fails to demonstrate that his
22 counsel's representation was objectively unreasonable and that he was prejudiced.

23 25. Defendant again claims in Ground L that his counsel's admission in the opening
24 statement, as discussed in Ground J, constituted ineffective assistance by alleviating the State's
25 burden of proof. However, counsel's strategy in approaching the State's overwhelming
26 evidence was reasonable. Therefore, Defendant fails to demonstrate that his counsel's
27 representation was objectively unreasonable and that he was prejudiced.

28 //

1 26. Defendant claims in Ground M that his counsel was ineffective for waiving
2 Defendant's right to confront witnesses when his counsel declined to cross-examine a witness
3 regarding relocation assistance payment from the State, which was requested based on the
4 witness' concern for her safety. Defendant's counsel made a tactical decision not to cross-
5 examine the witness about the money, which was reasonable in order to avoid any insinuation
6 that Defendant made the witness concerned for her safety. Further, Defendant fails to show
7 that if the jury had known about the received relocation assistance, the outcome would have
8 been different.

9 27. Defendant's claim in Ground N that his counsel was ineffective for violating
10 Defendant's right against self-incrimination when his counsel stated that Defendant and Mr.
11 Lewis were in jail together is belied by the record. Mr. Lewis testified specifically about his
12 relationship with Defendant while they were in jail. Further, Defendant's counsel discussed
13 their relationship in closing to argue that Lewis actually wrote the damaging letter. Therefore
14 Defendant fails to show that his counsel's representation was objectively unreasonable and
15 that Defendant was prejudiced.

16 28. Defendant claims in Ground O that his counsel was ineffective for failing to
17 request a competency hearing to determine whether Defendant was competent to stand trial.
18 Defendant fails to show that his counsel was aware of any information prior to trial that would
19 have indicated that Defendant was incompetent to stand trial. The record further belies
20 Defendant's claim because his conduct throughout the pendency of his case indicates that he
21 had sufficient ability to understand the charges against him, the strength and weaknesses of
22 his case, and the strength and weaknesses of the State's case. Therefore, Defendant fails to
23 show that his counsel's representation was objectively unreasonable and that Defendant was
24 prejudiced.

25 29. Defendant's claim in Ground P that his counsel was ineffective for failing to
26 communicate with him regarding his case thereby preventing him from participating in his
27 defense is belied by the record. Defendant's counsel diligently met with Defendant to discuss
28 case strategy, potential defenses, and all key trial decisions. Defendant's unwillingness to

1 cooperate at times in the preparation of his case does not render his counsel's performance
2 deficient, thus Defendant fails to demonstrate that his counsel failed to adequately
3 communicate with Defendant regarding the management of his case. Therefore, Defendant
4 fails to show that his counsel's representation was objectively unreasonable and that Defendant
5 was prejudiced.

6 30. Defendant claims in Ground Q that his counsel was ineffective for failing to
7 retain expert defense witnesses to evaluate Defendant's competency to stand trial, to refute the
8 State's eyewitness testimony, and to contest that Defendant actually wrote the letter. The
9 record belies Defendant's claim that he was incompetent to stand trial, showing that Defendant
10 fully understood and participated in the proceedings. Therefore, Defendant fails to show that
11 his counsel's representation was objectively unreasonable and that Defendant was prejudiced.

12 31. Further, Defendant fails to show what information an expert would have
13 provided to refute the State's eyewitness. Any information to attack the eyewitness's
14 recognition of Defendant was effectively accomplished by counsel on cross-examination,
15 wherein the witness admitted that she never saw Defendant's face and had eyesight problems.
16 Therefore, Defendant fails to show that his counsel's representation was objectively
17 unreasonable and that Defendant was prejudiced.

18 32. Defendant further fails to show that a handwriting expert would have revealed
19 any exculpatory evidence, and given the overwhelming evidence against Defendant, an expert
20 would likely have discovered incriminating evidence. This further would have limited
21 Defendant's counsel from arguing the lack of evidence that Defendant committed the killings
22 and wrote the letter. Therefore, Defendant fails to show that his counsel's representation was
23 objectively unreasonable and that Defendant was prejudiced.

24 33. Defendant claims in Ground R that he was denied a fair trial based on the
25 cumulative effect of his counsel's alleged errors. Defendant has failed to provide any claims
26 to warrant relief, thus there is no cumulative effect. This is merely a bare allegation, and
27 therefore his claim is denied.

28 //

1 34. Defendant failed to demonstrate that counsel's performance fell below an
2 objective standard of reasonableness.

3 35. Defendant failed to demonstrate prejudice based on any alleged errors of
4 counsel.

5 36. Defendant did not receive ineffective assistance of counsel.

6 **CONCLUSIONS OF LAW**

7 1. Nevada has adopted the standard outlined in Strickland v. Washington, 466 U.S.
8 668, 104 S.Ct. 2052 (1984), for determinations regarding the effectiveness of counsel. Under
9 Strickland, in order to assert a claim for ineffective assistance of counsel, the defendant must
10 prove that he was denied "reasonably effective assistance" of counsel by satisfying a two-
11 pronged test. 466 U.S. at 686-687, 104 S.Ct. at 2063-64; see State v. Love, 109 Nev. 1136,
12 1138, 865 P.2d 322, 323 (1993). Under this test, the defendant must show first, that his
13 counsel's representation fell below an objective standard of reasonableness, and second, that
14 but for counsel's errors, there is a reasonable probability that the result of the proceedings
15 would have been different. See Strickland, 466 U.S. at 687-688, 694, 104 S.Ct. at 2065, 2068.

16 2. "Surmounting Strickland's high bar is never an easy task." Padilla v. Kentucky,
17 559 U.S. 356, 371, 130 S.Ct. 1473, 1485 (2010). The question is whether an attorney's
18 representations amounted to incompetence under prevailing professional norms, "not whether
19 it deviated from best practices or most common custom." Harrington v. Richter, 131 S.Ct.
20 770, 778, 178 L.Ed.2d 624 (2011). Further, "[e]ffective counsel does not mean errorless
21 counsel, but rather counsel whose assistance is '[w]ithin the range of competence demanded
22 of attorneys in criminal cases.'" Jackson v. Warden, 91 Nev. 430, 432, 537 P.2d 473, 474
23 (1975) (quoting McMann v. Richardson, 397 U.S. 759, 771, 90 S.Ct. 1441, 1449 (1970)).
24 Also, the United States Supreme Court specifically "reject[ed] the claim that the Sixth
25 Amendment guarantees a 'meaningful relationship' between an accused and his counsel."
26 Morris v. Slappy, 461 U.S. 1, 14, 103 S.Ct. 1610, 1617 (1983).

27 3. The court begins with the presumption of effectiveness and then must determine
28 whether the defendant has demonstrated by a preponderance of the evidence that counsel was

1 ineffective. Means v. State, 120 Nev. 1001, 103 P.3d 35 (2004). The role of a court in
2 considering alleged ineffective assistance of counsel is “not to pass upon the merits of the
3 action not taken but to determine whether, under the particular facts and circumstances of the
4 case, trial counsel failed to render reasonably effective assistance.” Donovan v. State, 94 Nev.
5 671, 675, 584 P.2d 708, 711 (1978) (citing Cooper v. Fitzharris, 551 F.2d 1162, 1166 (9th Cir.
6 1977)).

7 4. In considering whether trial counsel was effective, the court must determine
8 whether counsel made a “sufficient inquiry into the information . . . pertinent to his client’s
9 case.” Doleman v State, 112 Nev. 843, 846, 921 P.2d 278, 280 (1996) (citing Strickland, 466
10 U.S. at 690–91, 104 S.Ct. at 2066). Then, the court will consider whether counsel made “a
11 reasonable strategy decision on how to proceed with his client’s case.” Id. Counsel’s strategy
12 decision is a “tactical” decision and will be “virtually unchallengeable absent extraordinary
13 circumstances.” Id. at 846, 921 P.2d at 280; see also Howard v. State, 106 Nev. 713, 722, 800
14 P.2d 175, 180 (1990); Strickland, 466 U.S. at 691, 104 S.Ct. at 2066.

15 5. This analysis does not indicate that the court should “second guess reasoned
16 choices between trial tactics, nor does it mean that defense counsel, to protect himself against
17 allegations of inadequacy, must make every conceivable motion no matter how remote the
18 possibilities are of success.” Donovan, 94 Nev. at 675, 584 P.2d at 711 (citing Cooper, 551
19 F.2d at 1166 (9th Cir. 1977)). In essence, the court must “judge the reasonableness of
20 counsel’s challenged conduct on the facts of the particular case, viewed as of the time of
21 counsel’s conduct.” Strickland, 466 U.S. at 690, 104 S.Ct. at 2066. However, counsel cannot
22 be deemed ineffective for failing to make futile objections, file futile motions, or for failing to
23 make futile arguments. Ennis v. State, 122 Nev. 694, 706, 137 P.3d 1095, 1103 (2006).

24 6. The court “need not consider both prongs of the test if the defendant makes an
25 insufficient showing on either one.” Molina v. State, 120 Nev. 185, 190, 87 P.3d 533, 537
26 (2004). Even if a defendant can demonstrate that his counsel’s representation fell below an
27 objective standard of reasonableness, he must still demonstrate prejudice and show a
28 reasonable probability that, but for counsel’s errors, the result of the trial would have been

1 different. McNelson v. State, 115 Nev. 396, 403, 990 P.2d 1263, 1268 (1999) (citing
2 Strickland, 466 U.S. at 687). “A reasonable probability is a probability sufficient to undermine
3 confidence in the outcome.” Strickland, 466 U.S. at 694, 104 S.Ct. at 2068. “[O]verwhelming
4 evidence of guilt is relevant to the question of whether a client had ineffective counsel.” Ford
5 v. State, 105 Nev. 850, 852, 784 P.2d 951, 952 (1989) (citing Strickland, 466 U.S. at 697, 10
6 S.Ct. at 2069).

7 7. Finally, claims asserted in a petition for post-conviction relief must be supported
8 with specific factual allegations, which if true, would entitle the petitioner to relief. Hargrove
9 v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). “Bare” or “naked” allegations are not
10 sufficient, nor are those belied and repelled by the record. Id.; see also NRS 34.735(6).

11 8. “[T]he trial lawyer alone is entrusted with decisions regarding legal tactics such
12 as deciding what witnesses to call . . . [Counsel], not the client, has the immediate—and
13 ultimate—responsibility of deciding if and when to object, which witnesses, if any, to call, and
14 what defenses to develop. Rhyne v. State, 118 Nev. 1, 8, 38 P.3d 163, 167 (2002) (citation
15 omitted).

16 9. The management of a defendant’s case is for the attorney, not the Defendant, to
17 determine. Rhyne, 118 Nev. at 8, 38 P.3d at 167. This means that counsel, not the Defendant,
18 has the immediate and ultimate responsibility of deciding what motions to file, what defenses
19 to develop, and what witnesses to call. Id. Indeed, “[o]nce counsel is appointed, the day-to-
20 day conduct of the defense rests with the attorney.” Id. (internal quotation removed).

21 10. NRS 51.095 specifically states that “[a] statement relating to a startling event or
22 condition made while the declarant was under the stress of excitement caused by the event or
23 condition is not inadmissible under the hearsay rule.”

24 11. An actual conflict only exists when “an attorney is placed in a situation
25 conducive to divided loyalties.” Clark v. State, 108 Nev. 324, 326, 831 P.2d 1374, 1376 (1992)
26 (internal quotation omitted). “Conflict of interest and divided loyalty situations can take many
27 forms, and whether an actual conflict exists must be evaluated on the specific facts of each
28 case.” Id. For example, in Clark, an actual conflict occurred where counsel representing a

1 client charged with first-degree murder also had a pending civil suit against that same client
2 during trial, and further, counsel obtained a default judgment against that client while he was
3 awaiting sentencing on the murder conviction. Id.

4 12. The United States Supreme Court specifically stated that a strategy wherein a
5 Defendant concedes guilt at a capital trial is not the functional equivalent of a guilty plea.
6 Florida v. Nixon, 543 U.S. 175, 188, 125 S.Ct. 551, 560-61 (2004). Moreover, counsel is not
7 automatically deemed ineffective in executing such a strategy without first obtaining the
8 client's express consent. Id. at 186-87, 125 S.Ct. at 560. "Attorneys representing capital
9 defendants face daunting challenges in developing trial strategies, not least because the
10 defendant's guilt is often clear. Prosecutors are more likely to seek the death penalty, and to
11 refuse to accept a plea to a LIFE sentence, when the evidence is overwhelming and the crime
12 heinous." Id. at 191, 125 S.Ct. at 562.

13 13. A defendant is only incompetent to stand trial if he is "'not of sufficient mentality
14 to be able to understand the nature of the criminal charges against him,'" rendering him unable
15 to assist in his defense. Hernandez v. State, 124 Nev. 978, 992, 194 P.3d 1235, 1244 (2008)
16 overruled on other grounds by Armenta-Carpio v. State, 306 P.3d 395 (Nev. 2013) (quoting
17 Hill v. State, 114 Nev. 169, 176, 953 P.2d 1077, 1082 (1998)). Importantly, "[a] bare
18 allegation of incompetence is not sufficient to raise a reasonable doubt as to competence."
19 Martin v. State, 96 Nev. 324, 325, 608 P.2d 502, 503 (1980) (citations omitted).

20 14. However, the Nevada Supreme Court has not endorsed application of its direct
21 appeal cumulative error standard to the post-conviction Strickland context. See McConnell v.
22 State, 125 Nev. 243, 259, 212 P.3d 307, 318 (2009). Nevertheless, a cumulative error finding
23 in the context of a Strickland claim is extraordinarily rare and requires an extensive
24 aggregation of errors. See, e.g., Harris By and Through Ramseyer v. Wood, 64 F.3d 1432,
25 1438 (9th Cir. 1995). In fact, logic dictates that there can be no cumulative error where the
26 defendant fails to demonstrate any single violation of Strickland. See Turner v. Quarterman,
27 481 F.3d 292, 301 (5th Cir. 2007) ("where individual allegations of error are not of
28 constitutional stature or are not errors, there is 'nothing to cumulate.'") (quoting Yohey v.

1 Collins, 985 F.2d 222, 229 (5th Cir. 1993)); Hughes v. Epps, 694 F.Supp.2d 533, 563 (N.D.
2 Miss. 2010) (citing Leal v. Dretke, 428 F.3d 543, 552-53 (5th Cir. 2005)).

3 **ORDER**

4 THEREFORE, IT IS HEREBY ORDERED that the Petition for Post-Conviction Relief
5 shall be, and it is, hereby denied.

6 DATED this 14th day of October, 2014.

7
8 
DISTRICT JUDGE 

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

12 BY  For

13 TALEEN R. PANDUKHT
14 Chief Deputy District Attorney
Nevada Bar #5734

15
16
17 **CERTIFICATE OF SERVICE**

18 I certify that on the 10th day of October, 2014, I mailed a copy of the foregoing
19 proposed Findings of Fact, Conclusions of Law, and Order to:

20 MATTHEW D. CARLING, Esq.
21 CARLING LAW OFFICE, PC
22 1100 S. TENTH STREET
LAS VEGAS, NV 89101

23 BY 

24 R. JOHNSON
25 Secretary for the District Attorney's Office
26
27

28 BS/TRP/rj/M-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 02, 2003**

03C193182

The State of Nevada vs Glenford A Budd

July 02, 2003**9:00 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Amber
Farley
Reporter/Recorder:
Kristine Cornelius
Heard By: Nancy
Saitta**

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

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- DEFENDANT ARRAIGNED, PLED NOT GUILTY and WAIVED the sixty-day rule. COURT ORDERED, matter set for trial. Mr. Brooks inquired of the State if this will be a death penalty case. Ms. Pandukht stated that determination hasn't been made yet.

CUSTODY

2/18/04 9:00 AM CALENDAR CALL

2/23/04 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 11, 2004**

03C193182

The State of Nevada vs Glenford A Budd

February 11, 2004**9:00 AM****Motion to Vacate**

**DEFT'S MTN TO
VACATE
/CONTINUE TRIAL
DATE/4 Court Clerk:
Amber Farley
Reporter/Recorder:
Dick Kangas Heard
By: Nancy Saitta**

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

Brooks, Howard S.
Budd, Glenford A
Lewis, Linda Y.
Public Defender

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- The Court noted that Mr. Brooks is presently involved in a capital murder case in this department, and there's been no opposition by the State. COURT ORDERED, motion GRANTED; trial date vacated and re-set.

CUSTODY

7/14/04 9:00 AM CALENDAR CALL

7/19/04 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 24, 2004**

03C193182

The State of Nevada vs Glenford A Budd

May 24, 2004**9:00 AM****Request**

**STATE'S REQUEST
RESET TRIAL DATE
Court Clerk: Amber
Farley
Reporter/Recorder:
Liz Garcia Heard By:
Joseph Pavlikowski**

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

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Mr. Brooks stated the Defendant has waived his speedy trial rights, and counsel have agreed on a November date. COURT ORDERED, request GRANTED; trial date vacated and re-set.

CUSTODY**11/10/04 9:00 AM CALENDAR CALL****11/15/04 1:30 PM JURY TRIAL**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 27, 2004**

03C193182

The State of Nevada vs Glenford A Budd

October 27, 2004**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 10-27-04
Court Clerk: Kristen
Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Nancy
Saitta**

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

Brooks, Howard S.	Attorney
Budd, Glenford A	Defendant
O'Brien, Timothy P.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Schwartz, David P.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION IN LIMINE #1-14

Court stated parties met in chambers and determined that it would be appropriate to take all the motions off calendar and to be reset at the calendar call as there are issues regarding aggravators's in front of the Supreme Court. COURT ORDERED, Motions OFF CALENDAR and matter set for status check to reset to motions.

CUSTODY

PRINT DATE: 10/30/2014

Page 4 of 55

Minutes Date:

July 02, 2003

03C193182

11/10/04 9:00 AM STATUS CHECK: RESET MOTIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 10, 2004**

03C193182

The State of Nevada vs Glenford A Budd

November 10, 2004**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 11-10-04
Court Clerk: Kristen
Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Michael
Cherry**

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

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- CALENDAR CALL...STATUS CHECK: RESET DEFT'S MOTIONS IN LIMINE 1-14

Mr. Brooks stated the trial is being continued and Deft's motions will need to be reset. COURT ORDERED, Trial VACATED and RESET along with Deft's Motions in Limine 1-14.
CUSTODY

1/12/05 10:30 AM DEFT'S MOTIONS IN LIMINE 1-14

4/27/05 9:00 AM CALENDAR CALL

5/02/05 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 12, 2005**

03C193182

The State of Nevada vs Glenford A Budd

January 12, 2005**10:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS 1-12-05
Court Clerk: Kristen
Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Nancy
Saitta**

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

Brooks, Howard S.
Budd, Glenford A
Public Defender
Schwartz, David P.

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION IN LIMINE 1-14

Mr. Brooks request a continuance as there are issues that still need to be investigated. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 4/04/05 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 20, 2005**

03C193182

The State of Nevada vs Glenford A Budd

April 20, 2005**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 4-20-05
Court Clerk: Kristen
Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Kathy
Hardcastle**

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

Brooks, Howard S.
Budd, Glenford A
Pandukht, Taleen R.
Public Defender
Schwartz, David P.

Attorney
Defendant
Attorney
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT...DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL... DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250...DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES...DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY

PRINT DATE: 10/30/2014

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Minutes Date: July 02, 2003

IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION...DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY...DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL... DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE"...DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY...DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIM'S DEATHS ON THE FAMILY...DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW...DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS

COURT ORDERED, Trial dates VACATED and RESET and all motions CONTINUED.
CUSTODY

CONTINUED TO: 8/01/05 9:00 AM

11/23/05 9:00 AM CALENDAR CALL

11/28/05 1:30 PM JURY TRIAL (FIRM)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 02, 2005

03C193182

The State of Nevada vs Glenford A Budd

November 02, 2005

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 11-02-05
Court Clerk: Kristen
Brown
Reporter/Recorder:
Angela Lee Heard
By: David Wall**

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

Budd, Glenford A
Tomsheck, Joshua L.

Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT...DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL... DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME COURT RULE 250...DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES...DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION...DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY...DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A

PRINT DATE: 10/30/2014

Page 10 of 55

Minutes Date: July 02, 2003

POTENTIAL PENALTY PHASE PROCEEDINGS...DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL... DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE"...DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY...DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIMS' DEATHS ON THE FAMILY...DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW...DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS
COURT ORDERED, Motions CONTINUED to the Calendar Call date.
CUSTODY
CONTINUED TO: 11/23/05 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 14, 2005**

03C193182

The State of Nevada vs Glenford A Budd

November 14, 2005**9:00 AM****Status Check****STATUS CHECK****Court Clerk: Kristen
Brown****Reporter/Recorder: Jo
Anne Pierpont****Heard By: J.****CHARLES
THOMPSON****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- Mr. Kane stated Mr. Brooks would like to start the trial on the following week. Following a conference at the Bench, COURT ORDERED, Trial date STANDS.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 23, 2005**

03C193182

The State of Nevada vs Glenford A Budd

November 23, 2005**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 11-23-05
Court Clerk: Kristen
Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Nancy
Saitta**

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

Brooks, Howard S.	Attorney
Budd, Glenford A	Defendant
Kane, Edward R.	Attorney
O'Brien, Timothy P.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION IN LIMINE #1 FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT; AND FOR ORDER THAT COURT TAKES JUDICIAL NOTICE OF AUTHORITY CITED IN THIS MOTION IF DEFENSE OBJECTS AT TRIAL TO IMPROPER ARGUMENT: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #2 FOR EXCHANGE OF JURY INSTRUCTIONS ON THE FIRST DAY OF TRIAL: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #3 FOR RECORDING OF ALL PROCEEDINGS PURSUANT TO SUPREME

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COURT RULE 250: COURT ORDERED, Motion GRANTED; a Court Reporter will be in court to provide daily transcripts.

DEFT'S MOTION #4 TO DISQUALIFY ALL POTENTIAL JURORS WHO KNEW OR WERE ACQUAINTED WITH THE VICTIMS OR THEIR FAMILIES: COURT ORDERED, Motion DENIED but may be revisited.

DEFT'S MOTION #5 TO DISQUALIFY ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IN THE EVENT OF A FIRST DEGREE MURDER CONVICTION: COURT ORDERED, Motion DEFERRED until the issue arises.

DEFT'S MOTION IN LIMINE #6 TO PROHIBIT THE STATE FROM USING PREEMPTORY CHALLENGES TO REMOVE MINORITIES FROM JURY: COURT ORDERED, Motion DEFERRED.

DEFT'S MOTION #7 TO BIFURCATE PENALTY PHASE PROCEEDINGS: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #8 TO ALLOW THE DEFENSE TO ARGUE LAST IN A POTENTIAL PENALTY PHASE PROCEEDINGS: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #9 FOR JURY QUESTIONNAIRE TO BE COMPLETED BY JURY VENIRE ONE WEEK PRIOR TO TRIAL: COURT ORDERED, Motion GRANTED. Court DIRECTED counsel to agree on a format and to submit it to the Jury Commissioner.

DEFT'S MOTION IN LIMINE #10 TO PROHIBIT ANY REFERENCE IN FRONT OF THE JURY TO THE TRIAL PHASE OF THE PROCEEDINGS AS THE "GUILT PHASE": COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #11 TO STRIKE ALLEGATIONS OF CERTAIN AGGRAVATING CIRCUMSTANCES ALLEGED IN STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #12 TO PRECLUDE THE ADMISSION, DURING A POSSIBLE PENALTY PROCEEDING OF EVIDENCE ABOUT THE PERSONAL CHARACTER OF THE VICTIMS AND THE IMPACT OF THE VICTIMS' DEATHS ON THE FAMILY: COURT ORDERED, Motion DENIED.

DEFT'S MOTION #13 TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS LAW: COURT ORDERED, Motion GRANTED.

DEFT'S MOTION #14 TO DISMISS THE STATE'S NOTICE OF INTENT BECAUSE NEVADA'S DEATH PENALTY SCHEME VIOLATES DUE PROCESS GUARANTEES BY FAILING TO REQUIRE A PRE-TRIAL FINDING OF PROBABLE CAUSE FOR ALLEGED AGGRAVATORS: COURT ORDERED, Motion DENIED.

CALENDAR CALL: Counsel announced ready. COURT ORDERED, Trial date STANDS and will start at 1:30 pm.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 05, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 05, 2005**1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk: Kristen
Brown****Reporter/Recorder:****Gayle Picherri Heard****By: Saitta, Nancy M****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

O'Brien, Timothy P.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Colloquy between Court and counsel regarding the jury questionnaire's. Mr. O'Brien advised the Court that the deft. is requesting the Public Defender's office withdraw and the deft. would like to retain Mr. Momot as counsel. Colloquy between Court and counsel regarding the relationship between counsel and the deft. Court stated it is not going to continue the trial; deft's request is not timely and ORDERED, the Public Defender's office to remain as counsel. COURT FURTHER ORDERED, the official record for this trial will be the Court Reporter and not the Court Recorder based on the need for daily transcripts.

PROSPECTIVE JURY PRESENT: Voir dire. COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 06, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 06, 2005**10:00 AM****Jury Trial**

TRIAL BY JURY
Court Clerk: Kristen
Brown
Reporter/Recorder:
Gayle Pichierri
Heard By: Saitta,
Nancy M

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

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

O'Brien, Timothy P.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: At the request of counsel, COURT ORDERED, Jury Questionnaire's will be sealed and made a part of the record. Argument by Mr. Brooks regarding the lack of cooperation by the deft's family. Court advised the deft. to encourage his family to cooperate with his attorney's.

PROSPECTIVE JURY PRESENT: Continued voir dire. COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 08, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 08, 2005**8:30 AM****Jury Trial**

TRIAL BY JURY
Court Clerk: Kristen Brown
Reporter/Recorder: Gayle Pichierri - AM/ Jean Dahlberg - P
Heard By: Saitta, Nancy M

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

Brooks, Howard S.	Attorney
Budd, Glenford A	Defendant
Kane, Edward R.	Attorney
O'Brien, Timothy P.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Arguments by counsel regarding the use of the preliminary hearing transcript of Winston Budd. COURT ORDERED, the transcript of Winston Budd will be allowed to be introduced in lieu of the witnesses presence. Arguments by counsel regarding the use of the 911 tape. COURT ORDERED, 911 will be ALLOWED. Juror #104 present and questioned by Court and counsel.

PROSPECTIVE JURY PRESENT: Jury and 2 alternates selected and sworn. Opening statements by counsel.

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OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks noted for the record the racial make-up of the jury.

JURY PRESENT: Testimony and exhibits presented (See worksheets). COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 09, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 09, 2005**1:30 PM****Jury Trial**

TRIAL BY JURY
Relief Clerk: Jennifer
Kimmel
Reporter/Recorder:
Janice David Heard
By: Saitta, Nancy M

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

PRESENT:	Brooks, Howard S.	Attorney
	Budd, Glenford A	Defendant
	Kane, Edward R.	Attorney
	O'Brien, Timothy P.	Attorney
	Pandukht, Taleen R.	Attorney
	Public Defender	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks advised that Mr. Leon Simon has him under subpoena and has been informed that this matter takes priority. Mr. Brooks waived any error relating to agreeing to reveal that the Defendant was incarcerated which will be revealed during Mr. Lewis's testimony about the correspondence. Mr. Brooks advised this is a trial strategy and any error that could be caused by the Jury finding out Defendant was incarcerated is WAIVED. Discussion ensued regarding scheduling of trial for the afternoon. Mr. Kane made reference to lecture by the Court made yesterday to the spectators in the audience. Discussion ensued regarding conduct of spectators and the Court and its Staff's response regarding same. Mr. Kane advised one of the victim's family

members was approached by a Defendant counsel in the bathroom regarding whether or not they would be willing to testify at the Penalty Phase, should it go forward. Mr. Kane moved for a gentleman's agreement concerning mutual agreement not to approach and attempt to talk to the opposing side's family members, etc. Both Defendant's counsel agreed and the COURT SO ORDERED. JURY PRESENT: Testimony and exhibits continued. (See worksheets). Court admonished and excused the Jury for afternoon and ORDERED, matter CONTINUED. OUTSIDE THE PRESENCE OF THE JURY. Mr. Brooks requested details concerning the number of feet from the witness' residence to the location of incident. Mr. Brooks advised his office formerly had a Greg Lewis as a client however this is not the Greg Lewis that will be involved in this case. Discussion ensued regarding Jury Instructions.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 12, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 12, 2005**1:30 PM****Jury Trial**

TRIAL BY JURY
Court Clerk: Kristen Brown
Reporter/Recorder: Janice David Heard
By: Saitta, Nancy M

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

PRESENT:	Brooks, Howard S.	Attorney
	Budd, Glenford A	Defendant
	Kane, Edward R.	Attorney
	O'Brien, Timothy P.	Attorney
	Pandukht, Taleen R.	Attorney
	Public Defender	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks advised the Court that a stipulation was FILED IN OPEN COURT.

JURY PRESENT: Testimony and exhibits presented (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Court advised the deft. of his right to testify. Court noted the Carter instruction was given and deft. understands that he can not be compelled to testify.

JURY PRESENT: State rests. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY: Instructions settled on the record.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 13, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 13, 2005**10:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Kristen
Brown****Reporter/Recorder:****Jean Dahlberg Heard****By: Saitta, Nancy M****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

O'Brien, Timothy P.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Mr. Brooks noted the correction that was made to the transcript of December 9, 2005. Mr. Brooks moved for a mistrial based on the fact that the State did have Mr. Richards testify which was brought up in opening statements. Arguments by counsel. COURT ORDERED, Motion DENIED.

JURY PRESENT: Court instructed the jury. Closing arguments by counsel. At the hour of 4:10 pm, jury retired to deliberate. At the hour of 6:45 pm, jury returned with a verdict of GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); GUILTY of COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); and GUILTY of COUNT 3 -

03C193182

FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, matter
CONTINUED for the penalty phase.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 14, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 14, 2005**8:30 AM****Jury Trial**

TRIAL BY JURY
Court Clerk: Kristen Brown
Reporter/Recorder: Janice David Heard
By: Saitta, Nancy M

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

PRESENT:	Brooks, Howard S.	Attorney
	Budd, Glenford A	Defendant
	Kane, Edward R.	Attorney
	O'Brien, Timothy P.	Attorney
	Pandukht, Taleen R.	Attorney
	Public Defender	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Counsel requested the exclusionary rule be INVOKED, COURT SO ORDERED. Colloquy between Court and counsel regarding the instructions.
 JURY PRESENT: Opening statements by counsel. Testimony and exhibits presented (See worksheets). State rests. Testimony and exhibits presented (See worksheets). COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 15, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 15, 2005**9:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Kristen
Brown****Reporter/Recorder:****Jean Dahlberg Heard****By: Saitta, Nancy M****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

O'Brien, Timothy P.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES**- JURY PRESENT:** Testimony and exhibits presented (See worksheets).**OUTSIDE THE PRESENCE OF THE JURY:** Court advised the deft. of his rights to make a sworn or unsworn statement. Conference at the Bench. Instructions settled on the record.**JURY PRESENT:** Testimony and exhibits presented (See worksheets). Deft. rests. Court instructed the jury. At the hour of 4:10 pm, jury retired to deliberate.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 16, 2005**

03C193182

The State of Nevada vs Glenford A Budd

December 16, 2005**9:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Kristen
Brown****Reporter/Recorder: Jo
Anne Pierpont****Heard By: Nancy
Saitta****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.

Attorney

Budd, Glenford A

Defendant

Kane, Edward R.

Attorney

O'Brien, Timothy P.

Attorney

Pandukht, Taleen R.

Attorney

Public Defender

Attorney

JOURNAL ENTRIES

- CONTINUED DELIBERATIONS.

OUTSIDE THE PRESENCE OF THE JURY: Court advised counsel of the questions from the jury.

Upon Court's inquiry, counsel agreed to have the Court Recorder be the official record for this proceeding. Court Clerk read the questions for the record. Court and counsel agreed on an answer and provided the answer to the jury.

CONTINUED DELIBERATIONS.

JURY PRESENT: At the hour of 4:05 pm, Jury returned with a **PENALTY VERDICT** as to **COUNT 1 - LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE; COUNT 2 - LIFE IN PRISON**

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WITHOUT THE POSSIBILITY OF PAROLE; and COUNT 3 - LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE. Court THANKED and EXCUSED the jury. COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing; Deft. REMANDED TO CUSTODY.

CUSTODY

2/01/06 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 30, 2006**

03C193182

The State of Nevada vs Glenford A Budd

January 30, 2006**9:00 AM****Status Check**

**STATUS CHECK
(WITNESS) Court
Clerk: Kristen Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Saitta,
Nancy M**

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

Budd, Glenford A
Kane, Edward R.

Defendant
Attorney

JOURNAL ENTRIES

- At the request of counsel, COURT ORDERED, matter CONTINUED; FURTHER, Deft's sentencing CONTINUED.

CUSTODY

2/22/06 9:00 SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 15, 2006**

03C193182

The State of Nevada vs Glenford A Budd

February 15, 2006**9:00 AM****Status Check**

**STATUS CHECK
(WITNESS) Court
Clerk: Kristen Brown
Relief Clerk:
Michelle Jones/mj
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Saitta,
Nancy M**

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

Budd, Glenford A	Defendant
Kane, Edward R.	Attorney
Pandukht, Taleen R.	Attorney
Public Defender	Attorney
Rivera-Rogers, Mariteresa	Attorney

JOURNAL ENTRIES

- At the request of the State and there being no opposition, COURT ORDERED, matter CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 22, 2006**

03C193182

The State of Nevada vs Glenford A Budd

February 22, 2006**9:00 AM****Sentencing****SENTENCING****Court Clerk: Kristen
Brown****Reporter/Recorder: Jo
Anne Pierpont****Heard By: Nancy
Saitta****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brooks, Howard S.
Budd, Glenford A
Kane, Edward R.
Public Defender

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- DEFT. BUDD ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 3 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). Argument by Mr. Kane. Speaker, Linda Moore, sworn and testified. Statement by Mr. Brooks. COURT ORDERED, in addition to the \$25 Administrative Assessment fee, \$150 DNA Analysis fee including testing to determine genetic markers and \$28,500 Restitution, Deft SENTENCED as to COUNT 1 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon; as to COUNT 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon to run CONSECUTIVE to Count 1; and

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as to COUNT 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE plus an equal and
CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for use of a deadly weapon to run
CONSECUTIVE to Count 2 with 995 DAYS credit for time served.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 06, 2006**

03C193182

The State of Nevada vs Glenford A Budd

March 06, 2006**9:00 AM****Status Check**

**STATUS CHECK
(WITNESS) Court
Clerk: Kristen Brown
Reporter/Recorder: Jo
Anne Pierpont
Heard By: Nancy
Saitta**

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

Kane, Edward R.

Attorney

JOURNAL ENTRIES

- Mr. Kane stated this matter is resolved. COURT ORDERED, matter OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 21, 2007**

03C193182

The State of Nevada vs Glenford A Budd

May 21, 2007**8:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS (5/21/07)
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

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

Avants, Lynn
Public Defender
Smith, Sarah A.

Attorney
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD OR REQUEST FOR COURT RECORDS/COURT CASE DOCUMENTS

COURT NOTED that Deft is incarcerated in the NV Dept of Corrections and not present today.
COURT ORDERED, Deft's Pro Per Motion to Proceed Forma Pauperis, GRANTED.

COURT FURTHER ORDERED, Deft's Pro Per Motion for Withdrawal of Public Defender as counsel and for Request for Court Records/Court Case Documents, GRANTED. Mr. Avants stated he will contact prior counsel, Howard S. Brooks, and will see that the records are forwarded to Deft Budd.
COURT SO NOTED.

NDC

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 23, 2007**

03C193182

The State of Nevada vs Glenford A Budd

July 23, 2007**8:15 AM****Motion**

**DEFT'S PRO PER
MTN TO HOLD
HOWARD S
BROOKS
ATTORNEY OF
RECORD IN
CONTEMPT/44
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

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

Budd, Glenford A
Smith, Sarah A.

Defendant
Attorney

JOURNAL ENTRIES

- Deft was not transported for this matter. COURT STATED that Deft's Motion did not state what transcript date he was requesting, and the motion was not cognizable. COURT ORDERED, MOTION DENIED.

CLERK'S NOTE: The above minute order has been Distributed to: Glenford Budd, NDOC #90043, Ely State Prison, P.O. Box 1989, Ely, NV 89301

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 27, 2007**

03C193182

The State of Nevada vs Glenford A Budd

August 27, 2007**8:15 AM****Motion**

**DEFT'S PRO PER
MTN FOR
REHEARING /45
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Krusey, Amanda K.

Attorney

JOURNAL ENTRIES

- COURT NOTED that Deft Budd is requesting missing pages from the trial transcript. There being no written opposition by the State, COURT ORDERED, MOTION GRANTED and REQUESTED the State to COPY PAGES 1398-1464 of the Trial Transcript and forward to Deft Budd. Ms. Krusey confirmed she will arrange for that. COURT FURTHER ORDERED, the BALANCE OF THE MOTION IS DENIED.

NDC

CLERK'S NOTE: The above minute order has been Distributed to: Glenford A. Budd #90043, Ely State Prison, P.O. Box 1989, Ely, NV 89301 .

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 28, 2007**

03C193182

The State of Nevada vs Glenford A Budd

November 28, 2007**8:15 AM****Petition for Writ of Habeas
Corpus****PTN FOR WRIT OF
HABEAS CORPUS
/46 Court Clerk:
Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Stanton, David L.

Attorney

JOURNAL ENTRIES

- COURT NOTED this is a pro per motion and Deft Budd is incarcerated at the Nevada Department of Corrections. Mr. Stanton provided a copy of the State's Response to the Court for review since it had not yet been received. COURT ORDERED, matter CONTINUED to Friday.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 30, 2007**

03C193182

The State of Nevada vs Glenford A Budd

November 30, 2007**8:15 AM****Petition for Writ of Habeas
Corpus****PTN FOR WRIT OF
HABEAS CORPUS
/46 Court Clerk:
Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Krusey, Amanda K.

Attorney

JOURNAL ENTRIES

- COURT NOTED that Deft Budd is incarcerated at NDC and has filed a Petition in Proper Person for Writ of Habeas Corpus. COURT READ EACH CLAIM FOR RELIEF and stated its findings for each. COURT ORDERED, PETITION DENIED, stating its findings. COURT DIRECTED the State to prepare the Findings of Fact and Conclusions of Law for the Court's signature.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 16, 2009**

03C193182

The State of Nevada vs Glenford A Budd

November 16, 2009**8:15 AM****Motion for Appointment****APPOINTMENT OF
COUNSEL (S CT
REMAND) Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Kramer, Kristen B.

Attorney

JOURNAL ENTRIES

- COURT DIRECTED the State to prepare an Order to Transport Deft Budd from the Nevada Department of Corrections, and ORDERED, matter CONTINUED. Drew Christensen is to be requested to appoint a post-conviction counsel.

NDC

CLERK'S NOTE: The Dept XVIII Judicial Executive Assistant will notify Mr. Christensen of this request for appointment.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 14, 2009**

03C193182

The State of Nevada vs Glenford A Budd

December 14, 2009**8:15 AM****Motion for Appointment**

**APPOINTMENT OF
COUNSEL (S CT
REMAND) Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**

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

Budd, Glenford A
Jeanney, Jacqueline

Defendant
Attorney

JOURNAL ENTRIES

- MOURT NOTED that Chambers was advised that Drew Christen's office had appointed Robert Glennen as counsel for Deft for this Supreme Court Remand issue. Since Mr. Glennen is not present, COURT ORDERED, matter CONTINUED to Friday, 12/18/09, at 8:15 A.M.

NDC

CLERK'S NOTED: CLERK LEFT A MESSAGE WITH MAUREEN OF MR. GLENNEN'S OFFICE & SHE CONFIRMED HE WILL BE PRESENT ON 12/18/09 FOR ACCEPTANCE OF APPOINTMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 18, 2009**

03C193182

The State of Nevada vs Glenford A Budd

December 18, 2009**8:15 AM****Motion for Appointment**

**APPOINTMENT OF
COUNSEL (S CT
REMAND) Relief
Clerk: Karina
Kennedy/klk
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

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

Budd, Glenford A

Defendant

Glennen III, Robert E.

Attorney

Jeanney, Jacqueline

Attorney

JOURNAL ENTRIES

- Deft present and in NDC(COC). Mr. Glennen III CONFIRMED as counsel.
NDC(COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 24, 2012

03C193182

The State of Nevada vs Glenford A Budd

September 24, 2012 8:15 AM

**Motion to Withdraw as
Counsel**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT:

Cooper, Jonathan
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED for the presence of Mr. Glennen.

NDC

CONTINUED TO: 10/1/12 8:15 AM

CLERK'S NOTE: This Court's Law Clerk contacted Mr. Glennen's office and his assistant was made aware of the continuance date. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 01, 2012**

03C193182

The State of Nevada vs Glenford A Budd

October 01, 2012**8:15 AM****Motion to Withdraw as
Counsel****Robert E Glennen III,
Esq's Motion to
Withdraw as
Petitioner's Attorney****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Botelho, Agnes M.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Court noted Supreme Court remanded matter in 2009, directing the Court appoint counsel. Mr. Glennen was appointed through Mr. Christensen's office, nothing filed and Mr. Glennen has employment out of the County now. COURT ORDERED, motion GRANTED; matter REFERRED BACK to Mr. Christensen for appointment of new counsel and matter SET for confirmation of counsel. Mr. Glennen to provide work product to new counsel.

NDC

10/8/12 8:30 AM CONFIRMATION OF COUNSEL

CLERK'S NOTE: Mr. Christensen advised regarding the appointment of counsel. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 08, 2012**

03C193182

The State of Nevada vs Glenford A Budd

October 08, 2012**8:15 AM****Confirmation of Counsel****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Tia Everett**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Patrick Burns, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with Nevada Department of Corrections.

Brett Coombs Esq. appearing on behalf of Matthew Carling Esq. advised Mr. Carling will confirm as counsel. Upon Court's inquiry, Mr. Coombs requested a 90 day status check. COURT ORDERED, matter SET for Status Check. Court informed Mr. Coombs that Robert Glennon was previous counsel of record has the full file and indicated previously he had done substantial work on this case. Further, Court noted there is a Supreme Court order of remand in this case which gives certain direction.

NDC

1/07/2013 8:00 AM STATUS CHECK: BRIEFING SCHEDULE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 07, 2013**

03C193182

The State of Nevada vs Glenford A Budd

January 07, 2013**8:15 AM****Status Check****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Cooper, Jonathan
State of Nevada
Whipple, Bret O

Attorney
Plaintiff
Attorney

JOURNAL ENTRIES

- Mr. Whipple advised he is appearing on behalf of Mr. Carling who request a briefing schedule be set. COURT ORDERED, the following briefing schedule SET: Opening Brief due by April 8, 2013, State's Opposition due by June 10, 2013, Deft's Reply due by July 10, 2013, and matter SET thereafter for hearing.

NDC

7/24/14 8:15 AM HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 04, 2013**

03C193182

The State of Nevada vs Glenford A Budd

December 04, 2013 8:15 AM Status Check**HEARD BY:** Barker, David **COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES**

PRESENT: Pandukht, Taleen R. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Pandukht advised she spoke to Deft's counsel who advised Mr. Whipple was covering for him today and Mr. Whipple is in Mesquite today. Colloquy. COURT ORDERED, matter CONTINUED for the presence of counsel.

NDC

CONTINUED TO: 12/11/13 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 11, 2013**

03C193182

The State of Nevada vs Glenford A Budd

December 11, 2013 8:15 AM Status Check**HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Tia Everett**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections and represented by Michael Carling Esq.

Court noted a date needs to be set for hearing as this is an extensive petition. Colloquy regarding scheduling. Court Directed parties to speak with the JEA to set the hearing date. Ms. Pandukht stated she has previously requested both in writing and orally the 33 pages of case notes referred to in the petition, to which only 5 pages have been provided, as well as the memorandums which were created by Mr. Brooks and referred to in the petition and pursuant to NRS 34.370 defense is required to provide this information as the attorney client privilege has been previously waived; however, this morning she was informed by Mr. Carling that he would not be providing the requested information. Further, Ms. Pandukht stated she is requesting all of this information on the record this morning. Mr. Carling advised the State will have a full opportunity to cross examine Mr. Brooks during the hearing and the majority of this information has been provided or in is in the record and some of the information is work product. Additionally, Mr. Carling stated he is willing to provide the information to the Court for an in camera review to determine if the State should have this information. Court stated he will need to make the determination regarding the in camera review and then the hearing will be set. COURT ORDERED, matter CONTINUED.

03C193182

NDC

CONTINUED TO: 12/18/2013 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 18, 2013**

03C193182

The State of Nevada vs Glenford A Budd

December 18, 2013 8:15 AM Status Check**HEARD BY:** Barker, David **COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Tia Everett**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections and represented by Matthew Carling Esq.

Court noted he received a memorandum regarding the exhibits which were provided for the Court's in camera review and appear to be attorney work product documents. Court FINDS, grounds 1, 6, 9, and 15 of Defendant's petition go directly to Mr. Brooks efforts in the case and the documents provided are directly on point of one or more of those issues; therefore, COURT ORDERED, State's Request GRANTED and the documents shall be provided to State. Colloquy regarding scheduling. MATTER TRAILED for counsel to speak with JEA regarding date. RECALLED. COURT FURTHER ORDERED, matter SET for hearing. Court directed State to prepare an order to transport; however, the hearing will only be for argument on the writ to determine if an Evidentiary Hearing is necessary.

NDC

1/31/2014 8:15 AM ARGUMENT RE: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POST -CONVICTION) (REMAND)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

03C193182

The State of Nevada vs Glenford A Budd

January 31, 2014**8:15 AM****Argument**

**Argument Re:
Defendant's Petition
for Writ of Habeas
Corpus (Post-
Conviction)
(Remand)**

HEARD BY: Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES**

PRESENT:	Budd, Glenford A	Defendant
	Carling, Matthew D.	Attorney
	Flinn, William W.	Attorney
	Pandukht, Taleen R.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted he has reviewed original petition, as well as the first, second, third and fourth supplemental petitions. Mr. Carling stated he believes evidentiary hearing is needed and advised he does not think all of these decisions were strategic in nature only. Court stated he believes Deft. does need to be under examination. Ms. Pandkuht argued no need for hearing, counsel has Mr. Brooks' notes and they touch on all of those grounds. Further, counsel does not believe there are factual disputes between the record and the case notes. Mr. Carling stated based on notes given, some needs to be supplemented as to decisions made at trial and as to trial preparation issues that notes do not address. Further, notes do not address lack of experts on defense part and as to why he did not go after rap song that was played in opening statement. As to failing to prepare for trial which is

ground "A", Ms. Pandukht argued fourteen motions filed and case notes show he extensively prepared for trial which is detailed in the case notes. Mr. Carling stated a lot of those motions were stock motions. Upon Court's inquiry, Mr. Carling stated he does not believe there are any other motions except for a motion in limine to strike rap song which was not done by Mr. Brooks. Colloquy. COURT ORDERED, ground "A" STRICKEN. As to failure to object which is ground "B" still in. Statement by Ms. Pandukht. As to Ground "C", Mr. Carling stated he believes Mr. Brooks needs to supplement the record. Ms. Pandukht argued it is obvious when she refers to them as Bonnie and Clyde, noted a lot of people did not know Deft. by his name, only knew him by A.I. Court noted ground "C" still in. Additional statements by counsel. COURT ORDERED, matter CONTINUED and SET for evidentiary hearing.

NDC

CONTINUED TO: 6/13/14 8:15 AM

6/13/14 8:15 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 09, 2014**

03C193182

The State of Nevada vs Glenford A Budd

June 09, 2014**8:15 AM****Status Check****HEARD BY:** Becker, Nancy**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Carling, Matthew D.
Pandukht, Taleen R.
State of NevadaAttorney
Attorney
Plaintiff**JOURNAL ENTRIES**

- Mr. Carling advised he is not able to be present on Friday, June 13, 2014, and requested matter be continued. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 8/22/14 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 22, 2014**

03C193182

The State of Nevada vs Glenford A Budd

August 22, 2014**8:15 AM****All Pending Motions****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Billie Jo Craig**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Budd, Glenford A
Carling, Matthew D.
Pandukht, Taleen R.
State of Nevada

Defendant
Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- ARGUMENT RE: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS- POST
CONVICTION-REMAND...EVIDENTIARY HEARING

Colloquy regarding parameters of this Hearing. Howard Brooks sworn and testified. Exhibits presented. (See Worksheets.) CONFERENCE AT THE BENCH. Closing arguments by Mr. Carling. Closing arguments by Ms. Pandukht. Court stated its Findings of Facts and Conclusions of Law as to the conclusions or applications of law. The Court applied the Strickland standard. Padilla v. Kentucky; Means v. State, 120 Nev. 100 (2004). The Court FINDS Mr. Brooks was not ineffective in this area and there was overwhelming evidence of Guilty and that the Strickland standard is a high bar. As there is no grounds for relief, COURT ORDERED, Petition is DENIED. The State to prepare the Findings of Facts and Conclusions of Law consistent with those Decisions, to be approved by Mr. Carling, and then submitted to the Court for review and signature. Ms. Pandukht requested a transcript of the proceedings and was provided a video copy of the proceedings today.

NDC

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford A DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P5	Plaintiff			SARATOGA PALMS MAP		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
		Comment: ExhibitID : 190337						
DD	Defendant			POSTER - PHOTO OF CARPORT		Budd, Glenford A	District Court Criminal/Civil 01/01/1900	Evidence Vault
		Comment: ExhibitID : 190359						
P	Plaintiff			JUSTICE COURT		State of Nevada	District Court Criminal/Civil 06/26/2003	Evidence Vault
		Comment: ExhibitID : 80801						
*LOCATIO N	Other			UNIT 18/ SHELF 1 (1 BOX); UNIT 326 (3 BOXES); & ENVELOPES (1)		State of Nevada		
P1	Plaintiff	Admitted 12/09/2005		CRIME SCENE DIAGRAM		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
		Comment: ExhibitID : 190335 NO OBJECTION						
P2-4	Plaintiff	Admitted 12/08/2005		SARATOGA PALMS MAP		State of Nevada	District Court Criminal/Civil 12/08/2005	Evidence Vault
		Comment: ExhibitID : 190336 NO OBJECTION						
P6-17	Plaintiff	Admitted 12/12/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
		Comment: ExhibitID : 190338 NO OBJECTION						

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford DOB
A

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P18	Plaintiff	Admitted 12/09/2005		PHOTO		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190339 NO OBJECTION								
P19-20	Plaintiff	Admitted 12/12/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190340 NO OBJECTION								
P21	Plaintiff	Admitted 12/09/2005		PHOTO		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190341 NO OBJECTION								
P22-23	Plaintiff	Admitted 12/12/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190342 NO OBJECTION								
P24	Plaintiff	Admitted 12/09/2005		PHOTO		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190343 NO OBJECTION								
P25-31	Plaintiff	Admitted 12/12/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190344 NO OBJECTION								

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford DOB
A

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P32-42	Plaintiff	Admitted 12/09/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190345 NO OBJECTION								
P43-46	Plaintiff	Admitted 12/12/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190346 NO OBJECTION								
P47	Plaintiff	Admitted 12/09/2005		PACKAGE 5223-1 (CARTRIDGE CASE/BULLETS)		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190347 NO OBJECTION								
P48A	Plaintiff	Admitted 12/08/2005		EVIDENCE ENVELOPE		State of Nevada	District Court Criminal/Civil 12/08/2005	Evidence Vault
Comment: ExhibitID : 190348 OBJECTION								
P48B	Plaintiff	Admitted 12/08/2005		CD OF 911 CALL		State of Nevada	District Court Criminal/Civil 12/08/2005	Evidence Vault
Comment: ExhibitID : 190349 OBJECTION								
P49A	Plaintiff	Admitted 12/12/2005		ENVELOPE		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190350 NO OBJECTION								

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford A DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P49B	Plaintiff	Admitted 12/12/2005		LETTER (2 PAGES)		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190351 NO OBJECTION								
P49C	Plaintiff	Admitted 12/12/2005		SINGLE SHEET		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190352 NO OBJECTION								
P49D	Plaintiff	Admitted 12/12/2005		TRANLATION OF 49C		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190353 NO OBJECTION								
P50	Plaintiff	Admitted 12/12/2005		PAROLE BOARD LETTER		State of Nevada	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190354 NO OBJECTION								
P51-67	Plaintiff	Admitted 12/14/2005		PHOTOS		State of Nevada	District Court Criminal/Civil 12/14/2005	Evidence Vault
Comment: ExhibitID : 190355 NO OBJECTION								
DA	Defendant	Admitted 12/12/2005		LETTER - 2 PAGES W/ENVELOPE		Budd, Glenford A	District Court Criminal/Civil 12/12/2005	Evidence Vault
Comment: ExhibitID : 190356 NO OBJECTION								

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford A DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
DB	Defendant	Admitted 12/09/2005		POSTER - PHOTO OF WINDOW		Budd, Glenford A	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190357 NO OBJECTION								
DC	Defendant	Admitted 12/09/2005		POSTER - PHOTO OF CARPORT		Budd, Glenford A	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190358 NO OBJECTION								
DE-L	Defendant	Admitted 12/14/2005		PHOTOS		Budd, Glenford A	District Court Criminal/Civil 12/14/2005	Evidence Vault
Comment: ExhibitID : 190360 NO OBJECTION								
DMHU	Defendant	Admitted 12/15/2005		PHOTOS		Budd, Glenford A	District Court Criminal/Civil 12/15/2005	Evidence Vault
Comment: ExhibitID : 190361 NO OBJECTION								
DV	Defendant	Admitted 12/14/2005		DISCIPLINARY RECORD OF DEFENDANT BUDD		Budd, Glenford A	District Court Criminal/Civil 12/14/2005	Evidence Vault
Comment: ExhibitID : 190362 NO OBJECTION								
PCT1	Plaintiff	Admitted 12/09/2005		AFFIDAVIT		State of Nevada	District Court Criminal/Civil 12/09/2005	Evidence Vault
Comment: ExhibitID : 190363								

Exhibit List

Case: 03C193182 Party: Sort Order: Status Defendant Name: Budd, Glenford DOB
A

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
PCT2	Plaintiff	Admitted 12/13/2005		LETTER FROM JURY		State of Nevada	District Court Criminal/Civil 12/13/2005	Evidence Vault
Comment: ExhibitID : 190364								
PCT3	Plaintiff	Admitted 12/13/2005		LETTER FROM JURY		State of Nevada	District Court Criminal/Civil 12/13/2005	Evidence Vault
Comment: ExhibitID : 190365								
PCT4	Plaintiff	Admitted 12/15/2005		LETTER FROM JURY		State of Nevada	District Court Criminal/Civil 12/15/2005	Evidence Vault
Comment: ExhibitID : 190366								
PCT5	Plaintiff	Admitted 12/16/2005		LETTER FROM JURY/ANSWER FROM COURT		State of Nevada	District Court Criminal/Civil 12/16/2005	Evidence Vault
Comment: ExhibitID : 190367								
PCT6	Plaintiff	Admitted 12/16/2005		LETTER FROM JURY/ANSWER FROM COURT		State of Nevada	District Court Criminal/Civil 12/16/2005	Evidence Vault
Comment: ExhibitID : 190368								
PCT7	Plaintiff	Admitted 12/16/2005		LETTER FROM JURY/ANSWER FROM COURT		State of Nevada	District Court Criminal/Civil 12/16/2005	Evidence Vault
Comment: ExhibitID : 190369								
1	Plaintiff	Admitted 08/22/2014	Destroy 08/26/2016	Document letter		Wolfson, Steven B		
Comment: for complete listing - please see the attached								

VAULT EXHIBIT FORM

CASE NO. C 195182

TRIAL DATE: 8/22/14

DEPT. NO. XVIII

JUDGE: DAVID BARKER

CLERK: BILLIE JO CRAIG

THE STATE OF NEVADA
PLAINTIFF

REPORTER: CHERYL CARPENTER

VS
GLENFORD ANTHONY BUI

T. PANDUKNET
COUNSEL FOR PLAINTIFF

DEFENDANT

M. CARLING
COUNSEL FOR DEFENDANT

STATE EXHIBIT

[illegible]

VAULT EXHIBIT FORM

CASE NO. 0193182

TRIAL DATE: 8/22/14

DEPT. NO. XVIII

JUDGE: DAVID BARKER

CLERK: BILLIE JO CRAIG

THE STATE OF NEVADA
PLAINTIFF__

REPORTER: CHEVYL CARPENTER

GLENFORD^{VS} ANTHONY BUDD

T. PANDUKHT
COUNSEL FOR PLAINTIFF

M. CARLING

DEFENDANT _____

COUNSEL FOR DEFENDANT

~~DEF~~ EXHIBIT

OFFERED DATE	ADMITTED OBJ	DATE
-----------------	-----------------	------

[illegible]

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 (NRAP 3(D)(4));
DISTRICT COURT DOCKET ENTRIES; FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER; NOTICE OF ENTRY OF ORDER FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

GLENFORD A. BUDD,

Defendant(s).

Case No: C193182

Dept No: XVIII

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 30 day of October 2014.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk