

Original

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01/20/2015 11:20:14 AM

District Court
Clark County, Nevada

Alan D. Blum

CLERK OF THE COURT

Electronically Filed
Jan 27 2015 09:51 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

State of Nevada,
Plaintiff,

Case No. C151122-2

vs.

Dept. No. XII

Artis L. Moore,
Defendant/

Notice Of Appeal

I hereby appeal to the Nevada Supreme Court from the Notice of Entry of Order filed December 16, 2014.

This Notice of Appeal is filed under the "mailbox" rule and delivered to prison officials for mailing on the 13th day of January, 2015

Dated this 13th day of January, 2015

Artis Moore

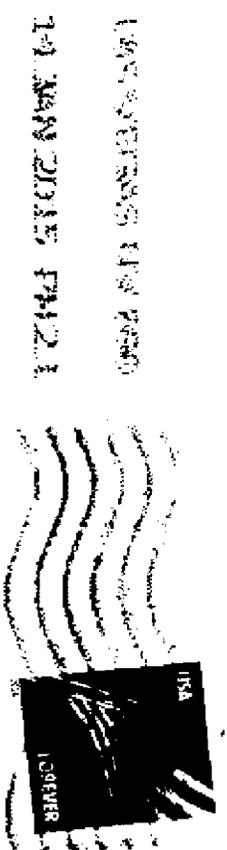
Artis Moore #61167
P.O. Box 208
Indian Springs, NV.
89010

RECEIVED

JAN 20 2015

CLERK OF THE COURT

Arhtis Moore #61167
S.D.C.C.
P.O. Box 208
Indian Springs, Nv.
89070



Regional Justice Center
Clerk of The Court
200 Lewis Avenue
Las Vegas, Nv. 89155

N10A

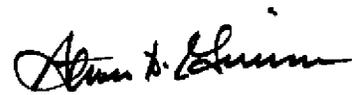
89101530000



SOUTHERN DESERT
CORRECTIONAL CENTER

JAN 14 2015

CHESBROUGH
CALIF.



CLERK OF THE COURT

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7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 ARTIS L. MOORE aka ARDIS L. MOORE,

14 Defendant(s),
15

Case No: 98C151122-2

Dept No: XII

16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Artis Moore

19 2. Judge: Michelle Leavitt

20 3. Appellant(s): Artis Moore

21 Counsel:

22 Artis Moore #61167
23 P.O. Box 208
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

1 (702) 671-2700

2 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
3 Permission Granted: N/A

4 Respondent(s)'s Attorney Licensed in Nevada: Yes
5 Permission Granted: N/A

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

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

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

9 9. Date Commenced in District Court: June 5, 1998

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

11 Type of Judgment or Order Being Appealed: Writ of Habeas Corpus

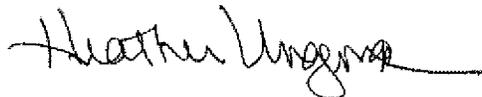
12 11. Previous Appeal: Yes

13 Supreme Court Docket Number(s): 34052, 36253, 37941, 44514, 48461, 54521

14 12. Child Custody or Visitation: N/A

15 Dated This 21 day of January 2015.

16 Steven D. Grierson, Clerk of the Court

17 

18
19 _____
20 Heather Ungermann, Deputy Clerk
21 200 Lewis Ave
22 PO Box 551601
23 Las Vegas, Nevada 89155-1601
24 (702) 671-0512

25 cc: Artis Moore

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

The State of Nevada vs Artis L Moore

§
§
§
§
§
§

Location: **Department 12**
 Judicial Officer: **Leavitt, Michelle**
 Filed on: **06/05/1998**
 Case Number History:
 Cross-Reference Case **C151122**
 Number:
 Defendant's Scope ID #: **1448595**
 Lower Court Case Number: **98GJ00005**

CASE INFORMATION

Offense	Deg	Date	Case Type:
1. BURGLARY, WITH A DEADLY WEAPON	F	01/01/1900	Felony/Gross Misdemeanor
2. CONSPIRE TO AID AND ABET A ROBBERY	F	01/01/1900	Case Flags: Appealed to Supreme Court Custody Status - Nevada Department of Corrections
3. ROBBERY WITH A DEADLY WEAPON	F	01/01/1900	
4. ROBBERY WITH A DEADLY WEAPON	F	01/01/1900	
5. MURDER WITH A DEADLY WEAPON	F	01/01/1900	
6. MURDER WITH A DEADLY WEAPON	F	01/01/1900	
7. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
8. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
9. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
10. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
11. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
12. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
13. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON	F	01/01/1900	
14. BATTERY, WITH A DEADLY WEAPON	F	01/01/1900	

Related Cases

98C151122-1 (Multi-Defendant Case)

Statistical Closures

01/03/2010 USJR Reporting Statistical Closure
 05/07/2009 USJR Reporting Statistical Closure
 01/18/2001 USJR Reporting Statistical Closure
 08/29/2000 USJR Reporting Statistical Closure

Warrants

Bench Warrant - Moore, Artis L. (Judicial Officer: Leavitt, Michelle)
 01/06/1999 Quashed
 06/05/1998 Issued
 Fine: \$0 Bond: \$0

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	98C151122-2
Court	Department 12
Date Assigned	10/26/2003

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2
 Leavitt, Michelle

Judicial Officer

PARTY INFORMATION

Defendant	Moore, Artis L	<i>Lead Attorneys</i> Wommer, Paul E. <i>Retained</i> 7023888817(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. BURGLARY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. CONSPIRE TO AID AND ABET A ROBBERY Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 5. MURDER WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 6. MURDER WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 7. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 8. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 9. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 10. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 11. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 12. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

01/01/1900	Plea (Judicial Officer: User, Conversion) 13. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	Plea (Judicial Officer: User, Conversion) 14. BATTERY WITH A DEADLY WEAPON Not Guilty	
06/05/1998	Grand Jury Indictment (11:30 AM) <i>GRAND JURY INDICTMENT Court Clerk: SUE DEATON Heard By: Myron Leavitt</i>	
06/05/1998	 Indictment <i>(GRAND JURY) INDICTMENT Fee \$0.00</i>	98C151122-20001.tif pages
06/05/1998	Hearing <i>GRAND JURY INDICTMENT</i>	98C151122-20002.tif pages
06/05/1998	Hearing <i>INITIAL ARRAIGNMENT</i>	98C151122-20007.tif pages
06/05/1998	Notice <i>NOTICE GRAND JURY EXHIBITS IN THE VAULT</i>	98C151122-20008.tif pages
06/08/1998	Bench Warrant <i>NO BAIL. BENCH WARRANT ISSUED</i>	98C151122-20003.tif pages
06/08/1998	Order <i>ORDER OF INTENT TO FORFEIT</i>	98C151122-20004.tif pages
06/08/1998	Bench Warrant <i>NO BAIL. BENCH WARRANT ISSUED</i>	98C151122-20005.tif pages
06/08/1998	Order <i>ORDER OF INTENT TO FORFEIT</i>	98C151122-20006.tif pages
06/16/1998	 Request <i>MEDIA REQUEST</i>	98C151122-20009.tif pages
06/16/1998	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C151122-20010.tif pages
06/18/1998	Initial Arraignment (8:45 AM) Events: 06/05/1998 Hearing <i>INITIAL ARRAIGNMENT Relief Clerk: BARBARA SOFLA Reporter/Recorder: ROGER CALABRESSE Heard By: John McGroarty</i>	
06/26/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT GRAND JURY RETURNS, JUNE 5, 1998</i>	98C151122-20013.tif pages
		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

06/30/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT GRAND JURY, JUNE 4, 1998</i>	20014.tif pages
06/30/1998	Hearing <i>STATE'S REQUEST FILE AMENDED INDICTMENT</i>	98C151122- 20015.tif pages
07/08/1998	Request (8:45 AM) Events: 06/30/1998 Hearing <i>STATE'S REQUEST FILE AMENDED INDICTMENT Court Clerk: DENISE TRUJILLO Reporter/Recorder: KIT MacDONALD Heard By: John McGroarty</i>	
07/08/1998	 Indictment <i>AMENDED INDICTMENT</i>	98C151122- 20017.tif pages
07/21/1998	 Motion <i>DEFT'S MOTION TO SEVER</i>	98C151122- 20018.tif pages
07/22/1998	 Receipt of Copy <i>RECEIPT OF A COPY - RELATED PARTYID: 98C151122 0002</i>	98C151122- 20019.tif pages
08/03/1998	Motion to Sever (8:45 AM) Events: 07/21/1998 Motion <i>DEFT'S MOTION TO SEVER Heard By: John McGroarty</i>	
08/03/1998	Hearing <i>STATE'S REQUEST ADVISE COURT STATE SEEKING DEATH PENALTY</i>	98C151122- 20020.tif pages
08/03/1998	 Notice <i>NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	98C151122- 20021.tif pages
08/17/1998	Request (8:45 AM) Events: 08/03/1998 Hearing <i>STATE'S REQUEST ADVISE COURT STATE SEEKING DEATH PENALTY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANNE PROCK Heard By: John McGroarty</i>	
08/17/1998	Hearing <i>STATUS CHECK: POSSIBLE CONFLICT OF INTEREST</i>	98C151122- 20022.tif pages
08/24/1998	Motion to Sever (8:45 AM) <i>DEFT'S MOTION TO SEVER Heard By: John McGroarty</i>	
08/24/1998	Status Check (8:45 AM) Events: 08/17/1998 Hearing <i>STATUS CHECK: POSSIBLE CONFLICT OF INTEREST</i>	
08/24/1998	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 8/24/98 Court Clerk: DENISE TRUJILLO Reporter/Recorder: RENEE SILVAGGIO Heard By: John McGroarty</i>	
08/24/1998	Motion <i>ALL PENDING MOTIONS 8/24/98</i>	98C151122- 20023.tif pages
08/31/1998		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

	 Motion <i>DEFT'S MOTION FOR DISCOVERY</i>	<i>20026.tif pages</i>
08/31/1998	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20027.tif pages</i>
09/02/1998	 Conversion Case Event Type <i>ORDER TO TRANSPORT DEFENDANT TO DR LEWIS METCOFF PHD'S OFFICE - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20028.tif pages</i>
09/04/1998	 Receipt of Copy <i>RECEIPT OF COPY FOR ORDER TO TRANSPORT DEFENDANT TO DR LEWIS METCOFF PHDS OFFICE OFFICE- RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20029.tif pages</i>
09/15/1998	Motion for Discovery (8:45 AM) Events: 08/31/1998 Motion <i>DEFT'S MOTION FOR DISCOVERY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
09/16/1998	 Order <i>ORDER GRANTING DEFENDANTS MOTION FOR DISCOVERY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20030.tif pages</i>
09/17/1998	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20033.tif pages</i>
09/17/1998	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20034.tif pages</i>
09/18/1998	 Request <i>EX-PARTE MOTION FOR CONTACT VISIT - RELATED PARTYID: 98C151122_0002</i>	<i>98C151122-20031.tif pages</i>
09/18/1998	 Order <i>ORDER - RELATED PARTYID: 98C151122_0002</i>	<i>98C151122-20032.tif pages</i>
10/21/1998	 Motion <i>DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE</i>	<i>98C151122-20035.tif pages</i>
10/21/1998	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20036.tif pages</i>
10/28/1998	 Motion <i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE</i>	<i>98C151122-20037.tif pages</i>
11/02/1998	Motion (8:45 AM) Events: 10/21/1998 Motion <i>DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE Heard By: John McGroarty</i>	
11/02/1998	Motion (8:45 AM) Events: 10/28/1998 Motion	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

	<i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE</i> Heard By: John McGroarty	
11/02/1998	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 11/2/98</i> Relief Clerk: BARBARA SOFLA Reporter/Recorder: DIANN PROCK Heard By: John McGroarty	
11/02/1998	Motion <i>ALL PENDING MOTIONS 11/2/98</i>	98C151122-20038.tif pages
11/02/1998	 Answer <i>ANSWER IN OPPOSITION TO MOTION TO BIFURCATE THE PENALTY PHASE</i>	98C151122-20039.tif pages
11/05/1998	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES - RELATED PARTYID: 98C151122_0001</i>	98C151122-20040.tif pages
11/06/1998	 Expert Witness List <i>NOTICE OF DEFENDANTS WITNESSES IN ACCORDANCE WITH NRS 174.089 SECTION 6 - RELATED PARTYID: 98C151122_0001</i>	98C151122-20041.tif pages
11/09/1998	 Motion <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE</i>	98C151122-20042.tif pages
11/09/1998	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20045.tif pages
11/10/1998	CANCELLED Calendar Call (8:45 AM) <i>Vacated</i>	
11/10/1998	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 11/10/98</i> Court Clerk: DENISE TRUJILLO Reporter/Recorder: MARGARET CARDWELL Heard By: John McGroarty	
11/10/1998	Motion (10:00 AM) <i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE</i> Heard By: John McGroarty	
11/10/1998	Motion <i>ALL PENDING MOTIONS 11/10/98</i>	98C151122-20043.tif pages
11/10/1998	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	98C151122-20047.tif pages
11/10/1998	 Expert Witness List <i>LIST OF WITNESSES</i>	98C151122-20048.tif pages
11/12/1998	 Motion <i>STATE'S MOTION TO CONTINUE</i>	98C151122-20046.tif pages
11/12/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HAD AT TIME OF CALENDAR CALL</i>	98C151122-20058.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

11/13/1998	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	98C151122-20052.tif pages
11/13/1998	 Expert Witness List <i>NOTICE OF WITNESSES</i>	98C151122-20053.tif pages
11/16/1998	Motion for Discovery (8:45 AM) Events: 11/09/1998 Motion <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIALPENALTY HEARING EVIDENCE</i> <i>Heard By: John McGroarty</i>	
11/16/1998	Motion to Continue (8:45 AM) Events: 11/12/1998 Motion <i>STATE'S MOTION TO CONTINUE</i> <i>Heard By: John McGroarty</i>	
11/16/1998	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 11/16/98 Court Clerk: BARBARA SOLLA Relief Clerk: PAULA GOODFELI/pg Reporter/Recorder: DIANN PROCK</i> <i>Heard By: John McGroarty</i>	
11/16/1998	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>	
11/16/1998	CANCELED Jury Trial (10:30 AM) <i>Vacated</i>	
11/16/1998	Motion <i>ALL PENDING MOTIONS 11/16/98</i>	98C151122-20049.tif pages
11/17/1998	 Request <i>MEDIA REQUEST</i>	98C151122-20054.tif pages
11/17/1998	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C151122-20055.tif pages
11/17/1998	Request <i>MEDIA REQUEST</i>	98C151122-20056.tif pages
11/17/1998	Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C151122-20057.tif pages
11/20/1998	Motion (8:45 AM) <i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE</i> <i>Relief Clerk: ANNETTE DUNCAN Reporter/Recorder: ROGER CALABRESE</i> <i>Heard By: McGroarty, John S.</i>	
11/23/1998	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C151122-20059.tif pages
11/23/1998	 Expert Witness List <i>SUPPLEMENTAL NOTICE EXPERT WITNESSES</i>	98C151122-20060.tif pages
12/01/1998	Calendar Call (8:45 AM)	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

CALENDAR CALL Court Clerk: DENISE TRUJILLO Reporter/Recorder: MARGARET CARDWELL Heard By: John McGroarty

12/07/1998 **CANCELED Jury Trial** (10:00 AM)
Vacated

12/08/1998 **Calendar Call** (8:45 AM)
CALENDAR CALL Court Clerk: DENISE TRUJILLO Reporter/Recorder: MARGARET CARDWELL Heard By: John McGroarty

12/14/1998 **CANCELED Jury Trial** (10:00 AM)
Vacated

12/15/1998 Motion
STATE'S REQUEST RESET TRIAL DATE

98C151122-
20065.tif pages

12/17/1998 **Motion** (8:45 AM)
Events: 12/15/1998 Motion
STATE'S REQUEST RESET TRIAL DATE Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: John McGroarty

01/12/1999 **CANCELED Calendar Call** (8:45 AM)
Vacated

01/15/1999  Order
ORDER FOR TRANSCRIPT

98C151122-
20068.tif pages

01/19/1999 **CANCELED Jury Trial** (10:00 AM)
Vacated

02/09/1999 **Calendar Call** (8:45 AM)
CALENDAR CALL Relief Clerk: BARBARA SOFIA Reporter/Recorder: DIANN PROCK Heard By: John McGroarty

02/16/1999 **Jury Trial** (10:00 AM)
TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.

02/16/1999 Jury List
CRIMINAL JURY LIST 000015D FC D 000015 D 000015

98C151122-
20069.tif pages

02/16/1999  Expert Witness List
SECOND SUPPLEMENTAL NOTICE OF WITNESSES NRS 174.234 1B

98C151122-
20070.tif pages

02/16/1999  Expert Witness List
JURY LIST

98C151122-
20071.tif pages

02/18/1999 **Jury Trial** (10:00 AM)
TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.

02/18/1999  Indictment
SECOND AMENDED INDICTMENT

98C151122-
20073.tif pages

02/19/1999 **Jury Trial** (10:00 AM)
TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

Heard By: McGroarty, John S.

02/22/1999	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
02/22/1999	 Amended Jury List <i>AMENDED CRIMINAL JURY LIST 000015D D 000015 D 000015</i>	98C151122-20074.tif pages
02/22/1999	Amended Jury List <i>AMENDED CRIMINAL JURY LIST</i>	98C151122-20075.tif pages
02/23/1999	Jury Trial (8:45 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
02/24/1999	Jury Trial (8:45 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
02/24/1999	Penalty Hearing (11:30 AM) <i>PENALTY HEARING Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
02/24/1999	Hearing <i>PENALTY HEARING</i>	98C151122-20076.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20077.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20078.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20079.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20080.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20081.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20082.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20083.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122-20084.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20085.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20086.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20087.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20088.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20089.tif pages
02/24/1999	 Verdict <i>VERDICT</i>	98C151122- 20090.tif pages
02/24/1999	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C151122- 20091.tif pages
02/25/1999	Penalty Hearing (10:00 AM) <i>PENALTY HEARING Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
02/25/1999	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C151122- 20092.tif pages
02/25/1999	 Verdict <i>VERDICT</i>	98C151122- 20093.tif pages
02/26/1999	Conversion Case Event Type <i>SENTENCING</i>	98C151122- 20094.tif pages
03/05/1999	 Notice of Intent to Seek Death Penalty <i>SUPPLEMENTAL NOTICE OF INTENT TO SEEK PENALTY</i>	98C151122- 20095.tif pages
03/09/1999	 Order <i>ORDER - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20096.tif pages
03/11/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20098.tif pages
03/30/1999	 PSI	
04/05/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20099.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

98C151122-
20100.tif pages

04/05/1999



Receipt of Copy

RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001

04/12/1999

Sentencing (8:45 AM)

Events: 02/26/1999 Conversion Case Event Type

SENTENCING Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard

By: John McGroarty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

1. BURGLARY. WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

2. CONSPIRE TO AID AND ABET A ROBBERY
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

3. ROBBERY WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

4. ROBBERY WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

5. MURDER WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

6. MURDER WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

7. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

8. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON
Guilty

04/12/1999

Disposition (Judicial Officer: User, Conversion)

04/12/1999

Disposition (Judicial Officer: User, Conversion)

9. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON
Guilty

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Disposition (Judicial Officer: User, Conversion) 10. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Guilty
04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Disposition (Judicial Officer: User, Conversion) 11. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Guilty
04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Disposition (Judicial Officer: User, Conversion) 12. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Guilty
04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Disposition (Judicial Officer: User, Conversion) 13. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON Guilty
04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Disposition (Judicial Officer: User, Conversion) 14. BATTERY. WITH A DEADLY WEAPON Guilty
04/12/1999	Disposition (Judicial Officer: User, Conversion)
04/12/1999	Sentence (Judicial Officer: User, Conversion) 1. BURGLARY. WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Converted Disposition: Sentence# 0002: RESTITUTION Amount: \$4417.28 Converted Disposition: Sentence# 0003: Amount: \$250.00 Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
04/12/1999	Sentence (Judicial Officer: User, Conversion) 2. CONSPIRE TO AID AND ABET A ROBBERY Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 16 Months to Maximum 72 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001
04/12/1999	Sentence (Judicial Officer: User, Conversion)

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

3. ROBBERY WITH A DEADLY WEAPON
Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0002
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0003
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

4. ROBBERY WITH A DEADLY WEAPON
Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0003
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0004
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

5. MURDER WITH A DEADLY WEAPON
Adult Adjudication
Converted Disposition:
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0004
and Sentence#: 0001
Converted Disposition:
Sentence# 0002: LIFE WITHOUT POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0005
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

6. MURDER WITH A DEADLY WEAPON
Adult Adjudication
Converted Disposition:
Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0005
and Sentence#: 0001
Converted Disposition:
Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0006
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

7. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0006
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0007
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

8. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0007
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0008
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

9. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0008
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0009
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

10. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication
Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0009
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0010
and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

11. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Consecutive

w/Charge Item: 0010

and Sentence#: 0001

Converted Disposition:

Sentence# 0002:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Consecutive

w/Charge Item: 0011

and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

12. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Consecutive

w/Charge Item: 0011

and Sentence#: 0001

Converted Disposition:

Sentence# 0002:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Consecutive

w/Charge Item: 0012

and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

13. KIDNAPPING IN SECOND DEGREE WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Concurrent

w/Charge Item: 0012

and Sentence#: 0001

Converted Disposition:

Sentence# 0002:

Minimum 40 Months to Maximum 180 Months

Placement: NSP

Cons/Conc: Consecutive

w/Charge Item: 0013

and Sentence#: 0001

04/12/1999

Sentence (Judicial Officer: User, Conversion)

14. BATTERY WITH A DEADLY WEAPON

Adult Adjudication

Converted Disposition:

Sentence# 0001:

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0013
and Sentence#: 0001

04/13/1999	 Notice of Appeal <i>NOTICE OF APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20101.tif pages
04/15/1999	 Order <i>ORDER APPOINTING COUNSEL FOR TRIAL - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20102.tif pages
04/21/1999	 Order <i>ORDER FOR EXCESS FEES - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20103.tif pages
05/05/1999	 Statement <i>CASE APPEAL STATEMENT - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20104.tif pages
05/11/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20105.tif pages
05/12/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20106.tif pages
06/08/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20107.tif pages
06/10/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20108.tif pages
06/22/1999	 Order <i>ORDER FOR TRANSCRIPT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20109.tif pages
06/23/1999	 Certificate <i>CERTIFICATE OF MAILING - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20110.tif pages
06/24/1999	 Order <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20111.tif pages
06/24/1999	 Order <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20112.tif pages
06/25/1999	 Order <i>ORDER APPOINTING COUNSEL FOR APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20113.tif pages
06/25/1999	 Order <i>ORDER TO PREPARE TRANSCRIPTS FOR APPEAL</i>	98C151122- 20114.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

06/25/1999	 Notice of Appeal <i>DESIGNATION OF RECORD ON APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20115.tif pages
06/25/1999	 Certificate <i>CERTIFICATE OF MAILING OF ORDER TO PREPARE TRANSCRIPTS ON APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20116.tif pages
07/06/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20117.tif pages
07/06/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20118.tif pages
07/13/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20119.tif pages
07/13/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20120.tif pages
07/16/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20121.tif pages
07/16/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	98C151122-20122.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	98C151122-20123.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	98C151122-20124.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	98C151122-20126.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	98C151122-20127.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF ARTIS LONDELL MOORE</i>	98C151122-20128.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF COURT PROCEEDINGS HAD AT TIME OF JURY TRIAL</i>	98C151122-20129.tif pages
08/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF COURT PROCEEDINGS HAD AT TIME OF JURY TRIAL</i>	98C151122-20130.tif pages
08/04/1999		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY VERDICT AND PENTALTY PHASE OF TRIAL.</i>	<i>20131.tif pages</i>
08/04/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20132.tif pages</i>
08/05/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF SENTENCING</i>	<i>98C151122-20134.tif pages</i>
08/05/1999	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF EXPERT WITNESSES</i>	<i>98C151122-20135.tif pages</i>
08/05/1999	 Expert Witness List <i>NOTICE OF WITNESSES</i>	<i>98C151122-20136.tif pages</i>
08/12/1999	 Expert Witness List <i>NOTICE OF DEFENDANTS EXPERT WITNESSES - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20137.tif pages</i>
08/16/1999	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM EX PARTE - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20138.tif pages</i>
08/16/1999	 Order <i>ORDER FOR WRIT TO ISSUE - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20139.tif pages</i>
08/16/1999	 Writ <i>WRIT OF HABEAS CORPUS AD TESTIFICANDUM - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20140.tif pages</i>
08/16/1999	 Notice <i>NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES AND DEATH PENALTY EVIDENCE PENALTY EVIDENCE</i>	<i>98C151122-20141.tif pages</i>
08/19/1999	Motion <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE</i>	<i>98C151122-20142.tif pages</i>
08/19/1999	 Motion <i>DEFT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE</i>	<i>98C151122-20143.tif pages</i>
08/19/1999	 Motion <i>DEFT'S MOTION LIMIT VICTIM IMPACT STATEMENTS</i>	<i>98C151122-20144.tif pages</i>
08/19/1999	 Motion <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE</i>	<i>98C151122-20145.tif pages</i>
08/19/1999	Motion <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	<i>98C151122-20146.tif pages</i>

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

	<i>BECAUSE</i>	
08/19/1999	 Motion <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN</i>	98C151122-20147.tif pages
08/19/1999	 Motion <i>DEFT'S MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE</i>	98C151122-20148.tif pages
08/19/1999	 Motion <i>DEFT'S MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSHAW MAXEY</i>	98C151122-20149.tif pages
08/19/1999	Motion <i>DEFT'S MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE</i>	98C151122-20150.tif pages
08/19/1999	 Motion <i>DEFT'S MOTION IN LIMINE REGARDING GANG ACTIVITY</i>	98C151122-20151.tif pages
08/19/1999	Motion <i>DEFT'S MOTION TO DISMISS NOTICE OF INTENT INTENT TO SEEK THE DEATH PENALTY FOR VIO</i>	98C151122-20152.tif pages
08/19/1999	 Request <i>MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY THE STATE IS SEEKING THE DEATH PENALTY- RELATED PARTYID: 98C151122_0001</i>	98C151122-20153.tif pages
08/19/1999	 Request <i>MOTION TO DISMISS NOTICE OF INTENT TO SEEK DEATH PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW INTERNATIONAL TREATY AND CUSTOMARY LAW- RELATED PARTYID: 98C151122_0001</i>	98C151122-20154.tif pages
08/19/1999	 Request <i>KENSHAWN MAXEYS MOTION TO STRIKE STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE THE PROCEDURE IN THIS CASE IN UNCONSTITUTIONAL PENALTY BECAUSE THE PROCEDURE IN THIS CASE IN UNCONSTITUTIONAL- RELATED PARTYID: 98C151122_0001</i>	98C151122-20155.tif pages
08/19/1999	 Request <i>KENSHAWN MAXEYS MOTION TO DISMISS STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL- RELATED PARTYID: 98C151122_0001</i>	98C151122-20156.tif pages
08/19/1999	 Points and Authorities <i>MEMORANDUM OF POINTS AND AUTHIORITIES IN SUPPORT OF ALL MOTIONS OBJECTIONS EXCEPTIONS REQUESTS AND OTHER APPLICATIONS AND ISSUES OF ANY NATURE WHATSOEVER REQUESTS AND OTHER APPLICATIONS AND ISSUES OF ANY NATURE WHATSOEVER- RELATED PARTYID: 98C151122_0001</i>	98C151122-20157.tif pages
08/19/1999		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	 Conversion Case Event Type <i>ORDER FOR TRANSCRIPT - RELATED PARTYID: 98C151122_0001</i>	20158.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20159.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20160.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20161.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20162.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20163.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20496.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20497.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20498.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20499.tif pages
08/19/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20500.tif pages
08/20/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT FEB. 25, 1999 DUPLICATE OF JURY TRIAL</i>	98C151122-20164.tif pages
08/20/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEB. 18, 1999 DUPLICATE OF JURY TRIAL</i>	98C151122-20165.tif pages
08/20/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEB. 22, 1999 DUPLICATE OF JURY TRIAL</i>	98C151122-20166.tif pages
08/20/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEB. 19, 1999 DUPLICATE OF JURY TRIAL</i>	98C151122-20167.tif pages
08/23/1999	 Reporters Transcript	98C151122-20168.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

REPORTER'S TRANSCRIPT OF FEB. 16, 1999 DUPLICATE OF JURY TRIAL.

08/23/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEB. 23, 1999 DUPLICATE OF JURY TRIAL</i>	98C151122-20169.tif pages
08/27/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20171.tif pages
08/30/1999	Motion <i>DEFT'S MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE</i>	98C151122-20172.tif pages
08/30/1999	 Request <i>MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE AMENDED INDICTMENT AMENDED INDICTMENT- RELATED PARTYID: 98C151122 0001</i>	98C151122-20173.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO DISMISS NOTICE OF INTENT TO SEEK DEATH PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW</i>	98C151122-20174.tif pages
08/30/1999	 Answer <i>ANSWER IN OPPOSITION TO MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE PENALTY PHASE</i>	98C151122-20175.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE</i>	98C151122-20176.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT MISCONDUCT IN ARGUMENT</i>	98C151122-20177.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO LIMIT VICTIM IMPACT STATEMENTS</i>	98C151122-20178.tif pages
08/30/1999	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C151122-20179.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSLAWN MAXEY OF KENSLAWN MAXEY</i>	98C151122-20180.tif pages
08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY</i>	98C151122-20181.tif pages

98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

08/30/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO STRIKE STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL</i>	20182.tif pages
08/30/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20186.tif pages
08/31/1999	Motion (8:45 AM) <i>DEFTS MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE Heard By: John McGroarty</i>	
08/31/1999	Calendar Call (8:45 AM) <i>CALENDAR CALL</i>	
08/31/1999	Motion (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE Heard By: John McGroarty</i>	
08/31/1999	Motion (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE Heard By: John McGroarty</i>	
08/31/1999	Motion (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION LIMIT VICTIM IMPACT STATEMENTS Heard By: John McGroarty</i>	
08/31/1999	Motion (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE Heard By: John McGroarty</i>	
08/31/1999	Motion to Dismiss (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE Heard By: John McGroarty</i>	
08/31/1999	Motion in Limine (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN Heard By: John McGroarty</i>	
08/31/1999	Motion in Limine (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE Heard By: John McGroarty</i>	
08/31/1999	Motion in Limine (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSHAW MAXEY Heard By: John McGroarty</i>	
08/31/1999	Motion to Strike (8:45 AM) Events: 08/19/1999 Motion <i>DEFTS MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE Heard By: John McGroarty</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

08/31/1999	Motion in Limine (8:45 AM) Events: 08/19/1999 Motion <i>DEFT'S MOTION IN LIMINE REGARDING GANG ACTIVITY Heard By: John McGroarty</i>	
08/31/1999	Motion to Dismiss (8:45 AM) Events: 08/19/1999 Motion <i>DEFT'S MOTN TO DISMISS NOTICE OF INTENT INTENT TO SEEK THE DEATH PENALTY FOR VIO Heard By: John McGroarty</i>	
08/31/1999	Motion to Dismiss (8:45 AM) Events: 08/30/1999 Motion <i>DEFT'S MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE Heard By: John McGroarty</i>	
08/31/1999	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 8/31/99 Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: John McGroarty</i>	
08/31/1999	Motion for Discovery (10:00 AM) <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIALPENALTY HEARING EVIDENCE Heard By: John McGroarty</i>	
08/31/1999	Motion <i>ALL PENDING MOTIONS 8/31/99</i>	98C151122-20185.tif pages
09/07/1999	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>	
09/08/1999	 Judgment <i>JUDGMENT OF CONVICTION JURY TRIAL</i>	98C151122-20187.tif pages
09/08/1999	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>	98C151122-20188.tif pages
09/08/1999	Judgment <i>JUDGMENT OF RESTITUTION</i>	98C151122-20189.tif pages
09/08/1999	Judgment <i>GENETIC TESTING FEE</i>	98C151122-20190.tif pages
09/10/1999	Motion (8:45 AM) <i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE Heard By: John McGroarty</i>	
09/10/1999	Motion for Discovery (8:45 AM) <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIALPENALTY HEARING EVIDENCE Heard By: John McGroarty</i>	
09/10/1999	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 9/10/99 Court Clerk: BARBARA SOFLA Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
09/10/1999	Motion (10:00 AM) <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE Heard By: John McGroarty</i>	
09/10/1999	Motion (10:00 AM)	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

	<i>DEFT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE</i> Heard By: John McGroarty	
09/10/1999	Motion (10:00 AM) <i>DEFT'S MOTION LIMIT VICTIM IMPACT STATEMENTS</i> Heard By: John McGroarty	
09/10/1999	Motion (10:00 AM) <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE</i> Heard By: John McGroarty	
09/10/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE</i> Heard By: John McGroarty	
09/10/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN</i> Heard By: John McGroarty	
09/10/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE</i> Heard By: John McGroarty	
09/10/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSLAW MAXEY</i> Heard By: John McGroarty	
09/10/1999	Motion to Strike (10:00 AM) <i>DEFT'S MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE</i> Heard By: John McGroarty	
09/10/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE REGARDING GANG ACTIVITY</i> Heard By: John McGroarty	
09/10/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MOTION TO DISMISS NOTICE OF INTENT TO SEEK THE DEATH PENALTY FOR VIO</i> Heard By: John McGroarty	
09/10/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE</i> Heard By: John McGroarty	
09/10/1999	Motion <i>ALL PENDING MOTIONS 9/10/99</i>	98C151122-20191.tif pages
09/10/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20192.tif pages
09/10/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20193.tif pages
09/10/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20194.tif pages
09/10/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20195.tif pages
		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

10/06/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	20196.tif pages
10/29/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20197.tif pages
11/04/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20198.tif pages
11/24/1999	 Motion <i>DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES</i>	98C151122-20199.tif pages
11/30/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20200.tif pages
12/10/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES</i>	98C151122-20201.tif pages
12/15/1999	All Pending Motions (8:45 AM) <i>ALL PENDING MOTIONS 12/15/99 Relief Clerk: BARBARA SOI'LA Reporter/Recorder: DLANN PROCK Heard By: John McGroarty</i>	
12/15/1999	Motion to Strike (9:00 AM) Events: 11/24/1999 Motion <i>DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES</i>	
12/15/1999	Motion (10:00 AM) <i>DEFT'S MAXEY'S MOTION TO BIFURCATE THE PENALTY PHASE Heard By: John McGroarty</i>	
12/15/1999	Motion for Discovery (10:00 AM) <i>DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE Heard By: John McGroarty</i>	
12/15/1999	Motion (10:00 AM) <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE Heard By: John McGroarty</i>	
12/15/1999	Motion (10:00 AM) <i>DEFT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE Heard By: John McGroarty</i>	
12/15/1999	Motion (10:00 AM) <i>DEFT'S MOTION LIMIT VICTIM IMPACT STATEMENTS Heard By: John McGroarty</i>	
12/15/1999	Motion (10:00 AM) <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE Heard By: John McGroarty</i>	
12/15/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE Heard By: John McGroarty</i>	
12/15/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT</i>	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

IN Heard By: John McGroarty

12/15/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE Heard By: John McGroarty</i>	
12/15/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSHAW MAXEY Heard By: John McGroarty</i>	
12/15/1999	Motion to Strike (10:00 AM) <i>DEFT'S MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE Heard By: John McGroarty</i>	
12/15/1999	Motion in Limine (10:00 AM) <i>DEFT'S MOTION IN LIMINE REGARDING GANG ACTIVITY Heard By: John McGroarty</i>	
12/15/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MTN TO DISMISS NOTICE OF INTENT INTENT TO SEEK THE DEATH PENALTY FOR VIO Heard By: John McGroarty</i>	
12/15/1999	Motion to Dismiss (10:00 AM) <i>DEFT'S MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE Heard By: John McGroarty</i>	
12/15/1999	Hearing <i>DECISION (DEFT' MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES)</i>	98C151122-20202.tif pages
12/15/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20206.tif pages
12/16/1999	Minute Order (9:00 AM) <i>MINUTE ORDER RE: DECISION Court Clerk: DENISE TRUJILLO Relief Clerk: BARBARA SOFIA Heard By: John McGroarty</i>	
12/16/1999	 Expert Witness List <i>AMENDED NOTICE OF EXPERT WITNESSES</i>	98C151122-20204.tif pages
12/16/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20205.tif pages
12/17/1999	CANCELED Decision (8:45 AM) Events: 12/15/1999 Hearing <i>Vacated</i>	
12/17/1999	Hearing <i>MINUTE ORDER RE: DECISION</i>	98C151122-20203.tif pages
12/20/1999	Motion <i>ALL PENDING MOTIONS 12/15/99</i>	98C151122-20207.tif pages
12/20/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20210.tif pages
		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

12/21/1999	 Petition <i>DEFT'S PETITION FOR WRIT OF VJ12/30/99 CORPUS AD TESTIF- ON IN ERROR/LAW CLERK</i>	20208.tif pages
12/21/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20209.tif pages
12/22/1999	 Order <i>ORDER FOR WRIT TO ISSUE - RELATED PARTYID: 98C151122_0001</i>	98C151122-20211.tif pages
12/22/1999	 Writ <i>WRIT OF HABEAS CORPUS AD TESTIFICANDUM - RELATED PARTYID: 98C151122_0001</i>	98C151122-20212.tif pages
12/22/1999	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20213.tif pages
12/29/1999	 Order <i>ORDER DENYING DEFENDANTS MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES</i>	98C151122-20214.tif pages
01/03/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20215.tif pages
01/05/2000	CANCELED Petition for Writ of Habeas Corpus (8:45 AM) Events: 12/21/1999 Petition <i>Vacated</i>	
01/10/2000	Calendar Call (8:45 AM) <i>CALENDAR CALL Relief Clerk: BARBARA SOFIA Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
01/10/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF VARIOUS DEFENSE MOTIONS</i>	98C151122-20217.tif pages
01/11/2000	Jury Trial (1:30 PM) <i>TRIAL BY JURY Relief Clerk: BARBARA SOFIA Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
01/11/2000	 Indictment <i>SECOND AMENDED INDICTMENT</i>	98C151122-20218.tif pages
01/12/2000	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO/PM Relief Clerk: BARBARA SOFIA/AM Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
01/12/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL AT 1:45 PM</i>	98C151122-20216.tif pages
01/13/2000	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

01/13/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL</i>	98C151122-20219.tif pages
01/13/2000	 Application <i>DEFENDANT KENSHAWN JAMES MAXEYS EX PARTE APPLICATION AND ORDER FOR CONTACT VISIT CONTACT VISIT- RELATED PARTYID: 98C151122_0001</i>	98C151122-20221.tif pages
01/13/2000	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C151122-20222.tif pages
01/13/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20223.tif pages
01/14/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL.</i>	98C151122-20323.tif pages
01/18/2000	Jury Trial (11:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
01/18/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT CALENDAR CALL (CAPITAL MURDER)</i>	98C151122-20226.tif pages
01/19/2000	Jury Trial (11:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
01/19/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL</i>	98C151122-20224.tif pages
01/20/2000	Jury Trial (10:30 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
01/20/2000	Jury List <i>CRIMINAL JURY LIST SPD D11C DISPD DISPD</i>	98C151122-20225.tif pages
01/20/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL</i>	98C151122-20227.tif pages
01/20/2000	 Expert Witness List <i>JURY LIST</i>	98C151122-20228.tif pages
01/21/2000	Jury Trial (10:00 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO (AM)...NORA PENA (PM) Reporter/Recorder: PEGGY CARDWELL (AM)...JOEY DEMATO (PM) Heard By: McGroarty, John S.</i>	
01/24/2000	Jury Trial (1:30 PM) <i>TRIAL BY JURY Relief Clerk: BARBARA SOFLA Reporter/Recorder: DLANN PROCK Heard By: McGroarty, John S.</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

01/24/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL</i>	98C151122- 20229.tif pages
01/24/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL (AM)</i>	98C151122- 20230.tif pages
01/24/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL (PM)</i>	98C151122- 20231.tif pages
01/25/2000	Jury Trial (10:30 AM) <i>TRIAL BY JURY Relief Clerk: BARBARA SOFLA Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
01/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL AM SESSION</i>	98C151122- 20232.tif pages
01/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL HEARING</i>	98C151122- 20233.tif pages
01/26/2000	Jury Trial (11:00 AM) <i>TRIAL BY JURY Relief Clerk: BARBARA SOFLA Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
01/26/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL 1:30 PM SESSION</i>	98C151122- 20234.tif pages
01/27/2000	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO/pm Relief Clerk: BARBARA SOFLA/am Reporter/Recorder: DIANN PROCK Heard By: McGroarty, John S.</i>	
01/27/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL AT 11:00 AM SESSION</i>	98C151122- 20235.tif pages
01/28/2000	Jury Trial (8:30 AM) <i>TRIAL BY JURY Court Clerk: DENISE TRUJILLO Reporter/Recorder: DIANN PROCK Heard By: John McGroarty</i>	
01/28/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL 11:00 AM SESSION</i>	98C151122- 20236.tif pages
01/28/2000	Hearing <i>PENALTY HEARING</i>	98C151122- 20237.tif pages
01/28/2000	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C151122- 20238.tif pages
01/28/2000	 Verdict <i>VERDICT</i>	98C151122- 20239.tif pages
01/31/2000	Penalty Hearing (1:30 PM)	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

Events: 01/28/2000 Hearing
*PENALTY HEARING Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY
CARDWELL Heard By: McGroarty, John S.*

01/31/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL AM SESSION</i>	98C151122- 20240.tif pages
02/01/2000	Penalty Hearing (1:30 PM) <i>PENALTY HEARING Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
02/01/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL/ PENALTY PHASE</i>	98C151122- 20241.tif pages
02/01/2000	 Application <i>DEFENDANT KENSHAWN JAMES MAXEYS EX-PARTE APPLICATION AND ORDER FOR CONTACT VISIT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20242.tif pages
02/01/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20243.tif pages
02/02/2000	Penalty Hearing (1:30 PM) <i>PENALTY HEARING Court Clerk: DENISE TRUJILLO Reporter/Recorder: PEGGY CARDWELL Heard By: McGroarty, John S.</i>	
02/03/2000	Penalty Hearing (1:30 PM) <i>PENALTY HEARING Court Clerk: DENISE TRUJILLO AM Relief Clerk: CAROL FOLEY PM Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>	
02/03/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT CONTINUANCE DURING DEATH PENALTY PHASE OF JURY TRIAL</i>	98C151122- 20245.tif pages
02/03/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT FOR JURY TRIAL/PENALTY PHASE</i>	98C151122- 20246.tif pages
02/03/2000	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20248.tif pages
02/03/2000	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20249.tif pages
02/03/2000	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20250.tif pages
02/04/2000	Penalty Hearing (9:30 AM) <i>PENALTY HEARING Court Clerk: AMBER FARLEY Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>	
02/04/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT (CONDENSED) PENALTY HEARING</i>	98C151122- 20247.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

02/04/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20251.tif pages
02/04/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20252.tif pages
02/07/2000	Penalty Hearing (9:30 AM) <i>PENALTY HEARING Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Gibbons, Mark</i>	
02/07/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF FEBRUARY 4, 2000 PENALTY HEARING</i>	98C151122-20253.tif pages
02/07/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JURY TRIAL</i>	98C151122-20255.tif pages
02/08/2000	Penalty Hearing (9:30 AM) <i>PENALTY HEARING Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>	
02/08/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT</i>	98C151122-20254.tif pages
02/08/2000	Conversion Case Event Type <i>SENTENCING</i>	98C151122-20256.tif pages
02/08/2000	 Order <i>ORDER FOR TRANSCRIPT</i>	98C151122-20258.tif pages
02/08/2000	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C151122-20259.tif pages
02/08/2000	 Verdict <i>SPECIAL VERDICT</i>	98C151122-20260.tif pages
02/08/2000	 Verdict <i>SPECIAL VERDICT</i>	98C151122-20261.tif pages
02/08/2000	 Verdict <i>SPECIAL VERDICT</i>	98C151122-20262.tif pages
02/09/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT</i>	98C151122-20257.tif pages
02/15/2000	 Order <i>ORDER FOR TRANSCRIPT</i>	98C151122-20264.tif pages
02/15/2000	 Order	98C151122-20265.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

ORDER FOR TRANSCRIPT

02/17/2000	 Ex Parte Order <i>EX PARTE ORDER FOR CONTACT VISIT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20267.tif pages
02/22/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20268.tif pages
02/25/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20269.tif pages
03/06/2000	 Conversion Case Event Type <i>DEFT'S MTN TO SET ASIDE THE VERDICT,OR IN THE ALTERNATIVE,GRANT HIM A NEW TRIAL.</i>	98C151122-20270.tif pages
03/06/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20271.tif pages
03/16/2000	 Response <i>RESPONSE TO DEFENDANTS MOTION TO SET ASIDE THE VERDICT OR IN THE ALTERNATIVE GRANT HIM A NEW TRIAL ALTERNATIVE GRANT HIM A NEW TRIAL</i>	98C151122-20273.tif pages
03/16/2000	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20274.tif pages
03/20/2000	Motion to Set Aside (9:00 AM) Events: 03/06/2000 Conversion Case Event Type <i>DEFT'S MTN TO SET ASIDE THE VERDICT,OR IN THE ALTERNATIVE,GRANT HIM A NEW TRIAL Heard By: Mark Gibbons</i>	
03/21/2000	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20275.tif pages
03/23/2000	Sentencing (9:00 AM) Events: 02/08/2000 Conversion Case Event Type <i>SENTENCING Heard By: Mark Gibbons</i>	
03/23/2000	Motion to Set Aside (9:00 AM) <i>DEFT'S MTN TO SET ASIDE THE VERDICT,OR IN THE ALTERNATIVE,GRANT HIM A NEW TRIAL. Heard By: Mark Gibbons</i>	
03/23/2000	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 3-23-00 Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>	
03/23/2000	Motion <i>ALL PENDING MOTIONS 3-23-00</i>	98C151122-20276.tif pages
04/24/2000	Sentencing (9:00 AM) <i>SENTENCING Heard By: Mark Gibbons</i>	
04/24/2000	Motion to Set Aside (9:00 AM) <i>DEFT'S MTN TO SET ASIDE THE VERDICT,OR IN THE ALTERNATIVE,GRANT HIM A</i>	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

NEW TRIAL. Heard By: Mark Gibbons

04/24/2000	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 4/24/00 Court Clerk: AMBER FARLEY Reporter/Recorder: RENEE SILVAGGIO Heard By: Mark Gibbons</i>	
04/24/2000	Motion <i>ALL PENDING MOTIONS 4/24/00</i>	98C151122- 20277.tif pages
05/02/2000	 Order <i>ORDER DENYING DEFENDANTS MOTION TO SET ASIDE THE VERDICT OR IN THE ALTERNATIVE GRANT HIM A NEW TRIAL GRANT HIM A NEW TRIAL</i>	98C151122- 20278.tif pages
05/08/2000	 Judgment <i>JUDGMENT OF CONVICTION JURY TRIAL</i>	98C151122- 20279.tif pages
05/08/2000	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>	98C151122- 20280.tif pages
05/08/2000	Judgment <i>GENETIC TESTING FEE</i>	98C151122- 20281.tif pages
05/08/2000	Judgment <i>JUDGMENT OF RESTITUTION</i>	98C151122- 20282.tif pages
05/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - SENTENCING</i>	98C151122- 20283.tif pages
06/06/2000	 Notice of Appeal <i>NOTICE OF APPEAL - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20284.tif pages
06/06/2000	 Statement <i>CASE APPEAL STATEMENT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20285.tif pages
06/09/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING IN RE: STATE'S REQUEST TO ADVISE THE COURT THE STATE IS SEEKING THE DEATH PENALTY THE STATE IS SEEKING THE DEATH PENALTY</i>	98C151122- 20287.tif pages
06/09/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING IN RE: DEFENDANT'S MOTION FORDISCOVERY</i>	98C151122- 20288.tif pages
06/09/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING IN RE: DEFENDANT'S MOTION TO ALLOW JURY QUESTIONNAIRE DEFENDANT'S MOTION TO BIFURCATE THE PENALTY PHASE QUESTIONNAIRE DEFENDANT'S MOTION TO BIFURCATE THE PENALTY PHASE</i>	98C151122- 20289.tif pages
06/09/2000	 Reporters Transcript	98C151122- 20290.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

REPORTER'S TRANSCRIPT OF HEARING IN RE: STATE'S MOTION TO CONTINUE JURY TRIAL DEFENDANT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE TRIAL DEFENDANT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE

06/09/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING IN RE: VARIOUS MOTIONS BY DEFENDANT</i>	98C151122-20291.tif pages
06/26/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20292.tif pages
06/27/2000	 Motion <i>DEFT'S PRO PER MOTION FOR ORDER FOR PRODUCTION OF TRANSCRIPTS</i>	98C151122-20293.tif pages
07/10/2000	Motion to Produce Transcript (9:00 AM) Events: 06/27/2000 Motion <i>DEFT'S PRO PER MOTION FOR ORDER FOR PRODUCTION OF TRANSCRIPTS Court Clerk: AMBER FARLEY Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>	
07/19/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT</i>	98C151122-20294.tif pages
08/14/2000	 Order <i>ORDER FOR EXCESS FEES - RELATED PARTYID: 98C151122_0002</i>	98C151122-20295.tif pages
08/17/2000	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>NEVADA SUPREME COURT JUDGMENT / ORDERED APPEAL DISMISSED</i>	98C151122-20296.tif pages
08/17/2000	 Judgment <i>REMITTITUR APPEAL DISMISSED</i>	98C151122-20297.tif pages
08/18/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20298.tif pages
08/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20299.tif pages
08/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20300.tif pages
08/30/2000	 Motion <i>DEFT'S PRO PER MOTION FOR WITHDRAWAL OF ATTY/TRANSFER OF RECORDS</i>	98C151122-20302.tif pages
08/30/2000	 Affidavit in Support <i>AFFIDAVIT IN SUPPORT OF MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECORDS TRANSFER OF RECORDS- RELATED PARTYID: 98C151122_0002</i>	98C151122-20303.tif pages
09/05/2000	 Petition	98C151122-20304.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

PETITION FOR RELEASE OF EVIDENCE

09/05/2000	 Order <i>ORDER RELEASING EVIDENCE</i>	98C151122-20305.tif pages
09/06/2000	 Receipt <i>RECEIPT OF EXHIBITS</i>	98C151122-20306.tif pages
09/08/2000	 Response <i>STATES RESPONSE TO MOTIONS FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECORDS AND TRANSFER OF RECORDS</i>	98C151122-20307.tif pages
09/11/2000	Motion (9:00 AM) Events: 08/30/2000 Motion <i>DEFT'S PRO PER MOTION FOR WITHDRAWAL OF ATTY/TRANSFER OF RECORDS</i> <i>Court Clerk: AMBER FARLEY/AF Relief Clerk: LEE ETTE ARAGON Reporter/Recorder: RENEE SILVAGGIO Heard By: Mark Gibbons</i>	
09/27/2000	 Order <i>ORDER GRANTING DEFENDANTS MOTION FOR WITHDRAWAL OF ATTORNEY AND GRANTING DEFENDANTS MOTION FOR TRANSFER OF RECORDS DEFENDANTS MOTION FOR TRANSFER OF RECORDS</i>	98C151122-20308.tif pages
10/11/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PRO PER MOTIONS</i>	98C151122-20309.tif pages
01/05/2001	Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20310.tif pages
01/08/2001	Petition <i>PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION AND APPOINTMENT OF COUNSEL COUNSEL- RELATED PARTYID: 98C151122 0002</i>	98C151122-20311.tif pages
01/08/2001	 Petition <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS/ APPOINTMENT OF COUNSEL</i>	98C151122-20313.tif pages
01/19/2001	 Order <i>ORDER RE PETITION FOR WRIT OF HABEAS CORPUS</i>	98C151122-20314.tif pages
03/20/2001	Petition for Writ of Habeas Corpus (9:00 AM) Events: 01/08/2001 Petition <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS/ APPOINTMENT OF COUNSEL Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Gibbons, Mark</i>	
03/26/2001	 Opposition <i>OPPOSITION TO DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS POST-CONVICTION AND APPOINTMENT OF COUNSEL AND APPOINTMENT OF COUNSEL</i>	98C151122-20315.tif pages
04/10/2001	Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS/ APPOINTMENT OF COUNSEL Court Clerk: BILLIE JO CRAIG Reporter/Recorder: MARCIA HARNESS Heard</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

By: Mark Gibbons

04/23/2001	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	98C151122-20316.tif pages
04/27/2001	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	98C151122-20317.tif pages
04/27/2001	 Notice <i>NOTICE OF ENTRY OF ORDER - RELATED PARTYID: 98C151122_0001</i>	98C151122-20318.tif pages
05/22/2001	 Notice of Appeal <i>DESIGNATION OF RECORD ON APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20319.tif pages
05/22/2001	 Notice of Appeal <i>NOTICE OF APPEAL - RELATED PARTYID: 98C151122_0001</i>	98C151122-20320.tif pages
05/22/2001	 Statement <i>CASE APPEAL STATEMENT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20321.tif pages
05/14/2002	 Motion <i>DEFT'S PRO PER COMPEL LAWYER TO OBTAIN FULL RECORD/66</i>	98C151122-20324.tif pages
05/20/2002	 Response <i>STATES RESPONSE TO DEFENDANTS MOTION TO COMPEL LAWYER TO OBTAIN FULL RECORDS</i>	98C151122-20325.tif pages
05/28/2002	Motion to Compel (9:00 AM) Events: 05/14/2002 Motion <i>DEFT'S PRO PER COMPEL LAWYER TO OBTAIN FULL RECORD/66 Court Clerk: Denise Husted Reporter/Recorder: Carrie Hansen Heard By: Michael Douglas</i>	
06/03/2002	 Order <i>ORDER</i>	98C151122-20326.tif pages
06/03/2002	 Reply <i>REPLY BRIEF FOR REST OF RECORD FROM PAUL WOMMER FROM STATE APPOINTED LAWYER - RELATED PARTYID: 98C151122_0002</i>	98C151122-20327.tif pages
07/26/2002	Hearing <i>STATE'S REQUEST SUPREME COURT REMAND</i>	98C151122-20328.tif pages
08/13/2002	Request (9:00 AM) Events: 07/26/2002 Hearing <i>STATE'S REQUEST SUPREME COURT REMAND Court Clerk: Nora Pena Relief Clerk: Carrie Hansen Reporter/Recorder: Carrie Hansen Heard By: Douglas, Michael L</i>	
08/13/2002	Hearing <i>CONFIRMATION OF APPOINTMENT OF COUNSEL (D. SCHIECK)</i>	98C151122-20330.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

08/15/2002	Request (9:00 AM) <i>STATE'S REQUEST SUPREME COURT REMAND Heard By: Michael Douglas</i>	
08/15/2002	Motion for Confirmation of Counsel (9:00 AM) Events: 08/13/2002 Hearing <i>CONFIRMATION OF APPOINTMENT OF COUNSEL. (D. SCHIECK) Heard By: Michael Douglas</i>	
08/15/2002	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 8/15/02 Court Clerk: Nora Pena Reporter/Recorder: Carrie Hansen Heard By: Michael Douglas</i>	
08/15/2002	Motion <i>ALL PENDING MOTIONS 8/15/02</i>	98C151122-20331.tif pages
08/15/2002	Hearing <i>STATUS CHECK: DEFT'S WRIT</i>	98C151122-20332.tif pages
08/15/2002	 Order <i>ORDER APPOINTING COUNSEL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20333.tif pages
08/20/2002	Judgment <i>CLERK'S CERTIFICATE REVERSED/REMANDED - RELATED PARTYID: 98C151122_0002</i>	98C151122-20334.tif pages
08/20/2002	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - REVERSED AND REMANDED</i>	98C151122-20335.tif pages
09/12/2002	Hearing <i>AT THE REQUEST OF THE COURT SUPREME COURT REMAND</i>	98C151122-20336.tif pages
09/19/2002	Request of Court (9:00 AM) Events: 09/12/2002 Hearing <i>AT THE REQUEST OF THE COURT SUPREME COURT REMAND Court Clerk: Nora Pena Reporter/Recorder: Liz Garcia Heard By: Douglas, Michael I.</i>	
09/25/2002	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	98C151122-20337.tif pages
10/08/2002	Judgment <i>CLERK'S CERTIFICATE REVERSED/REMANDED</i>	98C151122-20338.tif pages
10/08/2002	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>NEVADA SUPREME COURT CLERKS CERTIFICATE/JUDGMENT - AFFIRMED IN PART/REVERSED IN PART AND REMAND PART AND REMAND</i>	98C151122-20339.tif pages
10/10/2002	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT SUPREME COURT REMAND Court Clerk: Nora Pena Reporter/Recorder: Renee Silvaggio Heard By: Gibbons, Mark</i>	
10/15/2002	 Ex Parte Order <i>EX PARTE ORDER FOR NON CONTACT VISIT - RELATED PARTYID: 98C151122_0001</i>	98C151122-20340.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

10/17/2002	Status Check (9:00 AM) Events: 08/15/2002 Hearing <i>STATUS CHECK: DEFT'S WRIT Heard By: Michael Douglas</i>	
10/17/2002	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT SUPREME COURT REMAND Court Clerk: Nora Pena Relief Clerk: Alan Castle/ae Reporter/Recorder: Cat Nelson Heard By: Michael Douglas</i>	
10/17/2002	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 10/17/02 Court Clerk: Cindy Lory Relief Clerk: Amber Farley/af Reporter/Recorder: Cat Nelson Heard By: Michael Douglas</i>	
10/17/2002	Motion <i>ALL PENDING MOTIONS 10/17/02</i>	98C151122-20341.tif pages
10/22/2002	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT SUPREME COURT REMAND Court Clerk: Nora Pena Relief Clerk: Alan Castle/ae Reporter/Recorder: Cat Nelson Heard By: Michael Douglas</i>	
11/13/2002	Judgment <i>AMENDED JUDGMENT</i>	98C151122-20343.tif pages
11/13/2002	 Judgment <i>AMENDED JUDGMENT OF CONVICTION - JURY TRIAL</i>	98C151122-20344.tif pages
11/18/2002	 Motion <i>DEFT'S MTN TO WITHDRAW AS COUNSEL APPOINTMNT POST CONVICTN CNSL/74</i>	98C151122-20345.tif pages
11/19/2002	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20346.tif pages
12/03/2002	Motion to Withdraw as Counsel (9:00 AM) Events: 11/18/2002 Motion <i>DEFT'S MTN TO WITHDRAW AS COUNSEL APPOINTMNT POST CONVICTN CNSL/74 Court Clerk: Nora Pena Reporter/Recorder: Cat Nelson Heard By: Michael Douglas</i>	
12/03/2002	Petition <i>APPOINTMENT OF POST CONVICTION HABEAS CORPUS COUNSEL - LORI TEICHER</i>	98C151122-20347.tif pages
12/10/2002	Motion for Appointment (9:00 AM) Events: 12/03/2002 Petition <i>APPOINTMENT OF POST CONVICTION HABEAS CORPUS COUNSEL - LORI TEICHER Court Clerk: Nora Pena Reporter/Recorder: Carrie Hansen Heard By: Michael Douglas</i>	
12/10/2002	Hearing <i>STATUS CHECK: DEFT'S WRIT</i>	98C151122-20350.tif pages
12/19/2002	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Relief Clerk: Melissa Davis Reporter/Recorder: Carrie Hansen Heard By: Michael Douglas</i>	
12/31/2002	 Order <i>ORDER APPOINTING COUNSEL - RELATED PARTYID: 98C151122_0001</i>	98C151122-20351.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

02/03/2003	 Request <i>EX PARTE MOTION FOR INTERIM PAYMENT OF EXCESS ATTORNEYS FEES IN POST CONVICTION PROCEEDINGS- RELATED PARTYID: 98C151122_0002</i>	98C151122-20352.tif pages
02/04/2003	 Order <i>ORDER GRANTING INTERIM PAYMENT OF EXCESS ATTORNEYS FEES - RELATED PARTYID: 98C151122_0002</i>	98C151122-20353.tif pages
02/13/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Relief Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
02/20/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Relief Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
03/11/2003	Status Check (9:00 AM) Events: 12/10/2002 Hearing <i>STATUS CHECK: DEFT'S WRIT Heard By: Michael Douglas</i>	
03/19/2003	Hearing <i>STATUS CHECK: DEFT'S POST CONVICTION HABEAS CORPUS (VJ 5/13/03)</i>	98C151122-20354.tif pages
03/27/2003	Status Check (9:00 AM) Events: 03/19/2003 Hearing <i>STATUS CHECK: DEFT'S POST CONVICTION HABEAS CORPUS (VJ 5/13/03) Court Clerk: Sharon Chun Relief Clerk: Jennifer Lott/jl Reporter/Recorder: Kendall Heath Heard By: Douglas, Michael L</i>	
04/03/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
04/04/2003	 Motion <i>TEICHER'S MTN TO WITHDRAW AS COUNSEL OF RECORD/80</i>	98C151122-20355.tif pages
04/15/2003	Motion to Withdraw as Counsel (9:00 AM) Events: 04/04/2003 Motion <i>TEICHER'S MTN TO WITHDRAW AS COUNSEL OF RECORD/80 Court Clerk: Sharon Chun/SC Relief Clerk: Kristin Brown Reporter/Recorder: Kit MacDonald Heard By: Michael Douglas</i>	
04/15/2003	Hearing <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS</i>	98C151122-20356.tif pages
04/25/2003	 Order <i>ORDER APPOINTING COUNSEL - RELATED PARTYID: 98C151122_0001</i>	98C151122-20357.tif pages
05/13/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Heard By: Michael Douglas</i>	
05/13/2003	Status Check (9:00 AM) Events: 04/15/2003 Hearing <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS Heard By: Michael Douglas</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

05/13/2003	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (5/13/03) Court Clerk: Sharon Chun Relief Clerk: Melissa Davis/md Reporter/Recorder: Kit MacDonald Heard By: Michael Douglas</i>	
05/13/2003	Motion <i>ALL PENDING MOTIONS (5/13/03)</i>	98C151122-20358.tif pages
05/29/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S POST CONVICTION HABEAS CORPUS (VJ 5/13/03)</i>	
06/17/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sharon Chun Relief Clerk: Jennifer Kimmel/jk Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
06/27/2003	 Application <i>FIRST EX PARTE APPLICATION FOR AUTHORIZATION OF FEES IN EXCESS OF THE STATUTORY AMOUNT AUTHORIZED BY NRS 7.125 AND 7.145 STATUTORY AMOUNT AUTHORIZED BY NRS 7.125 AND 7.145- RELATED PARTYID: 98C151122_0001</i>	98C151122-20359.tif pages
07/09/2003	 Request <i>EX PARTE MOTION FOR INTERIM PAYMENT OF EXCESS ATTORNEYS FEES IN POST CONVICTION PROCEEDINGS CONVICTION PROCEEDINGS- RELATED PARTYID: 98C151122_0002</i>	98C151122-20360.tif pages
07/10/2003	 Order <i>ORDER GRANTING INTERIM PAYMENT OF EXCESS ATTORNEYS FEES - RELATED PARTYID: 98C151122_0002</i>	98C151122-20361.tif pages
07/31/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS Court Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
08/05/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
08/14/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS Court Clerk: Sharon Chun Reporter/Recorder: Cindy Caldwell Heard By: Douglas, Michael L</i>	
08/14/2003	 Hearing <i>HEARING: WRIT OF HABEAS CORPUS</i>	98C151122-20362.tif pages
08/14/2003	 Conversion Case Event Type <i>APPENDIX TO PETITION FOR WRIT OF HABEAS CORPUS</i>	98C151122-20363.tif pages
08/19/2003	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	98C151122-20364.tif pages
08/21/2003	 Opposition <i>STATES OPPOSITION TO DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) (POST CONVICTION)</i>	98C151122-20365.tif pages
08/27/2003		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	 Supplement <i>SUPPLEMENTAL VERIFICATION FOR PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 98C151122_0001</i>	20366.tif pages
09/16/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
09/16/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS Heard By: Michael Douglas</i>	
10/08/2003	 Reply <i>PETITIONERS REPLY TO STATES OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION) CORPUS (POST CONVICTION)- RELATED PARTYID: 98C151122_0001</i>	98C151122-20368.tif pages
10/13/2003	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0001</i>	98C151122-20369.tif pages
10/14/2003	Status Check (9:00 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sharon Chun Reporter/Recorder: Kit MacDonald Heard By: Douglas, Michael L</i>	
10/23/2003	Hearing (9:00 AM) Events: 08/14/2003 Hearing <i>HEARING: WRIT OF HABEAS CORPUS Court Clerk: Sharon Chun Relief Clerk: Jennifer Lott/jl Reporter/Recorder: Kit MacDonald Heard By: Michael Douglas</i>	
10/23/2003	Hearing <i>STATUS CHECK: SET EVIDENTIARY HEARING (WRIT OF HABEAS CORPUS)</i>	98C151122-20370.tif pages
11/13/2003	Status Check (9:00 AM) Events: 10/23/2003 Hearing <i>STATUS CHECK: SET EVIDENTIARY HEARING (WRIT OF HABEAS CORPUS) Court Clerk: Sue Deaton/sd Relief Clerk: Billie Jo Craig Reporter/Recorder: Joanie Grime Heard By: Leavitt, Michelle</i>	
11/13/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL</i>	98C151122-20372.tif pages
11/20/2003	Status Check (9:15 AM) <i>STATUS CHECK: SET EVIDENTIARY HEARING (WRIT OF HABEAS CORPUS) Relief Clerk: Kristen Brown Reporter/Recorder: Joanie Grime Heard By: Michelle Leavitt</i>	
11/20/2003	Hearing <i>EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS</i>	98C151122-20373.tif pages
12/02/2003	Status Check (9:15 AM) <i>STATUS CHECK: DEFT'S WRIT Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Leavitt, Michelle</i>	
12/16/2003	Status Check (9:15 AM) <i>STATUS CHECK: DEFT'S WRIT Relief Clerk: Kristen Brown Reporter/Recorder: Joanie Grime Heard By: Michelle Leavitt</i>	
12/16/2003	Hearing	98C151122-20374.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

HEARING: DEFT MOORE'S PETITION

01/05/2004	Hearing <i>DEFT'S REQUEST TO CONTINUE EVIDENTIARY HEARING</i>	98C151122-20375.tif pages
01/09/2004	Evidentiary Hearing (9:15 AM) Events: 11/20/2003 Hearing <i>EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS Heard By: Michelle Leavitt</i>	
01/13/2004	 Points and Authorities <i>SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION CORPUS POST CONVICTION-RELATED PARTYID: 98C151122_0002</i>	98C151122-20376.tif pages
01/15/2004	Evidentiary Hearing (9:15 AM) <i>EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS Court Clerk: Kristen Brown/kb Relief Clerk: Cheryl Case Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
01/15/2004	Request (9:15 AM) Events: 01/05/2004 Hearing <i>DEFT'S REQUEST TO CONTINUE EVIDENTIARY HEARING Heard By: Michelle Leavitt</i>	
01/15/2004	All Pending Motions (9:15 AM) <i>ALL PENDING MOTIONS 1-15-04 Court Clerk: Sue Deaton/sd Relief Clerk: Kristen Brown Reporter/Recorder: Joanie Grime Heard By: David Wall</i>	
01/16/2004	Motion <i>ALL PENDING MOTIONS 1-15-04</i>	98C151122-20377.tif pages
01/22/2004	 Order <i>STIPULATION AND ORDER TO VACATE HEARING DATE AND RE SET BRIEFING SCHEDULE - RELATED PARTYID: 98C151122_0002</i>	98C151122-20378.tif pages
01/26/2004	 Notice <i>NOTICE OF ENTRY OF ORDER</i>	98C151122-20379.tif pages
02/03/2004	Hearing (9:15 AM) Events: 12/16/2003 Hearing <i>HEARING: DEFT MOORE'S PETITION Heard By: Michelle Leavitt</i>	
02/12/2004	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	98C151122-20380.tif pages
03/02/2004	 Motion <i>STATE'S MTN FOR WAIVER OF ATTY CLIENT PRIVILEGE/90</i>	98C151122-20381.tif pages
03/16/2004	 Opposition <i>PETITIONERS OPPOSITION TO STATES MOTION FOR WAIVER OF ATTORNEY CLIENT PRIVILEGE - RELATED PARTYID: 98C151122_0001</i>	98C151122-20382.tif pages
03/18/2004	Motion (9:00 AM) Events: 03/02/2004 Motion <i>STATE'S MTN FOR WAIVER OF ATTY CLIENT PRIVILEGE/90 Court Clerk: Sue Deaton/sd Relief Clerk: Kristen Brown Reporter/Recorder: Tessa Heishman Heard By: Leavitt, Michelle</i>	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

03/18/2004	Hearing <i>CONFIRMATION OF COUNSEL (ROBERT LANGFORD)</i>	98C151122-20383.tif pages
03/25/2004	Motion (9:15 AM) <i>STATE'S MTN FOR WAIVER OF ATTY CLIENT PRIVILEGE/90 Heard By: Michelle Leavitt</i>	
03/25/2004	Motion for Confirmation of Counsel (9:15 AM) Events: 03/18/2004 Hearing <i>CONFIRMATION OF COUNSEL (ROBERT LANGFORD) Heard By: Michelle Leavitt</i>	
03/25/2004	All Pending Motions (9:15 AM) <i>ALL PENDING MOTIONS 3-25-04 Relief Clerk: Kristen Brown Reporter/Recorder: Tessa Heishman Heard By: Michelle Leavitt</i>	
03/25/2004	Motion <i>ALL PENDING MOTIONS 3-25-04</i>	98C151122-20384.tif pages
03/31/2004	 Response <i>STATES RESPONSE TO DEFENDANTS SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION</i>	98C151122-20385.tif pages
04/02/2004	 Order <i>ORDER APPOINTING COUNSEL AT THE COURT APPOINTED HOURLY RATE - RELATED PARTYID: 98C151122 0001</i>	98C151122-20387.tif pages
04/05/2004	Hearing (11:00 AM) <i>HEARING: DEFT MOORE'S PETITION Court Clerk: Sue Deaton Reporter/Recorder: Gina Shrader Heard By: Michelle Leavitt</i>	
04/05/2004	Conversion Case Event Type <i>ARGUMENT: EVIDENTIARY HEARING REQUIRED</i>	98C151122-20386.tif pages
04/06/2004	Evidentiary Hearing (9:15 AM) <i>EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS Court Clerk: Kristen Brown/kb Relief Clerk: Cheryl Case Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
04/06/2004	Hearing <i>CONFIRMATION OF COUNSEL (LANGFORD) VJ 4/06/04</i>	98C151122-20388.tif pages
04/06/2004	Hearing <i>STATUS CHECK: RESET EVIDENTIARY HEARING</i>	98C151122-20389.tif pages
04/13/2004	Hearing (9:15 AM) Events: 04/05/2004 Conversion Case Event Type <i>ARGUMENT: EVIDENTIARY HEARING REQUIRED Court Clerk: Sue Deaton Relief Clerk: Cheryl Case/cc Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
04/13/2004	Hearing <i>EVIDENTIARY HEARING VJ 5-4-04</i>	98C151122-20390.tif pages
04/13/2004	 Request	98C151122-20391.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

EX PARTE MOTION FOR ORDER TO TRANSPORT PETITIONER - RELATED PARTYID: 98C151122_0002

04/15/2004 **CANCELED Motion for Confirmation of Counsel** (9:15 AM)
Events: 04/06/2004 Hearing
Vacated

04/15/2004 **Status Check** (9:15 AM)
Events: 04/06/2004 Hearing
STATUS CHECK: RESET EVIDENTIARY HEARING Court Clerk: Sue Deaton Reporter/Recorder: Tessa Heishman Heard By: Leavitt, Michelle

04/19/2004  **Motion**
DEFT'S MTN TO VACATE /RESET EVIDENTIARY HEARING/98 98C151122-20393.tif pages

04/20/2004  **Receipt of Copy**
RECEIPT OF COPY - RELATED PARTYID: 98C151122_0002 98C151122-20396.tif pages

04/22/2004 **Status Check** (9:15 AM)
STATUS CHECK: RESET EVIDENTIARY HEARING Court Clerk: Sue Deaton/sd Relief Clerk: Kristen Brown Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt

04/22/2004 **Hearing**
EVIDENTIARY HEARING VJ 5-11-04 98C151122-20394.tif pages

04/30/2004  **Motion**
DEFT'S MTN TO CONTINUE /101 98C151122-20397.tif pages

05/04/2004 **Motion to Vacate** (9:15 AM)
Events: 04/19/2004 Motion
DEFT'S MTN TO VACATE /RESET EVIDENTIARY HEARING/98 Court Clerk: Sue Deaton Relief Clerk: Kristen Brown/kb Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt

05/04/2004 **Hearing**
EVIDENTIARY HEARING 98C151122-20398.tif pages

05/05/2004  **Request**
EX PARTE MOTION FOR ORDER TO TRANSPORT PETITIONER - RELATED PARTYID: 98C151122_0002 98C151122-20399.tif pages

05/11/2004 **Motion to Continue** (9:15 AM)
Events: 04/30/2004 Motion
DEFT'S MTN TO CONTINUE /101 Court Clerk: Sue Deaton Reporter/Recorder: Tessa Heishman Heard By: Michelle Leavitt

05/11/2004 **Hearing**
EVIDENTIARY HEARING VJ 7/20/04 98C151122-20400.tif pages

05/18/2004  **Ex Parte Order**
EX PARTE ORDER TO TRANSPORT PETITIONER - RELATED PARTYID: 98C151122_0002 98C151122-20401.tif pages

05/27/2004 **CANCELED Evidentiary Hearing** (10:30 AM)
Events: 04/13/2004 Hearing

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	<i>Vacated</i>	
06/08/2004	Evidentiary Hearing (11:00 AM) Events: 05/04/2004 Hearing <i>EVIDENTIARY HEARING Court Clerk: Sue Deaton Reporter/Recorder: Tessa Heishman Heard By: Michelle Leavitt</i>	
06/08/2004	Hearing <i>STATUS CHECK: ATTY SCHIECK CONFLICT</i>	98C151122- 20402.tif pages
06/15/2004	Status Check (9:15 AM) Events: 06/08/2004 Hearing <i>STATUS CHECK: ATTY SCHIECK CONFLICT Court Clerk: Sue Deaton Relief Clerk: Kristen Brown/kb Reporter/Recorder: Gina Shrader Heard By: Michelle Leavitt</i>	
06/15/2004	Hearing <i>EVIDENTIARY HEARING</i>	98C151122- 20403.tif pages
06/24/2004	CANCELED Evidentiary Hearing (11:00 AM) Events: 04/22/2004 Hearing <i>Vacated</i>	
07/07/2004	Hearing <i>RESET EVIDENTIARY HEARING REQUEST</i>	98C151122- 20404.tif pages
07/19/2004	 Notice <i>NOTICE OF CHANGE IN STATUS OF COUNSEL FOR PETITIONER - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20406.tif pages
07/20/2004	Request (9:15 AM) Events: 07/07/2004 Hearing <i>RESET EVIDENTIARY HEARING REQUEST Relief Clerk: Kristen Brown Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
07/20/2004	Hearing <i>STATUS CHECK: DECISION OF RECORDS REVIEW /RESET EVIDENTIARY HEARING</i>	98C151122- 20405.tif pages
07/21/2004	 Request <i>EX PARTE MOTION FOR FINAL INTERIM PAYMENT OF EXCESS ATTORNEYS FEES IN POST CONVICTION PROCEEDINGS POST CONVICTION PROCEEDINGS- RELATED PARTYID: 98C151122_0002</i>	98C151122- 20407.tif pages
07/27/2004	CANCELED Evidentiary Hearing (11:00 AM) Events: 05/11/2004 Hearing <i>Vacated</i>	
07/27/2004	 Order <i>ORDER GRANTING FINAL INTERIM PAYMENT OF EXCESS ATTORNEYS FEES AND COSTS - RELATED PARTYID: 98C151122_0002</i>	98C151122- 20408.tif pages
08/10/2004	 Affidavit <i>AFFIDAVIT OF COMPLIANCE WITH SUBPOENA - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20409.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

09/02/2004	Evidentiary Hearing (11:00 AM) Events: 06/15/2004 Hearing <i>EVIDENTIARY HEARING Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Leavitt, Michelle</i>	
09/09/2004	Evidentiary Hearing (11:00 AM) <i>EVIDENTIARY HEARING Court Clerk: Sue Deaton Reporter/Recorder: Gina Shrader Heard By: Leavitt, Michelle</i>	
09/13/2004	 Conversion Case Event Type <i>EX PARTE ORDER TO TRANSPORT PETITIONER - RELATED PARTYID: 98C151122_0002</i>	98C151122-20411.tif pages
09/14/2004	Evidentiary Hearing (11:00 AM) <i>EVIDENTIARY HEARING Heard By: Michelle Leavitt</i>	
09/14/2004	Status Check (11:00 AM) Events: 07/20/2004 Hearing <i>STATUS CHECK: DECISION OF RECORDS REVIEW/RESET EVIDENTIARY HEARING Heard By: Michelle Leavitt</i>	
09/14/2004	All Pending Motions (11:00 AM) <i>ALL PENDING MOTIONS 9-14-04 Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
09/15/2004	Motion <i>ALL PENDING MOTIONS 9-14-04</i>	98C151122-20410.tif pages
09/23/2004	Evidentiary Hearing (11:00 AM) <i>EVIDENTIARY HEARING Relief Clerk: April Watkins Reporter/Recorder: Norma Silverman Heard By: Michelle Leavitt</i>	
10/06/2004	Hearing <i>STATE'S REQUEST CONTINUE EVID HEARING</i>	98C151122-20413.tif pages
10/12/2004	Request (9:15 AM) Events: 10/06/2004 Hearing <i>STATE'S REQUEST CONTINUE EVID HEARING Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
10/12/2004	Hearing <i>EVIDENTIARY HEARING</i>	98C151122-20414.tif pages
10/14/2004	Status Check (11:00 AM) <i>STATUS CHECK: DECISION OF RECORDS REVIEW/RESET EVIDENTIARY HEARING Court Clerk: Sue Deaton Relief Clerk: Sandra Jeter/sj Reporter/Recorder: Gina Shrader Heard By: Leavitt, Michelle</i>	
10/21/2004	Status Check (11:00 AM) <i>STATUS CHECK: DECISION OF RECORDS REVIEW/RESET EVIDENTIARY HEARING Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
11/30/2004	Evidentiary Hearing (11:00 AM) Events: 10/12/2004 Hearing <i>EVIDENTIARY HEARING Court Clerk: Denise Trujillo Reporter/Recorder: Krista Broka Heard By: Michelle Leavitt</i>	
12/01/2004		98C151122-

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	Hearing <i>STATUS CHECK</i>	20415.tif pages
12/01/2004	 Motion <i>DEFT'S MTN TO PLACE ON CALENDAR</i>	98C151122-20416.tif pages
12/01/2004	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 98C151122_0002</i>	98C151122-20418.tif pages
12/02/2004	Status Check (9:15 AM) Events: 12/01/2004 Hearing <i>STATUS CHECK Court Clerk: Sue Deaton Reporter/Recorder: Krista Broka Heard By: Michelle Leavitt</i>	
12/02/2004	Hearing <i>STATUS CHECK: WRIT FILED</i>	98C151122-20417.tif pages
12/09/2004	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	98C151122-20419.tif pages
12/14/2004	Motion (9:15 AM) Events: 12/01/2004 Motion <i>DEFT'S MTN TO PLACE ON CALENDAR Relief Clerk: Judy McFadden Reporter/Recorder: Jo Scott Heard By: Michelle Leavitt</i>	
12/15/2004	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	98C151122-20420.tif pages
12/28/2004	Status Check (9:15 AM) Events: 12/02/2004 Hearing <i>STATUS CHECK: WRIT FILED Court Clerk: Sue Deaton Relief Clerk: Cheryl Case/cc Reporter/Recorder: Jo Scott Heard By: Leavitt, Michelle</i>	
01/06/2005	 Order <i>ORDER APPOINTING COUNSEL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20421.tif pages
01/11/2005	 Notice of Appeal <i>NOTICE OF APPEAL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20422.tif pages
01/11/2005	 Statement <i>CASE APPEAL STATEMENT</i>	98C151122-20423.tif pages
02/01/2005	Status Check (9:15 AM) <i>STATUS CHECK: WRIT FILED Court Clerk: Sue Deaton Reporter/Recorder: Jo A. Scott Heard By: Michelle Leavitt</i>	
02/01/2005	Hearing <i>EVIDENTIARY HEARING VL 6-10-05</i>	98C151122-20424.tif pages
02/11/2005	 Order <i>ORDER</i>	98C151122-20425.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	20436.tif pages
03/28/2006	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	98C151122- 20437.tif pages
05/16/2006	 Application <i>EX PARTE APPLICATION FOR ADDITIONAL FUNDS FOR NEUROLOGICAL EXAMINATION - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20438.tif pages
05/18/2006	 Ex Parte Order <i>EX PARTE ORDER - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20439.tif pages
06/09/2006	 Conversion Case Event Type <i>ORDER TO TRANSPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20440.tif pages
07/19/2006	Hearing <i>STATUS CHECK: FURTHER PROCEEDINGS</i>	98C151122- 20441.tif pages
07/27/2006	Status Check (9:15 AM) Events: 07/19/2006 Hearing <i>STATUS CHECK: FURTHER PROCEEDINGS Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>	
07/27/2006	Conversion Case Event Type <i>ARGUMENT/DECISION</i>	98C151122- 20442.tif pages
08/10/2006	Hearing (11:00 AM) Events: 07/27/2006 Conversion Case Event Type <i>ARGUMENT/DECISION Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle</i>	
08/24/2006	Hearing (11:00 AM) <i>ARGUMENT/DECISION Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle</i>	
09/14/2006	Hearing (11:00 AM) <i>ARGUMENT/DECISION Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</i>	
09/14/2006	Hearing <i>STATUS CHECK: DR'S REPORT</i>	98C151122- 20443.tif pages
09/28/2006	Status Check (9:15 AM) Events: 09/14/2006 Hearing <i>STATUS CHECK: DR'S REPORT Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle</i>	
10/09/2006	 Notice <i>NOTICE OF PROVISION OF DOCTORS REPORT - RELATED PARTYID: 98C151122_0001</i>	98C151122- 20444.tif pages
10/12/2006	Status Check (9:15 AM) <i>STATUS CHECK: DR'S REPORT Court Clerk: April Watkins Reporter/Recorder: Thelma</i>	

DEPARTMENT 12
CASE SUMMARY
CASE No. 98C151122-2

Stapley Heard By: Michelle Leavitt

10/12/2006	 Exhibits <i>LETTER - UNIVERSITY OF NEVADA SCHOOL OF MEDICINE - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20446.tif pages</i>
10/25/2006	 Judgment <i>FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER</i>	<i>98C151122-20447.tif pages</i>
10/26/2006	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	<i>98C151122-20448.tif pages</i>
11/03/2006	 Ex Parte <i>EX PARTE MOTION FOR APPOINTMENT OF APPELLATE COUNSEL</i>	<i>98C151122-20449.tif pages</i>
11/14/2006	 Order <i>ORDER APPOINTING COUNSEL - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20450.tif pages</i>
11/20/2006	 Statement <i>CASE APPEAL STATEMENT</i>	<i>98C151122-20451.tif pages</i>
11/20/2006	 Notice of Appeal <i>NOTICE OF APPEAL (SC 48461) - RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20452.tif pages</i>
12/01/2006	 Application <i>EX PARTE APPLICATION FOR AUTHORIZATION OF FEES FOR HABEAS CORPUS REPRESENTATION IN EXCESS OF THE STATUROY AMOUNT REPRESENTATION IN EXCESS OF THE STATUROY AMOUNT- RELATED PARTYID: 98C151122_0001</i>	<i>98C151122-20453.tif pages</i>
12/22/2006	 Reporters Transcript <i>RECORDER'S TRANSCRIPT OF HEARING OF STATUS CHECK DOCTORS REPORT</i>	<i>98C151122-20455.tif pages</i>
12/22/2006	 Reporters Transcript <i>RECORDER'S TRANSCRIPT OF HERAING ARGUMENT AND DECISION</i>	<i>98C151122-20456.tif pages</i>
12/22/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING OF ARGUMENT DECISION</i>	<i>98C151122-20457.tif pages</i>
12/29/2006	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING WRIT OF HABEAS CORPUS</i>	<i>98C151122-20458.tif pages</i>
12/29/2006	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	<i>98C151122-20459.tif pages</i>
01/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING IN RE STATUS CHECK RESET EVIDENTIARY HEARING</i>	<i>98C151122-20460.tif pages</i>

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

01/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING IN RE STATUS CHECK WRIT FILED</i>	98C151122-20461.tif pages
01/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING IN RE STATUS CHECK DECISION OF RECORDS REVIEW/RESET EVIDENTIARY HEARING REVIEW/RESET EVIDENTIARY HEARING</i>	98C151122-20462.tif pages
01/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING IN RE RESET EVIDENTIARY HEARING REQUEST</i>	98C151122-20463.tif pages
01/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING IN RE STATES REQUEST TO CONTINUE EVIDENTIARY HEARING HEARING</i>	98C151122-20464.tif pages
01/03/2007	 Withdrawal of Attorney <i>NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD - RELATED PARTYID: 98C151122 0002</i>	98C151122-20465.tif pages
01/04/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK</i>	98C151122-20466.tif pages
01/04/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20467.tif pages
01/04/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20469.tif pages
01/10/2007	 Order <i>ORDER - RELATED PARTYID: 98C151122_0001</i>	98C151122-20468.tif pages
01/23/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20470.tif pages
01/23/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20471.tif pages
04/02/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20472.tif pages
04/06/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20473.tif pages
04/06/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20474.tif pages
04/09/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK</i>	98C151122-20475.tif pages

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

04/17/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C151122-20476.tif pages
10/24/2008	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	98C151122-20478.tif pages
01/23/2009	 Order <i>ORDER - RELATED PARTYID: 98C151122_0001</i>	98C151122-20479.tif pages
02/19/2009	 Request <i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND FOR APPOINTMENT OF COUNSEL - RELATED PARTYID: 98C151122_0002</i>	98C151122-20480.tif pages
02/19/2009	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION - RELATED PARTYID: 98C151122_0002</i>	98C151122-20481.tif pages
02/19/2009	 Exhibits <i>INDEX OF EXHIBITS IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 98C151122_0002</i>	98C151122-20482.tif pages
05/08/2009	Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>	98C151122-20484.tif pages
05/08/2009	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	98C151122-20485.tif pages
07/07/2009	 Response <i>STATES RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION AND MTN TO DISMISS DISMISS</i>	98C151122-20486.tif pages
07/16/2009	Petition for Writ of Habeas Corpus (10:00 AM) Events: 05/08/2009 Petition <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: April Watkins Reporter/Recorder: Kerry Esparza Heard By: Michelle Leavitt</i>	
07/24/2009	 Motion <i>DEFT'S PRO PER MTN TO RECONSIDER /120</i>	98C151122-20487.tif pages
07/24/2009	 Motion <i>DEFT'S PRO PER MTN FOR ENLARGEMENT OF TIME/</i>	98C151122-20488.tif pages
07/29/2009	 Opposition <i>OPPOSITION TO DEPENDANTS MOTION FOR RECONSIDERATION AND MTN FOR ENLARGEMENT OF TIME OF TIME</i>	98C151122-20489.tif pages
08/06/2009	Motion to Reconsider (8:30 AM) Events: 07/24/2009 Motion <i>DEFT'S PRO PER MTN TO RECONSIDER /120 Heard By: Michelle Leavitt</i>	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

08/06/2009	Motion (8:30 AM) Events: 07/24/2009 Motion <i>DEFTS PRO PER MTN FOR ENLARGEMENT OF TIME/</i>	
08/06/2009	All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS (8/6/09) Court Clerk: April Watkins Reporter/Recorder: Kerry Esparza Heard By: Michelle Leavitt</i>	
08/06/2009	Motion <i>ALL PENDING MOTIONS (8/6/09)</i>	98C151122-20490.tif pages
08/17/2009	 Findings of Fact, Conclusions of Law and Order <i>FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON JULY 16 2009 HEARING</i>	98C151122-20491.tif pages
08/19/2009	 Notice of Entry of Decision and Order <i>NOTICE OF ENTRY OF DECISION AND ORDER</i>	98C151122-20492.tif pages
09/09/2009	 Notice of Appeal <i>NOTICE OF APPEAL (SC 54521) - RELATED PARTYID: 98C151122_0002</i>	98C151122-20493.tif pages
09/09/2009	 Statement <i>CASE APPEAL STATEMENT</i>	98C151122-20494.tif pages
09/22/2009	 Order <i>ORDER DENYING DEFTS PRO PER MTN FOR ENLARGEMENT OF TIME - DEFTS PRO PER MTN FOR RECONSIDERATION FOR RECONSIDERATION</i>	98C151122-20495.tif pages
06/04/2010	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	98C151122-20504.tif pages
11/26/2014	 Petition for Writ of Habeas Corpus Filed by: Defendant Moore, Artis L <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>	
11/26/2014	 Ex Parte Motion Filed By: Defendant Moore, Artis L <i>Ex Parte Motion for Appointment of Counsel and Request for Evidentiary Hearing</i>	
11/26/2014	 Memorandum of Points and Authorities Filed By: Defendant Moore, Artis L <i>Memorandum of Points and Authorities in Support of Writ of Habeas Corpus/Post-Conviction</i>	
12/09/2014	 Findings of Fact, Conclusions of Law and Order	
12/16/2014	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	
12/30/2014	 Ex Parte Motion Filed By: Defendant Moore, Artis L	

DEPARTMENT 12
CASE SUMMARY
CASE NO. 98C151122-2

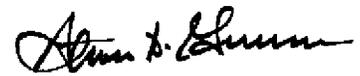
Ex Parte Motion for Reconsideration to Denial of Petition for Post-Conviction

01/14/2015	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition To Defendant's Ex Parte Motion For Reconsideration To Denial Of Petition For Post-Conviction</i>
01/20/2015	 Notice of Appeal (criminal) Party: Defendant Moore, Artis L <i>Notice of Appeal</i>
01/21/2015	 Case Appeal Statement Filed By: Defendant Moore, Artis L. <i>Case Appeal Statement</i>
01/22/2015	Motion For Reconsideration (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Pro Per Ex Parte Motion for Reconsideration to Denial of Petition for Post-Conviction</i>

DATE

FINANCIAL INFORMATION

Defendant Moore, Artis L.	
Total Charges	275.00
Total Payments and Credits	0.00
Balance Due as of 1/21/2015	275.00



CLERK OF THE COURT

1 ORDR
2

3 EIGHTH JUDICIAL DISTRICT
4 CLARK COUNTY, NEVADA

5 ARTIS L MOORE,

6 Petitioner,

7 vs.

8 THE STATE OF NEVADA

9 Respondent

) Case No.: C151122

) DEPT. No.: XII

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

11 FINDINGS OF FACT

12
13 1. On February 24, 1999, Petitioner was convicted of the following
14 offenses: (1) Burglary While In Possession of a Firearm; (2) Conspiracy to Commit
15 Robbery; (3) Robbery with Use of a Deadly Weapon; (4) First Degree Murder With
16 Use of a Deadly Weapon; (5) Second Degree Murder With Use of a Deadly Weapon;
(6) Second Degree Kidnapping With Use of a Deadly Weapon; and (7) Battery With
Use of a Deadly Weapon;

17 2. On April 12, 1999, Petitioner was sentenced as follows: Count I - 40-
18 180 months; Count II - 16-72 months, concurrent to Count I; Count III - 40-180
19 months with an equal and consecutive term of 40-180 months for use of a deadly
20 weapon, concurrent to Count II; Count IV - 40-180 months with an equal and
21 consecutive term of 40-180 months for use of a deadly weapon, concurrent to Count
22 III; Count V - life without the possibility of parole with an equal and consecutive
23 term of life without the possibility of parole for use of a deadly weapon, consecutive
24 to Count IV; Count VI - life with the possibility of parole with an equal and
25 consecutive term of life with the possibility of parole for use of a deadly weapon,
26 consecutive to Count V; Count VII - 40-180 months with an equal and consecutive
27 term of 40-180 months for use of a deadly weapon, consecutive to Count VI; Count
28 VIII - 40-180 months with an equal and consecutive term of 40-180 months for use of
a deadly weapon, concurrent with Count VII; Count IX - 40-180 months with an
equal and consecutive term of 40-180 months for use of a deadly weapon, concurrent
to Count VIII; Count X - 40-180 months with an equal and consecutive term of 40-
180 months for use of a deadly weapon, consecutive to Count IX; Count XI - 40-180
months with an equal and consecutive term of 40-180 months for use of a deadly
weapon, consecutive to Count X; Count XII - 40-180 months, with an equal and
consecutive term of 40-180 months for use of a deadly weapon, consecutive to Count
XI; Count XIII - 40-180 months with an equal and consecutive term of 40-180

*W. Full
pr*
MICHELLE LEAVITT
DISTRICT JUDGE

1 months for use of a deadly weapon, concurrent to Count XII; Count XIV – 40-180
2 months, consecutive to Count XIII;

3 3. On July 10, 2000, the Nevada Supreme Court denied Petitioner's
4 direct appeal; remitter was issued on August 7, 2000;

5 4. On January 8, 2001, Petitioner's first Petition for Writ of Habeas
6 Corpus (Post-Conviction) was filed.

7 5. On April 10, 2001, the District Court denied Defendant's Petition for
8 Writ of Habeas Corpus (Post-Conviction). The petition was later remanded by the
9 Nevada Supreme Court so that Petitioner could have the assistance of appointed
10 counsel. Petitioner filed a supplemental memorandum of points and authorities on
11 January 13, 2004. That petition was denied in a written decision issued by this Court
12 on December 9, 2004.

13 6. On December 1, 2006, the Nevada Supreme Court affirmed the
14 District Court's denial of Defendant's Petition. Remittitur was issued on December
15 27, 2006.

16 7. On February 19, 2009, Defendant filed a Second Petition for Writ of
17 Habeas Corpus (Post-Conviction).

18 8. On August 17, 2009, the District Court denied Defendant's Second
19 Petition for Writ of Habeas Corpus (Post-Conviction).

20 9. On September 9, 2009, Defendant filed a Notice of Appeal.

21 10. On May 7, 2010, the Nevada Supreme Court affirmed the District
22 Court's denial of Defendant's Second Petition. Remittitur was issued on June 4, 2010.

23 11. On November 26, 2014, Defendant filed the instant Third Petition for
24 Writ of Habeas Corpus (Post-Conviction).

25 CONCLUSIONS OF LAW

26 1. NRS 34.726(1), governing "Limitations on time to file..." requires
27 that a petition for a writ of habeas corpus "must be filed within 1 year after entry of
28 the judgment of conviction or, if an appeal has been taken from the judgment, within
1 year after the Supreme Court issues its remittitur." Late-filing of a petition may be
excused from procedural default if the Petitioner can establish good cause for delay in
bringing the claim. *Id.* Good cause for late-filing consists of a showing that: (1)
"delay is not the fault of the petitioner"; and (2) "dismissal of the petition as untimely
will unduly prejudice the petitioner." *Id.* at (1)(a)-(b).

1
2 2. To avoid dismissal the defendant must plead and prove specific facts
3 that demonstrate good cause for his failure to present claims before and actual
4 prejudice. *See State v. District Court*, 121 Nev. 225, 232, 112 P.3d 1070, 1074
5 (2005).

6 3. In order to demonstrate good cause, a petitioner must show that an
7 impediment external to the defense prevented him or her from complying with the
8 state procedural default rules. *Hathaway v. State*, 119 Nev. 248, 252, 71 P.3d 503,
9 506 (2003).

10 4. The court may excuse the failure to show good cause where the
11 prejudice from a failure to consider the claim amounts to a fundamental miscarriage
12 of justice. *Pellegrini v. State*, 117 Nev. 860, 887, 34 P.3d 519, 537 (2001).

13 5. NRS 34.810(2), governing "Additional reasons for dismissal of
14 petition," requires that "[a] second or successive petition must be dismissed if the
15 judge or justice determines that it fails to allege new or different grounds for relief
16 and that the prior determination was on the merits or, if new and different grounds are
17 alleged, the judge or justice finds that the failure of the petitioner to assert those
18 grounds in a prior petition constituted an abuse of the writ."

19 6. The petitioner has the burden of pleading and proving specific facts
20 that demonstrate both good cause for failing to present a claim or for presenting a
21 claim again and actual prejudice. NRS 34.810(3). *See also State v. Haberstroh*, 119
22 Nev. 173, 181, 69 P.3d 676, 681 (2003).

23 7. A court must dismiss a habeas petition if it presents claims that either
24 were or could have been presented in an earlier proceeding, unless the court finds
25 both cause for failing to present the claims earlier or for raising them again and actual
26 prejudice to the petitioner. *Evans v. State*, 117 Nev. 609, 621-622, 28 P.3d 498, 507
27 (2001).

28 8. Unlike initial petitions which certainly require a careful review of the
record, successive petitions may be dismissed based solely on the face of the petition.
Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995).

9. Application of the statutory procedural default rules to post-conviction
habeas petitions is mandatory. *State v. District Court (Riker)*, 121 Nev. 225, 231, 112
P.3d 1070, 1074 (2005).

10. Meritless, successive and untimely petitions clog the court system and
undermine the finality of convictions. *Lozada v. State*, 110 Nev. 349, 358, 871 P.2d
944, 950 (1994).

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11. Petitioner had one year from August 7, 2000, the date the Nevada Supreme Court issued the remittitur from the judgment from a direct appeal, to file the Petition for Writ of Habeas Corpus (Post-Conviction).

12. Petitioner failed to establish good cause for the delay in filing the instant post-conviction Petition. This Court has previously held that (1) Petitioner procedurally defaulted his claim by failing to file his successive petition prior to December 21, 2007, one year after the *Sharma-Mitchell* claim became available for inclusion in a habeas petition and (2) Petitioner failed to demonstrate a colorable claim of innocence.

13. Petitioner's reliance on *Martinez v. Ryan* to establish good cause for delay is misplaced because *Martinez v. Ryan* does not address state procedural bars. See *Martinez v. Ryan*, 132 S.Ct. 1309 (2012); *Brown v. McDaniel*, 130 Nev. Adv. Op. 60, 331 P.3d 867, 870 (2014).

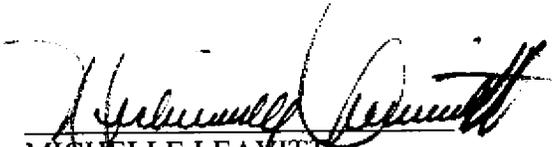
14. The Petition is a successive Petition and it presents claims that have been presented in an earlier proceeding.

15. Petitioner failed to establish good cause for failing to present the claims earlier. Accordingly, the Petition lacks merit, and therefore, is denied.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (Post-Conviction) shall be, and it is, hereby DENIED.

Dated this 9 day of December, 2014.


MICHELLE LEAVITT
DISTRICT COURT JUDGE
DEPARTMENT XII
EIGHTH JUDICIAL DISTRICT

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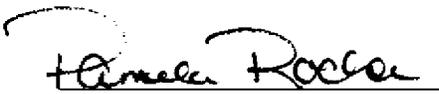
CERTIFICATE OF MAILING

I hereby certify that on 10th day of December, 2014, I placed a copy of the Order for Petition for Writ of Habeas Corpus in the U.S. Mail, postage prepaid to:

Artis L Moore #61167
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, Nevada 89070

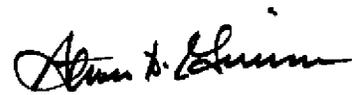
Steven B. Wolfson
Clark County District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89155

Catherine Cortez Masto
Nevada Attorney General
555 E. Washington, Suite 3900
Las Vegas, NV 89101-1068



Pamela Rocha
Judicial Executive Assistant, Dept. XII

C151122
Artis L Moore
vs.
The State of Nevada



CLERK OF THE COURT

1 NEO

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4 ARTIS L. MOORE,

5
6 Petitioner,

Case No: 98C151122-2

7 vs.

Dept No: XII

8 THE STATE OF NEVADA,

9 Respondent,

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

10
11 **PLEASE TAKE NOTICE** that on December 9, 2014, the court entered a decision or order in this
12 matter, a true and correct copy of which is attached to this notice.

13 You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you
14 must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is
15 mailed to you. This notice was mailed on December 16, 2014.

16 STEVEN D. GRIERSON, CLERK OF THE COURT



17 Teodora Jones, Deputy Clerk

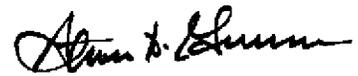
18
19 CERTIFICATE OF MAILING

20 I hereby certify that on this 16 day of December 2014, I placed a copy of this Notice of Entry in:

- 21 The bin(s) located in the Regional Justice Center of:
Clark County District Attorney's Office
Attorney General's Office – Appellate Division-
- 22
- 23 The United States mail addressed as follows:
Artis L. Moore # 61167
P.O. Box 208
Indian Springs, NV 89070



26 Teodora Jones, Deputy Clerk



CLERK OF THE COURT

1 ORDR
2

3 EIGHTH JUDICIAL DISTRICT
4 CLARK COUNTY, NEVADA

5 ARTIS L MOORE,

) Case No.: C151122

6 Petitioner,

) DEPT. No.: XII

7 vs.

8 THE STATE OF NEVADA

9 Respondent

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

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19 months with an equal and consecutive term of 40-180 months for use of a deadly
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XI; Count XIII – 40-180 months with an equal and consecutive term of 40-180

Michelle
pr
MICHELLE LEAVITT
DISTRICT JUDGE

1 months for use of a deadly weapon, concurrent to Count XII; Count XIV – 40-180
2 months, consecutive to Count XIII;

3 3. On July 10, 2000, the Nevada Supreme Court denied Petitioner's
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18 8. On August 17, 2009, the District Court denied Defendant's Second
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25 CONCLUSIONS OF LAW

26 1. NRS 34.726(1), governing "Limitations on time to file..." requires
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excused from procedural default if the Petitioner can establish good cause for delay in
bringing the claim. *Id.* Good cause for late-filing consists of a showing that: (1)
"delay is not the fault of the petitioner"; and (2) "dismissal of the petition as untimely
will unduly prejudice the petitioner." *Id.* at (1)(a)-(b).

1
2 2. To avoid dismissal the defendant must plead and prove specific facts
3 that demonstrate good cause for his failure to present claims before and actual
4 prejudice. *See State v. District Court*, 121 Nev. 225, 232, 112 P.3d 1070, 1074
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9 506 (2003).

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18 grounds in a prior petition constituted an abuse of the writ."

19 6. The petitioner has the burden of pleading and proving specific facts
20 that demonstrate both good cause for failing to present a claim or for presenting a
21 claim again and actual prejudice. NRS 34.810(3). *See also State v. Haberstroh*, 119
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23 7. A court must dismiss a habeas petition if it presents claims that either
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26 prejudice to the petitioner. *Evans v. State*, 117 Nev. 609, 621-622, 28 P.3d 498, 507
27 (2001).

28 8. Unlike initial petitions which certainly require a careful review of the
record, successive petitions may be dismissed based solely on the face of the petition.
Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995).

9. Application of the statutory procedural default rules to post-conviction
habeas petitions is mandatory. *State v. District Court (Riker)*, 121 Nev. 225, 231, 112
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10. Meritless, successive and untimely petitions clog the court system and
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3 the Petition for Writ of Habeas Corpus (Post-Conviction).

4 12. Petitioner failed to establish good cause for the delay in filing the
5 instant post-conviction Petition. This Court has previously held that (1) Petitioner
6 procedurally defaulted his claim by failing to file his successive petition prior to
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9 claim of innocence.

10 13. Petitioner's reliance on *Martinez v. Ryan* to establish good cause for
11 delay is misplaced because *Martinez v. Ryan* does not address state procedural bars.
12 See *Martinez v. Ryan*, 132 S.Ct. 1309 (2012); *Brown v. McDaniel*, 130 Nev. Adv. Op.
13 60, 331 P.3d 867, 870 (2014).

14 14. The Petition is a successive Petition and it presents claims that have
15 been presented in an earlier proceeding.

16 15. Petitioner failed to establish good cause for failing to present the
17 claims earlier. Accordingly, the Petition lacks merit, and therefore, is denied.

18 **ORDER**

19 THEREFORE, IT IS HEREBY ORDERED that the Petition for Writ of Habeas
20 Corpus (Post-Conviction) shall be, and it is, hereby DENIED.

21 Dated this 9 day of December, 2014.

22 
23 MICHELLE LEAVITT
24 DISTRICT COURT JUDGE
25 DEPARTMENT XII
26 EIGHTH JUDICIAL DISTRICT

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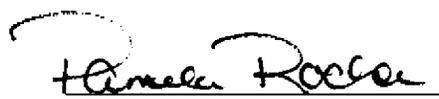
CERTIFICATE OF MAILING

I hereby certify that on 10th day of December, 2014, I placed a copy of the Order for Petition for Writ of Habeas Corpus in the U.S. Mail, postage prepaid to:

Artis L Moore #61167
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, Nevada 89070

Steven B. Wolfson
Clark County District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89155

Catherine Cortez Masto
Nevada Attorney General
555 E. Washington, Suite 3900
Las Vegas, NV 89101-1068


Pamela Rocha
Judicial Executive Assistant, Dept. XII

C151122

Artis L Moore

vs.

The State of Nevada

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 05, 1998

98C151122-2

The State of Nevada vs Artis L Moore

June 05, 1998

11:30 AM

Grand Jury Indictment

**GRAND JURY
INDICTMENT
Court Clerk: SUE
DEATON Heard By:
Myron Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Charles C. Noble, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill in this matter during deliberation, but had been excused for the presentation to the Court. State presented Grand Jury Case Number 97AGJ05AB to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C151122, Department XVI. State requested a NO BAIL BENCH WARRANT issue as to each Deft; COURT SO ORDERED. Exhibit(s) 1 through 17 lodged with Clerk of District Court. COURT FURTHER ORDERED matter SET for INITIAL ARRAIGNMENT.

B.W. (CUSTODY) (BOTH)

6-18-98, 8:45 A.M., INITIAL ARRAIGNMENT (BOTH) (DEPT. XVI)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 1998

98C151122-2

The State of Nevada vs Artis L Moore

July 08, 1998

8:45 AM

Request

STATE'S REQUEST
FILE AMENDED
INDICTMENT
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
KIT MacDONALD
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L
Schwartz, David P.
Wommer, Paul E.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schwartz advised he wants to file amended indictment correcting the spelling of the name of witness. There being no opposition, COURT ORDERED, motion GRANTED. AMENDED INDICTMENT FILED IN OPEN COURT.
CUSTODY (BOTH)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 17, 1998

98C151122-2

The State of Nevada vs Artis L Moore

August 17, 1998

8:45 AM

Request

STATE'S REQUEST
ADVISE COURT
STATE SEEKING
DEATH PENALTY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANNE PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Hartsell, James B.

Attorney

JOURNAL ENTRIES

- Ms. Wildeveld advised she received notice of State's intent to seek the death penalty. Further, she would note there IS a POSSIBLE conflict of interest being researched as deft. is a WARD of the State and State should make a determination at time of co-def't's motion to sever. COURT ORDERED, matter CONTINUED.

CUSTODY

8/24/98 8:45 AM STATUS CHECK: POSSIBLE CONFLICT

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 24, 1998

98C151122-2

The State of Nevada vs Artis L Moore

August 24, 1998

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 8/24/98
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
RENEE SILVAGGIO
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L
Schwartz, David P.
Wommer, Paul E.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SEVER (MOORE)...STATUS CHECK: POSSIBLE CONFLICT OF INTEREST (MAXEY)

There being no opposition, COURT ORDERED, motion to sever is GRANTED, trial date as to MOORE is VACATED and RESET. Mr. Figler advised motion for conflict of interest can be taken OFF CALENDAR at this time, however, they still may be filing a possible conflict of interest motion. COURT SO ORDERED. LATER: Mr. LaPorta advised he was just assigned the case and will be moving for a continuance of deft. MAXEY's trial. COURT SO NOTED.

CUSTODY (BOTH)

12/1/98 8:45 AM CALENDAR CALL (MOORE)

12/7/98 10:00 AM JURY TRIAL

PRINT DATE: 01/21/2015

Page 5 of 147

Minutes Date: June 05, 1998

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 15, 1998

98C151122-2

The State of Nevada vs Artis L Moore

September 15, 1998

8:45 AM

Motion for Discovery

DEFT'S MOTION
FOR DISCOVERY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Hartsell, James B.

Attorney

JOURNAL ENTRIES

- Ms. Wildeveld advised she spoke with Dave Schwartz of the DA's office and he has NO
OPPOSITION to the motion. COURT ORDERED, motion GRANTED.
CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 02, 1998

98C151122-2

The State of Nevada vs Artis L Moore

November 02, 1998

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 11/2/98
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Schwartz, David P.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFT'S MOTION TO BIFURCATE THE PENALTY PHASE

STATE'S ANSWER IN OPPOSITION TO MOTION TO BIFURCATE THE PENALTY PHASE FILED IN OPEN COURT. Counsel requested Motion to Bifurcate the Penalty Phase be continued to date of Calendar Call, COURT SO ORDERED.

Counsel advised it would mutually agree on questions for Jury Questionnaire, and requested Jury be brought in and given questionnaire, COURT SO ORDERED. Court instructed Mr. LaPorta to make arrangement for 100 on panel. Court advised it would try to use a bigger Court room for selection.

CUSTODY

11/10/98 8:45 AM DEFT'S MOTION TO BIFURCATE PENALTY PHASE

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 10, 1998

98C151122-2

The State of Nevada vs Artis L Moore

November 10, 1998

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 11/10/98
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
MARGARET
CARDWELL Heard
By: John McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO BIFURCATE THE PENALTY PHASE...CALENDAR CALL

Counsel announced ready and agreed to defer motion until later in the trial. Conference at the bench. COURT ORDERED, matter SET for trial. Court noted the jury questionnaires have been filled out. CUSTODY

11/16/98 10:30 AM JURY TRIAL

11/20/98 10:00 AM DEFT'S MOTION TO BIFURCATE THE PENALTY PHASE

SCHWARTZ & C. OWENS/LAPORTA & WILDEVELDE 1 1/2 - 2 WEEKS (INCLUDING PENALTY PHASE) 1 OUT-OF STATE WITNESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 1998

98C151122-2

The State of Nevada vs Artis L Moore

November 16, 1998

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 11/16/98
Court Clerk:
BARBARA SOFIA
Relief Clerk: PAULA
GOODELL/pg
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Schwartz, David P.

Attorney

JOURNAL ENTRIES

- STATE'S MOTION TO CONTINUE...DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE...JURY TRIAL
COURT ORDERED, State's Motion to Continue GRANTED. FURTHER, ORDERED, trial VACATED AND RESET. FURTHER, Deft.'s Motion for Discovery of Potential Penalty Hearing Evidence CONTINUED until new calendar call date.
CUSTODY
8/31/99 8:45 AM CALENDAR CALL
9/7/99 10:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 1998

98C151122-2

The State of Nevada vs Artis L Moore

November 20, 1998

8:45 AM

Motion

DEFT'S MAXEY'S
MOTION TO
BIFURCATE THE
PENALTY PHASE
Relief Clerk:
ANNETTE
DUNCAN
Reporter/Recorder:
ROGER
CALABRESE Heard
By: McGroarty, John
S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Peterson, Tamara M.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter continued to Calendar Call date.
CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 1998

98C151122-2

The State of Nevada vs Artis L Moore

December 01, 1998

8:45 AM

Calendar Call

CALENDAR CALL
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
MARGARET
CARDWELL Heard
By: John McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Leen, Peggy

Attorney

Moore, Artis L

Defendant

Owens, Christopher J.

Attorney

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- Mr. Wommer advised he is in trial this week and requested calendar call be CONTINUED one week. There being no opposition, COURT SO ORDERED.

CUSTODY

12/8/98 8:45 AM CALENDAR CALL

12/14/98 10:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 08, 1998

98C151122-2

The State of Nevada vs Artis L Moore

December 08, 1998

8:45 AM

Calendar Call

CALENDAR CALL
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
MARGARET
CARDWELL Heard
By: John McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- Mr. Wommer advised due to just finishing up a murder trial, he is not prepared for trial. Mr. Owens advised State is prepared to go. COURT ORDERED, trial date VACATED and RESET. CUSTODY

1/12/99 8:45 AM CALENDAR CALL

1/19/99 10:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 17, 1998

98C151122-2

The State of Nevada vs Artis L Moore

December 17, 1998

8:45 AM

Motion

STATE'S REQUEST
RESET TRIAL DATE
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L
Schwartz, David P.
Wommer, Paul E.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- At request of counsel, COURT ORDERED, trial date VACATED and RESET.
CUSTODY
2/9/98 8:45 AM CALENDAR CALL
2/16/99 10:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 09, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 09, 1999

8:45 AM

Calendar Call

CALENDAR CALL

Relief Clerk:

BARBARA SOFIA

Reporter/Recorder:

DIANN PROCK

Heard By: John

McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L

Defendant

Schwartz, David P.

Attorney

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- Counsel announced ready for trial. COURT ORDERED, SET for TRIAL on Tuesday.

CONFERENCE AT THE BENCH.

CUSTODY

2/16/99 10:00 AM JURY TRIAL

SCHWARTZ/WOMMER 5-6 DAYS NO OUT OF STATE WITNESSES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 16, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 16, 1999

10:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY VENIRE. State FILED SECOND SUPPLEMENTAL WITNESS LIST IN OPEN COURT. Mr. Owens advised deft. had made statements, which was why the trial was severed, and they will be using portions of those statements, however, not the complete statements. Further, would like Court to review the statements and then counsel will request they not be required to submit the full statements. Mr. Wommer advised the transcript counsel refers to should not be evidence and would object to them being used as evidence, and only the portions of testimony by the officer who took the statement be questioned. Otherwise, he would request the tape from which the transcript was typed by used and heard in it's entirety. Mr. Owens advised State does not intend to introduce the tape or transcript except for recollection purposes. COURT SO NOTED. IN THE PRESENCE OF THE JURY VENIRE. Twelve jurors and two alternates selected. IN THE ABSENCE

PRINT DATE: 01/21/2015

Page 16 of 147

Minutes Date: June 05, 1998

OF THE JURY. Mr. Wommer moved for Batson hearing on State's dismissal of juror #1. Mr. Schwartz provided Court with it's race neutral reason for excusing juror #1. COURT FINDS the BATSON CHALLENGE FAILS.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 18, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 18, 1999

10:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Court instructed jury as to trial procedure. Clerk read information and advised jury of deft's pleas of not guilty. Opening statements by counsel. IN THE ABSENCE OF THE JURY. Court noted he was made aware by the bailiff that juror number 12 was one of the Court's former law clerk's mother in-law. Counsel waived any possible conflicts and stipulated to allow her to remain on the panel. IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets.

EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 19, 1999

10:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN CHAMBERS CONFERENCE. Bailiff advised Court and counsel there is a problem with juror #9. Juror #9 brought into chambers and advised Court and counsel that after jury selection, before she arrived home, her husband received a phone call, from a male stating he new his wife, however he called her by her middle name, and that she is on "HIS" trial and as she is the only black person left on the panel, he wants her to remain on the panel. Further, the male appeared to be calling through a third person, and requested he be allowed to call back when juror was home. Her husband told him NOT to call back. Mr. Wommer requested juror be allowed to remain on the panel. Juror stated she is afraid to remain on the panel. IN THE ABSENCE OF THE JUROR. Arguments by counsel as to whether or not she should be excused. COURT ORDERED, it will EXCUSE juror #9 out of the abundance of caution, and FURTHER, DEFT. TO HAVE NO PHONE OR VISTING PRIVILEDGES

PRINT DATE: 01/21/2015

Page 19 of 147

Minutes Date: June 05, 1998

until the CONCLUSION of this trial. IN THE PRESENCE OF JUROR #9. Court advised juror #9 she is excused from serving any further, and stated she should call chambers if she receives anymore phone calls. LATER: In the absence of State's counsel, Mr. Wommer advised pursuant to the problems with juror #9 and some information he received, he believes the jury has been tainted and would move for a mistrial. Court directed Mr. Wommer to state the information he received for the record and as an officer of the Court. Statement by Mr. Wommer. Court advised it wants an in-camera hearing with the State, and it wants to individually question each juror before rendering a decision on the mistrial. IN THE PRESENCE OF ALL COUNSEL, in the ABSENCE of deft. Court advised it was going to swear in each juror individually and question them as to whether they have been contacted outside these proceedings, regarding these proceedings. Counsel requested it be a general question. Jurors 1-8, 10-12, and alternates 1&2, sworn and testified individually, and each stated they have not been contacted by either side as to this trial, nor have they read or heard anything about this trial. IN THE ABSENCE OF THE JURY, but in the presence of deft. Mr. Wommer moved for a mis-trial based on possible jury tampering, contamination, and the inference of improper conduct of the deft. Further, he feels his creditability with this jury has been exasperated. Arguments by counsel. COURT stated findings and ORDERED, motion DENIED. IN THE PRESENCE OF THE JURY. COURT ORDERED, alternate juror #1, to replace juror #9. Testimony and exhibits per worksheets. IN THE ABSENCE OF THE JURY. Mr. Wommer advised he will be moving to dismiss CTS 7-13, the kidnapping charges and wanted to put the Court and State on notice. Statement by Mr. Owens regarding State's interpretation of the law.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 22, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 22, 1999

10:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets. IN THE ABSENCE OF THE JURY. Mr. Wommer moved to dismiss specifically CT VIII. Arguments by counsel. COURT ORDERED, matter taken under advisement. Mr. Owens advised he is concerned with deft's statement and out of the abundance of caution, he will go any further once deft. stated he did not want to speak. Statement by Mr. Wommer. COURT believes that issue is moot. Mr. Owens advised State reserves the right to go further into into the statement if Mr. Wommer suggests the State is trying to hide something or if deft. testifies. COURT advised deft. of his right to testify. Deft. waived any defects in being advised of his right before State closed. IN THE PRESENCE OF THE JURY. Testimony resumed. State rested. IN THE ABSENCE OF THE JURY. COURT advised as to Mr. Wommer's motion to dismiss CT VIII is a jury issue and ORDERED, motion DENIED. Court noted

PRINT DATE: 01/21/2015

Page 21 of 147

Minutes Date: June 05, 1998

for the record that detective stated deft. was arrested and pursuant to conference at the bench, counsel stipulated instruction given by the Court is sufficient, and there is no need for a cautionary instruction. IN THE PRESENCE OF THE JURY Testimony resumed. Deft. rested.
EVENING RECESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 23, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 23, 1999

8:45 AM

Jury Trial

TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. Jury instructions settled. IN THE PRESENCE OF THE JURY. Court instructed jury. Closing arguments by counsel. At 2:45 PM this date, jury retired to begin deliberations.

EVENING RECESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 24, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 24, 1999

8:45 AM

Jury Trial

TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L	Defendant
Owens, Christopher J.	Attorney
Schwartz, David P.	Attorney
Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- Jury resumed deliberations. At 10:40 AM this date, jury RETURNED with VERDICTS as FOLLOWS: CT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (F) - GUILTY CT II - CONSPIRACY TO COMMIT BURGLARY (F) - GUILTY CTS III & IV - ROBBERY WITH USE OF A DEADLY WEAPON (F) - GUILTY CT V - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F) - GUILTY CT VI - MURDER OF THE SECOND DEGREE WITH USE OF A DEADLY WEAPON (F) - GUILTY CTS VII - XIII - KIDNAPPING WITH USE OF A DEADLY WEAPON (F) - GUILTY CTS XIV - BATTERY WITH USE OF A DEADLY WEAPON (F)

At request of Mr. Wommer, jury polled. COURT directed jurors to return to the jury room and matter SET for penalty hearing at 11:30 this date.

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 24, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 24, 1999

11:30 AM

Penalty Hearing

PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L	Defendant
Owens, Christopher J.	Attorney
Schwartz, David P.	Attorney
Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. COURT advised deft. of his right to make either a sworn or unsworn statement to the jury, and the guidelines attached to either choice. IN THE PRESENCE OF THE JURY. COURT instructed the jury on the penalty phase. Testimony and exhibits per worksheets. Closing arguments by counsel. At 3:17 PM this date, jury retired to begin deliberations. EVENING RECESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 25, 1999

98C151122-2

The State of Nevada vs Artis L Moore

February 25, 1999

10:00 AM

Penalty Hearing

PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. COURT noted it received a note from the jury last night and after phone conference counsel agreed on the answer to be given to the jury and ORDERED, that note with the answers is ADMITTED as Court's exhibit A. IN THE PRESENCE OF THE JURY. At 12:15 PM this date, jury returned with a verdict of LIFE WITHOUT THE POSSIBILITY OF PAROLE. COURT referred matter to P&P, and ORDERED, matter SET for sentencing. COURT thanked and excused the jury. IN THE ABSENCE OF THE JURY. Mr. Wommer requested deft's phone priviledges be reinstated.

CUSTODY

4/12/99 8:45 AM SENTENCING

PRINT DATE: 01/21/2015

Page 26 of 147

Minutes Date: June 05, 1998

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 1999

98C151122-2

The State of Nevada vs Artis L Moore

April 12, 1999

8:45 AM

Sentencing

**SENTENCING
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Artis L	Defendant
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- Dawn Williams of P&P present. Pursuant to jury verdict, COURT ADJUDGED DEFT. MOORE GUILTY OF CT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); CT II - CONSPIRACY TO COMMIT ROBBERY (F); CT III & IV - ROBBERY WITH USE OF A DEADLY WEAPON (F); CT V - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F); CT VI - MURDER OF THE SECOND DEGREE WITH USE OF A DEADLY WEAPON (F); CT VII - XIII - SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F); and CT XIV - BATTERY WITH USE OF A DEADLY WEAPON (F). Statements by deft. and counsel. COURT ORDERED, in addition to the \$25 Assessment deft. SENTENCED to the Nevada Dept. of Prisons AS FOLLOWS: CT I - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM. CT II - SIXTEEN (16) MONTHS MINIMUM to SEVENTY TWO (72) MONTHS MAXIMUM. To run CONCURRENT with CT I, CT III - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS

PRINT DATE: 01/21/2015

Page 28 of 147

Minutes Date: June 05, 1998

MAXIMUM, with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT III to run CONCURRENT with CT II. CT IV - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM, with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT IV to run CONCURRENT with CT III. CT V - LIFE WITHOUT THE POSSIBILITY OF PAROLE with an equal and CONSECUTIVE LIFE WITHOUT THE POSSIBILITY OF PAROLE for weapons enhancement. CT V to run CONSECUTIVE to CT IV. CT VI - LIFE WITH THE POSSIBILITY OF PAROLE with an equal and CONSECUTIVE LIFE WITH THE POSSIBILITY OF PAROLE for weapons enhancement. CT VI to run CONSECUTIVE to CT V. CT VII - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT VII - to run CONSECUTIVE to CT VI. CT VIII - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT VIII to run CONCURRENT with CT VII. CT IX - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT IX to run CONCURRENT with CT VIII. CT X - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT X to run CONSECUTIVE to CT IX. CT XI - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT XI to run CONSECUTIVE to CT X. CT XII - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT XII to run CONSECUTIVE to CT XI. CT XIII - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with an equal and CONSECUTIVE 40/180 MONTHS for weapons enhancement. CT XIII to run CONCURRENT with CT XII. CT XIV - FORTY (40) MONTHS MINIMUM to ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM. CT XIV to run CONSECUTIVE to CT XIII.

FURTHER, deft. to pay \$4,417.28 RESTITUTION JOINTLY AND SEVERALLY WITH CO-DEFT. and submit to a blood and/or saliva test to determine genetic markers or secretor status and pay the \$250 FEE for the test. Deft. given 328 DAYS credit for time served. Mr. Wommer requested counsel be appointed for appeal. Mr. Rigsby of the PD's office advised pursuant to Supreme Court rules, they must allow attorney to withdraw. Mr. Wommer advised he will file notice of appeal.

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 1999

98C151122-2

The State of Nevada vs Artis L Moore

August 31, 1999

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 8/31/99
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Bell, Stewart L.	Attorney
Owens, Christopher J.	Attorney
Schwartz, David P.	Attorney

JOURNAL ENTRIES

- CALENDAR CALL...DEFT'S MTN TO BIFURCATE THE PENALTY PHASE...DEFT'S MTN TO DISMISS NOTICE OF INTENT TO SEEK DEATH PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW...DEFT'S MTN IN LIMINE REGARDING GANG ACTIVITY...DEFT'S MTN TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE THE PROCEDURE IN THIS CASE IS UNCONSTITUTIONAL...DEFT'S MTN IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSHAWN MAXEY...DEFT'S MTN IN LIMINE REGARDING CO-DEFT'S SENTENCE...DEFT'S MTN IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT...DEFT'S MTN TO DISMISS STATE'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL...DEFT'S MTN TO ALLOW THE DEFENSE TO ARGUE LAST AT THE

PENALTY PHASE...DEFT'S MTN TO LIMIT VICTIM IMPACT STATEMENTS...DEFT'S MTN FOR INDIVIDUALLY SEQUESTERED VOIR DIRE...DEFT'S MTN TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY...DEFT'S MTN TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE AMENDED INDICTMENT

Mr. Kohn advised due to some changes in personal in his office, they are unprepared for trial and requested trial date be VACATED and RESET. Conference at the bench. COURT ORDERED, motions SET next week and trial date RESET for the FIRST of the year. Counsel stipulated to calendar call on Monday and start trial on Tuesday due to there being NO COURT during the week proceeding trial. CUSTODY

9/10/99 10:00 AM ALL PENDING MOTIONS

1/10/00 8:45 AM CALENDAR CALL

1/11/00 10:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 10, 1999

98C151122-2

The State of Nevada vs Artis L Moore

September 10, 1999

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 9/10/99
Court Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- DEFT'S MOTION TO BIFURCATE THE PENALTY PHASE...DEFT'S MOTION TO DISMISS NOTICE OF INTENT TO SEEK DEATH PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW...DEFT'S MOTION IN LIMINE REGARDING GANG ACTIVITY.. .DEFT'S MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE THE PROCEDURE IN THIS CASE IS UNCONSTITUTIONAL...DEFT'S MOTION IN LIMINE TO EXCLUDE ANY ANY PHOTOGRAPHS OF KENSHAWN MAXEY...DEFT'S MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE...DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT...DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY STATUTE IS UN-CONSTITUTIONAL. ..DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE... DEFT'S MOTION TO LIMIT VICTIM IMPACT STATEMENTS...DEFT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE...DEFT'S MOTION TO APPLY

HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY...DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE...DEFT'S MOTION TO DISMISS THEORY OF CRIMINAL LIABILITY UNDER COUNT V OF THE AMENDED INDICTMENT
COURT ORDERED, ALL MOTIONS CONTINUED. Counsel has agreed to a new date of 12/15/99.
CUSTODY
CONTINUED TO: 12/15/99 10:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 15, 1999

98C151122-2

The State of Nevada vs Artis L Moore

December 15, 1999

8:45 AM

All Pending Motions

ALL PENDING
MOTIONS 12/15/99
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO BIFURCATE THE PENALTY PHASE...DEFT'S MOTION TO DISMISS NOTICE OF INTENT TO SEEK DEATH PENALTY FOR VIOLATION OF INTERNATIONAL TREATY AND CUSTOMARY LAW...DEFT'S MOTIONIN LIMINE REGARDING GANG ACTIVITY...DEFT'S MOTION TO STRIKE STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE THE PROCEDURE IS THIS CASE IS UNCONSTITUTIONAL... DEFT'S MOTION IN LIMINE TO EXCLUDE ANY PHOTOGRAPH OF KENSHAWN MAXEY... DEFT'S MOTION IN LIMINE REGARDING CO-DEFT'S SENTENCE...DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT...DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL...DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFT'S MOTION TO LIMIT VICTIM

IMPACT STATEMENTS...DEFT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE...DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY...DEFT'S MOTION FOR DISCOVERY OF POTENTIAL PENALTY HEARING EVIDENCE...DEFT'S MOTION TO DISMISS THEORIES OF CRIMINAL LIABILITY UNDER COUNT V OF THE AMENDED INDICTMENT...DEFT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES Arguments by Counsel. COURT ORDERED, Deft's Motion to Bifurcate Penalty Hearing DENIED; Deft's Motion to Dismiss Notice of Intent to seek Death Penalty for Violation of International Treaty and Customary Law DENIED; Deft's Motion in Limine Regarding Gang Activity GRANTED TO THE EXTENT POSSIBLE; Deft's Motion to Strike State's Notice of Intent to Seek Death Penalty because the Procedure in this Case is Unconstitutional DENIED; Deft's Motion In Limine to Exclude any Photograph of Keshawn Maxey COURT WILL HOLD IT'S RULING UNTIL COURT REVIEWS PHOTOS; Deft's Motion in Limine Regarding Co-deft's Sentence GRANTED AS STATE STIPULATED; Deft's Motion In Limine for Order Prohibiting Prosecution Misconduct in Argument GRANTED TO THE EXTENT EXPLICABLE; Deft's Motion to Allow the Defense to Argue Last at the Penalty Hearing DENIED; Deft's Motion to Limit Victim Impact Statements CONTINUE FOR CALENDAR CALL; Deft's Motion for Individually Sequestered Voir Dire GRANTED, COUNSEL TO WORKOUT; Deft's Motion to Apply Heightened Standard of Review and Care in this case because the State is Seeking the Death Penalty GRANTED; Deft's Motion for Discovery of Potential Penalty Hearing Evidence GRANTED AS THE STATE STIPULATED; Deft's Motion to Dismiss Theories of Criminal Liability Under Count V of the Amended Indictment DENIED; Deft's Motion to Strike Aggravating Circumstances CONTINUED for DECISION.

NDP

12/17/99 8:45 AM DECISION

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 1999

98C151122-2

The State of Nevada vs Artis L Moore

December 16, 1999

9:00 AM

Minute Order

**MINUTE ORDER
RE: DECISION
Court Clerk: DENISE
TRUJILLO Relief
Clerk: BARBARA
SOFIA Heard By:
John McGroarty**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- MINUTE ORDER REGARDING DEFT'S MOTION TO STRIKE AGGRAVATING
CIRCUMSTANCES
COURT ORDERED, MOTION DENIED. Counsel notified. State to prepare formal Order.
NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 10, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 10, 2000

8:45 AM

Calendar Call

CALENDAR CALL

Relief Clerk:

BARBARA SOFIA

Reporter/Recorder:

DIANN PROCK

Heard By: John

McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Counsel advised ready for trial. COURT ORDERED, MATTER SET FOR TRIAL TOMMOROW AT 1:30PM.

CUSTODY

1/11/00 1:30 P.M. JURY TRIAL

SCHWARTZ-OWEN/KOHN WILDEVELD 4 WEEKS NO OUT OF STATE WITNESSES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 11, 2000

1:30 PM

Jury Trial

**TRIAL BY JURY
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- SECOND AMENDED INFORMATION FILED IN OPEN COURT. IN THE ABSENSE OF JURY VENIRE: Argument by counsel as to State's theories against deft. for murder of his co-offender. State clarified the only theorie they are pursuing is 2nd degree murder. State advised it is not proper for the defense to give examples to jurors involving their own family. Mr. Kohn objected. Argument by Counsel. Mr. Owens requested that counsel refer to in a 3rd party, not personally to that particular juror. Court instructed Counsel not to get into personalizing. Mr. Kohn advised race is a very difficult issue and noted a California case. COURT ORDERED, it will allow reference to that case on race only and not to get into other cases. Mr. Owens advised using the same numbering system as co-def. and add new stickers next to them from this case. Mr. Kohn not opposed. Mr. Kohn advised he would provide State with copy of letter from Dr. Eckoff. IN THE PRESENCE OF THE JURY VENIRE: Jury selection commenced.

Evening Recess

PRINT DATE: 01/21/2015

Page 38 of 147

Minutes Date: June 05, 1998

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 12, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 12, 2000

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO/PM
Relief Clerk:
BARBARA
SOFIA/AM
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- Jury selection resumed.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 13, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 13, 2000

10:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- Jury selection resumed. IN THE ABSENCE OF THE JURY VENIRE. Mr. Kohn advised he reviewed the transcript as directed by the Court and argued as to the rehabilitative efforts made by the state does not give the deft. a fair jury, and requested juror 51 be excused. Arguments by counsel. COURT ORDERED, objection noted and overruled. IN THE PRESENCE OF THE JURY VENIRE. Jury selection resumed. IN THE ABSENCE OF THE JURY. Mr. Kohn submitted ex parte order for contact visit for deft. with his father. There being no opposition, COURT ORDERED, motion GRANTED pursuant to rules and regulations of the jail.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 18, 2000

11:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Butt, Layne J.

Attorney

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY VENIRE. Juror #81 advised her mother has fallen ill requested she be excused. There being no opposition, COURT ORDERED, juror 81 excused. Mr. Kohn requested that jurors who indicate they can not consider all four possibilities should also be excluded along with the jurors who have indicated they could not consider the death penalty. Arguments by counsel. COURT ORDERED, it will NOT excuse for cause however Court will keep using the phrase "equally". IN THE PRESENCE OF THE JURY. Jury selection resumed.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 19, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 19, 2000

11:00 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- IN CHAMBERS CONFERENCE. Bailiff advised corut that prospective juror #105 has children that know the deft. and is afraid for her children should she sit on this jury. Mr. Kohn advised he will need to talk to his client. Deft. present and advised he has no objection to juror #105 being interviewed by the Court and counsel in his absence, and noted he did not recognize any of the jury venire. In deft's absence. Juror #105 brought into chambers with counsel and advised of her concerns. State challenged for cause. Mr. Kohn objecteed. COURT ORDERED, juror #105 excused for cause. IN THE PRESENCE OF THE JURY VENIRE. Jury selection resumed. IN THE ABSENCE OF THE JURY VENIRE. Arguments by counsel as to juror #110. Mr. Kohn moved for mistrial. LATER: State advised they would not oppose challenge. COURT ORDERED, juror #110 excused. Mr. Kohn withdrew motion for mistrial. IN THE PRESENCE OF THE JURY VENIRE. Jury selection resumed. IN THE ABSENCE OF THE JURY VENIRE. Mr. Kohn objected to exclusion of juror #119 and moved for mistrial. Arguments by counsel. COURT ORDERED, motion DENIED. Juror #76

PRINT DATE: 01/21/2015

Page 43 of 147

Minutes Date: June 05, 1998

brought into court and questioned as to her ability to serve on this jury. Juror advised she is going on vacation and it could not be rescheduled. In the absence of the jurors. Arguments by counsel. COURT ORDERED, juror #76 is excused. FURTHER, 119 is excused as one of state's pre-empts as they have stated their race neutral reason for excusing that juror. IN THE PRESENCE OF THE JURY VENIRE. Jury selected. IN THE ABSENCE OF THE JURY. Mr. Kohn noted for the record there are no blacks on the jury. COURT SO NOTED.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 20, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 20, 2000

10:30 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. Mr. Kohn advised he is concerned about issue of Miranda, and was their a voluntary waiver and requested he be allowed to use Dr. Eckoff's report regarding brain damage sustained by deft. and his conclusions. State objects to Dr. Eckoff report and his conclusions and will not waive his testimony. Further, State has a written waiver. Arguments by counsel as to waiver. COURT ORDERED, it wants a hearing regarding waiver and counsel to let Court know when Dr. Eckoff and Detective Merrin are available. Counsel agreed State would not mention confession during opening statements. Ms. Wildeveld advised she has photographs taken of deft. on the day of the incident and objects to the photos State has as more prejudicial than probative. Arguments by counsel. COURT ORDERED, deft's can admit their own photos if they can be substantiated. Ms. Wildeveld advised she would object to State reiterating the same questions over and over again. COURT ORDERED, if deft. objects and it is accumulative it will sustain objection. Mr. Kohn objected to State using a laser pointer. Arguments by counsel. COURT ORDERED, State to

PRINT DATE: 01/21/2015 Page 45 of 147 Minutes Date: June 05, 1998

use wood pointer as a laser is at issue. Mr. Kohn requested State be precluded from asking what effect this had on them during the guilty phase, although not the penalty phase. COURT SO ORDERED. Mr. Kohn objected State from bringing in people who knew victim when he was younger. Arguments by counsel. COURT ORDERED, State to try and limit who they bring in to testify at the penalty phase. Mr. Kohn advised he wants to see the tape State has before the jury sees it. There being no opposition, COURT SO ORDERED. Further arguments by counsel as to who can testify at penalty phase. COURT ORDERED, victim's coach can not testify, however, family members can testify to anything the coach would have testified to. State advised will being going take this issue up to the Supreme Court for an interlocutory decree on this issue. Ms. Wildeveld advised State filed new charges on deft. so they can use those during the penalty phase and would like to argue matter later. State to provide transcript of preliminary hearing proceedings to the Court. Mr. Kohn requested he be allowed to make objections through the trial. There being no opposition, COURT SO ORDERED. IN THE PRESENCE OF THE JURY. COURT instructed jury as to trial procedure. Exclusionary rule invoked. Opening statements by counsel. IN THE ABSENCE OF THE JURY. Mr. Kohn advised he invoked the exclusionary rule and the victim's mother has been in here listening when she is going to testify at the penalty phase. Counsel stipulated mother should sit in the back, and not be present for any testimony that would prove to be upsetting. IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets.
EVENING RECESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 21, 2000

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
(AM)...NORA PENA
(PM)
Reporter/Recorder:
PEGGY CARDWELL
(AM)...JOEY
DEMATO (PM)
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.	Attorney
Schwartz, David P.	Attorney
Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- M1 THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets. IN THE ABSENCE OF THE JURY. Mr. Kohn advised he can have Dr. Eikoff here on Monday and requested matter he possibly be taken out of order. There being no opposition, COURT SO ORDERED. LATER: Mr. Kohn stated he Dr. Eikoff may be here on Tuesday instead. IN THE PRESENCE OF THE JURY. Testimony resumed.
EVENING RECESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 24, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 24, 2000

1:30 PM

Jury Trial

TRIAL BY JURY
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY: Jury trial resumed. Testimonies and exhibits as per worksheet.
IN THE ABSENCE OF THE JURY: State requested admission of Taped Voluntary Statement. Dr. Etcoff and Officer Marin sworn and testified. Arguments by Counsel. COURT ORDERED, VOLUNTARY STATEMENT TAPE WILL BE ADMITTED. IN THE PRESENCE OF THE JURY: Testimonies and Exhibits as per worksheet resumed.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 25, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 25, 2000

10:30 AM

Jury Trial

**TRIAL BY JURY
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY: Jury trial resumed. Testimonies and exhibits as per worksheet. STATE RESTED. IN THE ABSENCE OF THE JURY: Court advised Deft. Maxey of his right to testify or not to testify in his own behalf. Mr. Kohn moved to dismiss Counts IX, X, XI, XII AND XIII. Argument by Counsel. COURT ORDERED, MOTION DENIED. Mr. Kohn moved for a CONTINUANCE TO review with Dr. Etcoff. Colloquy between Court and Counsel. Counsel agreed to bring in Dr. Etcoff and State can voir dire him out of the presence of the Jury. Argument by Counsel as to expert witness. Mr. Kohn WITHDREW HIS MOTION TO CONTINUE. COURT SO ORDERED. Dr. Etcoff brought in an voir dired q by the State. COURT ORDERED, Dr. Etcoff will be allowed to testify for limited purpose of mental disorder. IN THE PRESENCE OF THE JURY: Jury trial RESUMED.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 26, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 26, 2000

11:00 AM

Jury Trial

**TRIAL BY JURY
Relief Clerk:
BARBARA SOFIA
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY: Jury trial resumed. Witnesses and exhibits as per worksheet.
IN THE ABSENCE OF THE JURY: Mr. Kohn requested a MISTRIAL based upon improper cross examination of Dr. Etcoff. Argument by Counsel. COURT ORDERED, it was improper but not enough to warrant a mistrial, DENIED. IN THE PRESENCE OF THE JURY: Defense RESTED. State advised NO REBUTTAL. IN THE ABSENCE OF THE JURY: Mr. Kohn advised the deft. has waived his appearance for jury instruction settlement. Deft. concurred. Court advised Counsel to return at 2:30 to settle jury instructions. IN THE ABSENCE OF THE JURY: Jury instructions settled. State to prepare a clean copy for morning. COURT ORDERED, Jury Instructions offer and not admitted offered as COURTS EXHIBIT A,B,C.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 27, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 27, 2000

8:30 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO/pm
Relief Clerk:
BARBARA
SOFIA/am
Reporter/Recorder:
DIANN PROCK
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- OUT OF THE PRESENCE OF THE JURY: State offered clean copy of Jury Instructions. Mr. Kohn opposed instruction #57 and offered proposed exhibit to replace. Argument by Counsel. COURT ORDERED, substitute one sentence from Evans "Therefore, even if you cannot agree upon whether the facts" FURTHER, State to provide clean copy and old instruction will be marked as Court's Exhibit D. JURY INSTRUCTIONS SETTLED. IN THE PRESENCE OF THE JURY. Closing arguments by State. IN THE ABSENCE OF THE JURY. Mr. Kohn objected to State's closing and using victim's picture on the monitor during their closing. COURT so noted. IN THE PRESENCE OF THE JURY. Closing arguments resumed. At 3:00 PM this date, jury retired to begin deliberations. IN THE ABSENCE OF THE JURY. Counsel stipulated to correct instruction 28 and State will replace 57 as

PRINT DATE: 01/21/2015

Page 51 of 147

Minutes Date: June 05, 1998

previously agreed upon. Mr. Kohn waived any technicalities.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 28, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 28, 2000

8:30 AM

Jury Trial

**TRIAL BY JURY
Court Clerk: DENISE
TRUJILLO
Reporter/Recorder:
DIANN PROCK
Heard By: John
McGroarty**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Owens, Christopher J.	Attorney
	Schwartz, David P.	Attorney
	Wommer, Paul E.	Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY VENIRE. Mr. Kohn advised he would like to meet with Court and counsel on Monday morning if there is going to be a penalty phase and start the penalty phase at 1:30 in the afternoon. COURT SO ORDERED. At 10:50 AM this date, jury returned with verdicts as follows: CT I - GUILTY - BURGLARY WHILE IN POSSESSION OF A FIREARM (F) CT II - GUILTY - CONSPIRACY TO COMMIT ROBBERY (F) CT III - GUILTY - ROBBERY WITH USE OF A DEADLY WEAPON (F) CT IV - GUILTY - ROBBERY WITH USE OF A DEADLY WEAPON (F) CT V - GUILTY - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) CT VI - GUILTY - SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (F) VII - NOT GUILTY VIII - GUILTY - SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) IX - NOT GUILTY X - NOT GUILTY XI - NOT GUILTY XII - NOT GUILTY XIII - NOT GUILTY XIV - GUILTY - BATTERY WITH USE OF A DEADLY WEAPON (F)

PRINT DATE: 01/21/2015

Page 53 of 147

Minutes Date: June 05, 1998

COURT thanked and excused the jury until Monday at 1:30 PM for the penalty phase.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 31, 2000

98C151122-2

The State of Nevada vs Artis L Moore

January 31, 2000

1:30 PM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. Deft's presence waived for purpose of this hearing. Mr. Kohn advised State intends to put in evidence of a robbery of a mini mart 3/29/98 and advised of status of that case. Further, noted there is a difference in description given by witnesses and deft's appearance at that time; the fingerprint taken out of the cash register was of a Tony Smith, whom deft. does not know, and there are some juvenile records that indicate deft. may have been in custody of the juvenile detention facilities, although that could not be verified. Mr. Kohn objected to this coming in as it is so damaging. Arguments by counsel. Court noted it's concern about the record from juvenile Court and whether or not deft. was in custody at time of robbery. Mr. Owens requested opportunity to verify this first. Mr. Kohn noted for the record witness stated the person that robbed this mini mart had a one inch beard and deft. never had facial hair growth at time. Arguments by counsel mitigating and aggravating circumstances and probative versus prejudicial value. Court advised it

is concerned especially with that robbery if there is a doubt and if State can prove deft. was not in custody then court will accept that as prima facia that deft. was in custody and could not have committed that robbery. COURT directed State to see if they can find a log as to deft's custodial status. IN THE PRESENCE OF THE JURY. Opening statements by counsel. Counsel stipulated to mark new exhibits offered either next in order or use the same numbers as with first trial beginning with a "P". IN CHAMBERS CONFERENCE IN THE ABSENCE OF THE JURY AND DEFT. COURT noted it was given a letter regarding victim Sal Zendano from victim's coach. Court read the letter for the record. Mr. Kohn objected to portions of the letter but not to the letter as a whole. Counsel stipulated to strike portions of the first parargraph and instruct witnesses to not read portions stricken. COURT SO ORDERED. Mr. Kohn objected to witnesses testifying as to what impact the robbery had on them, not the murder and moved for mistrial as that is not appropriate for a penalty hearing. Arguments by counsel. COURT ORDERED, motion DENIED. IN THE ABSENCE OF THE JURY, and in the presence of the deft. COURT noted Mr. Kohn objected to the one portion of the letter and instructed witness not to read portion stricken. IN THE PRESENCE OF THE JURY. Witness Johnson read letter from Coach Gerald Tutwiler for the record. Letter ADMITTED as Court's exhibit P-1.

EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 01, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 01, 2000

1:30 PM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- IN CHAMBERS CONFERENCE with Judge Gates, Judge Gibbons, deft. and counsel. Judge Gates noted Judge McGroarty was taken ill and he was in the middle of a penalty hearing. Further, Judge Gibbons has agreed to hear the trial. Mr. Kohn objected to having another Judge hear trial as there are some pending arguments that Judge McGroarty has already heard. Mr. Schwartz advised if counsel is willing to proceed now they will NOT address the robbery issue during the penalty phase. Judge Gates noted this may be premature until after it is determined the extent of Judge McGroarty's illness. Colloquy between Court and counsel. Mr. Kohn advised if State will concede the robbery issue then he has no objection to proceeding with Judge Gibbons. State agreed to waive the robbery. Judge Gibbons advised pursuant to statute he needs to familiarize himself with the trial and would continue trial until tomorrow afternoon. Counsel had no objection. IN THE PRESENCE OF THE JURY, JUDGE GIBBONS PRESIDING. Judge Gibbons advised jury of Judge McGroarty's illness and

98C151122-2

that trial will resume tomorrow afternoon.

EVENING RECESS

CLERK'S NOTE: LATER: COURT ORDERED, CASE REASSIGNED to Dept. VII - Judge Gibbons.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 02, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 02, 2000

1:30 PM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO
Reporter/Recorder:
PEGGY CARDWELL
Heard By:
McGroarty, John S.**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. Mr. Owens advised he has three letters from victim's 2 sisters and father that State is requesting be read to the jury. Mr. Kohn objected except maybe to the father's and finds them prejudicial and outside the scope of victim impact. Mr. Owens advised they have excised portions that are not acceptable. Arguments by counsel. COURT advised it will give Mr. Kohn a chance to read it and excise if necessary, however the letters will come in. LATER: Further arguments by counsel regarding letters. COURT advised it will have a break prior to presenting letters. Mr. Kohn noted there are alot of witnesses that will be testifying in the courtroom and counsel have been allowing that for this phase. COURT ORDERED, there is no exclusionary rule at the penalty phase. IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets. IN THE ABSENCE OF THE JURY. Counsel reviewed letters and made redactions. Mr. Kohn advised he agrees to the letters as they will be read without giving up his objection. COURT ORDERED, after

letters are read they will be ADMITTED as Court's exhibits P-2; P-3; P-4. COUNSEL stipulated if trial is deadlocked and sentencing needs to go to a three judge panel, case will be REASSIGNED back to Judge McGroarty if he is healthy. Judge Gibbons concurred he will KEEP this case from here on out UNLESS there is a hung jury. IN THE PRESENCE OF THE JURY. Sue Lopez and Ben Graham sworn and read letters from victims sisters and father. State rested. IN THE ABSENCE OF THE JURY. Mr. Kohn advised he wants to call a professor to testify about international treaties regarding the death penalty against minors. Arguments by counsel. COURT stated findings and ORDERED, State's objection is SUSTAINED however he will honor Mr. Kohn's request to have her testify outside the presence of the jury. Constance DelaVega sworn and testified. Mr. Owens objected to expert deft. intends to call next as he did not receive notice or reports. Mr. Kohn advised he did not provide State with reports as they gave him the report. Further, he was going to have Judy Gannoe testified. Arguments by counsel as to doctors testifying. COURT ORDERED, witness can testify off her notes but not testify off of Dr. Ecklands report. IN THE PRESENCE OF THE JURY. Testimony resumed. IN THE ABSENCE OF THE JURY. Colloquy between Court and counsel as to jury instructions and verdicts. Mr. Kohn requested a few blank lines for jurors to list the mitigating circumstances. There being no opposition, COURT SO ORDERED.
EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 03, 2000

1:30 PM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: DENISE
TRUJILLO AM
Relief Clerk: CAROL
FOLEY PM
Reporter/Recorder:
RENEE SILVAGGIO
Heard By: Gibbons,
Mark**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney
Schwartz, David P. Attorney

JOURNAL ENTRIES

- IN THE ABSENCE OF THE JURY. At request of Mr. Kohn, Court admitted information regarding Dr. DelaVega as Court's exhibit #5. IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheets. IN THE ABSENCE OF THE JURY. Colloquy between Court and counsel as to reports of Dr. Eckhart. Mr. Kohn moved to strike Dr. Carols testimony if Court is going to allow State to see the unredacted report of Dr. Eckhart. Further arguments. Mr. Kohn moved for mistrial as this Court's rulings are in contrast to Judge McGroarty rulings. Further arguments by counsel. COURT ORDERED, motion for mistrial is DENIED. State advised if Court is going to strike Dr. Carol's testimony then they will withdraw their request to see unredacted report. IN THE PRESENCE OF THE JURY. Testimony resumed. OUTSIDE THE PRESENCE OF THE JURY, Mr. Kohn objected to

PRINT DATE: 01/21/2015

Page 61 of 147 Minutes Date: June 05, 1998

witness's reference to gangs. Mr Kohn stated their has been prosecutorial misconduct and moved for a mistrial or dismissal of the death penalty. Following arguments by counsel, COURT ORDERED, motion for mistrial DENIED; Court will instruct jury to disregard psychologist's reference to gangs. Argument by Mr. Owen regarding Detective Marin's testimony. Court advised reference to gangs is more prejudicial than probative. Court stated he will refer to transcript of Judge McGroarty's ruling, but as to this witness there is to be no reference to gang activity. IN THE PRESENCE OF THE JURY, testimony resumed. OUTSIDE THE PRESENCE OF THE JURY, Court reviewed minute order regarding ruling on motion in limine regarding gang activity and noted motion was granted "to the extent possible". Mr. Kohn stated this is why he would like a continuance until Judge McGroarty returns, they are now getting different rulings, the whole nature of the case is changing. Argument by Mr. Schwartz regarding future danger. COURT ORDERED, motion to exclude testimony DENIED WITHOUT PREJUDICE; counsel may renew after he has read transcript. COURT FURTHER ORDERED, motion to continue hearing for Judge McGroarty's presence is DENIED. Mr. Kohn advised his next witness is Officer Bennish. Court noted parties have gone to great lengths to avoid letting the jury know Deft is in custody, and asked for offer of proof. Following offer of proof by Mr. John, Court stated Mr. Bennish may testify. IN THE PRESENCE OF THE JURY, Testimony resumed. 4:50 P.M. -- Court admonished and released the jury for the evening, to return tomorrow at 11:00 A.M. --OUTSIDE THE PRESENCE OF THE JURY, Court and counsel discussed jury instructions. Deft's presence waived.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 04, 2000

9:30 AM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: AMBER
FARLEY
Reporter/Recorder:
RENEE SILVAGGIO
Heard By: Gibbons,
Mark**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Court addressed issue regarding Judge McGroarty's previous ruling regarding the gang issue. Court infomed counsel it has read the transcript from that proceeding. Argument by Mr. Kohn regarding the Motion in Limine regarding the exclusion of all gang reference; argued there was never a limit to gang monikers. COURT ORDERED, Judge McGroarty's ruling on the Motion in Limine is CONFIRMED and therefore GRANTED. Mr. Kohn stated he has advised Defendant of his right to make an unsworn statement to the jury, however, may not deny the crime. COURT ADMINISTERED the Hammick v. State ADMONISHMENT to the Defendant. 11:15 a.m. - JURY PRESENT. Counsel stipulated to the presence of the Jury. Statment of allocution by Defendant. 11:19 a.m. Defense rested. OUTSIDE THE PRESENCE OF THE JURY: Settlement of Jury Instructions on the record. No objection by the Defense nor State to Jury Instructions 1-22 or the Forms of Verdict. Parties requested Jury Instructions to be reported.

PRINT DATE: 01/21/2015

Page 63 of 147

Minutes Date: June 05, 1998

1:34 p.m. Court Reported PEGGY CARDWELL present. Counsel stipulated to the presence of the Jury. COURT INSTRUCTED the Jury. 1:45 p.m. - CLOSING by David Schwartz. OUTSIDE THE PRESENCE OF THE JURY - Mr. Kohn objected to photos of people while statements attributed to them being read by Mr. Schwartz being shown to the Jury, as the photos were not admitted into evidence. OBJECTION OVERRULED. JURY PRESENT. Further closing arguments by counsel. Bailiff and Dept. XVI SWORN to take charge of the Jurors and Alternates. 4:24 p.m. - Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY. Mr. Kohn objected to Mr. Owens' closing. Colloquy between Court and counsel regarding gang membership. Bailiff advised Court that Jurors want to go home for the evening. There being no objection, COURT ORDERED, Bailiff to administer the evening admonition and MATTER CONTINUED to tomorrow at 9:30 a.m for further deliberations. Exhibit P6A lodged with the Clerk; COURT ORDERED, this exhibit to be SEALED. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 07, 2000

9:30 AM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: TINA HURD
Reporter/Recorder:
PATSY SMITH
Heard By: Gibbons,
Mark**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- 9:30 A.M.--Jury retired to commence deliberations.

1:43 P.M.--OUTSIDE THE PRESENCE OF THE JURY, deft. Maxey not present. Court advised he received a question from the Jury and read same into the record. Mr. Kohn suggested the Jury be referred back to Jury Instruction #7. State concurred. Wording of the Court's response discussed in open court. Off the record.

4:23 P.M.--Counsel stipulated to the presence of the Jury. Court advised he did receive the Jury's note and he realizes it has been a long day. Court requested the Jury go home for the evening and start fresh in the morning. Court admonished the Jury and excused them for the evening at 4:26 p.m. to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court advised the last note indicated the Jury was deadlocked 11 to 1 and advised he is inclined to give the Allen instruction. Mr. Kohn stated he believes it is a poorly written instruction, however, the State has provided two cases stating this is Nevada law. Mr. Kohn advised he is opposed to the instruction.

PRINT DATE: 01/21/2015

Page 65 of 147

Minutes Date: June 05, 1998

State took no position. Court advised he will let the Jury deliberate tomorrow morning and make an inquiry at the end of the morning calendar before he gives the Allen instruction. Court requested counsel be present tomorrow morning at 10:45 a.m. Mr. Kohn requested deft. be present if the Court intends to bring the Jury into the courtroom. Court requested Court Services have deft. dressed out and present at 10:45 a.m. tomorrow morning. Court Services acknowledged.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2000

98C151122-2

The State of Nevada vs Artis L Moore

February 08, 2000

9:30 AM

Penalty Hearing

**PENALTY
HEARING Court
Clerk: TINA HURD
Reporter/Recorder:
PATSY SMITH
Heard By: Mark
Gibbons**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- 10:38 A.M.--OUTSIDE THE PRESENCE OF THE JURY, deft. not present. Court advised he received another question from the Jury and read same into the record. Court suggested the Allen charge be read to the Jury at this time. Mr. Schwartz concurred and advised the instruction given to the Court, SP-1, reflects the language of the statute. Mr. Kohn advised he has to object to it, however, he understands it is the state of the law in Nevada. COURT ORDERED, the Allen charge will be given to the jury at this time and they will be allowed to deliberate further. Mr. Kohn made a record as to the method the Court Clerk has used to keep the questions from the Jury in sequence. Off the record to await the arrival of deft. Maxey. 11:01 a.m.-- Deft. present. Counsel stipulated to the presence of the Jury. Court advised he received the Jury's note and discussed it with counsel. Court read the additional jury instruction to the Jury. 11:03 a.m.--Jury retired to continue deliberations. Off the record.

1:37 P.M.--Counsel stipulated to the presence of the Jury. Jury returned with a VERDICT of LIFE

PRINT DATE: 01/21/2015

Page 67 of 147

Minutes Date: June 05, 1998

WITHOUT THE POSSIBILITY OF PAROLE as to Count V. Jury was not polled. Court thanked and excused the Jury. 1:43 p.m.-- OUTSIDE THE PRESENCE OF THE JURY, Court advised the Clerk has indicated there were additional mitigating circumstances noted on the back of the Verdict. Counsel WAIVED the presence of the Jury. Clerk read the notes on the back of the Verdict into the record. COURT ORDERED, matter REFERRED to P&P and set for sentencing. Off the record at 1:45 p.m.
CUSTODY
3-23-00 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 23, 2000

98C151122-2

The State of Nevada vs Artis L Moore

March 23, 2000

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 3-23-00
Court Clerk: TINA
HURD
Reporter/Recorder:
PATSY SMITH
Heard By: Mark
Gibbons**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Peterson, Clark A.

Attorney

JOURNAL ENTRIES

- DEFT. MAXEY'S MOTION TO SET ASIDE THE VERDICT, OR IN THE ALTERNATIVE, GRANT HIM A NEW TRIAL...SENTENCING

Dick Wiebe of Parole and Probation present. Court advised he has a note the PSI report is not done and will probably not be finished for 30 days; further, Mr. Schwartz and Mr. Owens have other commitments this morning and are not here. Colloquy. COURT ORDERED, matter CONTINUED 30 days. Upon Court's inquiry, Mr. Kohn advised, if a new trial is granted, the State would be precluded from seeking the death penalty as this Jury did not reach that verdict and jeopardy attaches.

CUSTODY

CONTINUED TO: 4-24-00 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 24, 2000

98C151122-2

The State of Nevada vs Artis L Moore

April 24, 2000

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 4/24/00
Court Clerk: AMBER
FARLEY
Reporter/Recorder:
RENEE SILVAGGIO
Heard By: Mark
Gibbons**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- DEFT MAXEY'S MOTION TO SET ASIDE THE VERDIT, OR IN THE ALTERNATIVE, GRANT HIM A NEW TRIAL...SENTENCING

Tammy Wolfe, Division of Parole and Probation present. Argument by Mr. Kohn regarding first degree murder versus second degree murder with regard to State v. Byford. Court stated the evidence was overwhelming that the murder occurred in the commission of an armed robbery, thereby the State presented sufficient evidence that this was Felony Murder. Following further arguments by Mr. Kohn, COURT ORDERED, Deft's Motion DENIED.

DEFENDANT ADJUGED GUILTY of COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT II - CONSPIRACY TO COMMIT ROBBERY (F); COUNT III - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT IV - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT V - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); COUNT VI - SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); COUNT VIII -

PRINT DATE: 01/21/2015

Page 70 of 147

Minutes Date: June 05, 1998

SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F); COUNT XIV - BATTERY WITH USE OF A DEADLY WEAPON (F). Argument by Ms. Wildeveld requesting the Court take judicial notice that the Defendant was under the age of 18 years old when the crime was committed; further argued that international law prohibits juveniles to be sentenced to life without the possibility of parole. Argument by Ms. Wildeveld and Mr. Owens with regard to another armed robbery case. Further arguments by Mr. Owens. Argument by Mr. Kohn. COURT ORDERED, in addition to the \$25 Administrative Assessment fee, DEFENDANT MAXEY SENTENCED to the Nevada Department of Prisons as to: COUNT I - ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS; submit to a test for the purpose of determining genetic markers and pay \$250 Analysis fee to the Clark County Clerk; COUNT II - a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS, plus an EQUAL AND CONSECUTIVE term of a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS for the use of a deadly weapon. COUNT III - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS, plus an EQUAL AND CONSECUTIVE term of a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the use of a deadly weapon. COUNT IV - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS, plus an EQUAL AND CONSECUTIVE term of a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the use of a deadly weapon; COUNT V - LIFE WITHOUT THE POSSIBILITY OF PAROLE; COUNT VI - LIFE with the possibility of parole after TEN (10) YEARS, plus an EQUAL AND CONSECUTIVE TERM of LIFE with the possibility of parole after TEN (10) YEARS for the use of a deadly weapon; COUNT VIII - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS, plus an EQUAL AND CONSECUTIVE TERM of MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the use of a deadly weapon; submit to a test for the determination of genetic markers and pay

the \$250 Analysis fee to the Clark County Clerk; COUNT XIV - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS, plus an EQUAL AND CONSECUTIVE TERM of a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the use of a deadly weapon; submit to a test for the determination of genetic markers and pay the \$250 Analysis fee to the Clark County Clerk; \$4,417.63 restitution, jointly and severally with co-defendant; ALL COUNTS RUN CONSECUTIVE; 663 days credit for time served.
NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 10, 2000

98C151122-2

The State of Nevada vs Artis L Moore

July 10, 2000

9:00 AM

Motion to Produce
Transcript

DEFT'S PRO PER
MOTION FOR
ORDER FOR
PRODUCTION OF
TRANSCRIPTS Court
Clerk: AMBER
FARLEY
Reporter/Recorder:
PATSY SMITH
Heard By: Mark
Gibbons

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Robinson, Lynn M.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, as transcripts are available, Mr. Wommer is to provide copies of same to Defendant. To that extent, Motion is GRANTED. Court stated if there is a problem getting the transcripts, the Defendant may refile the Motion. Court requested a copy of this Minute Order be placed in Mr. Wommer's attorney folder.

NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 11, 2000

98C151122-2

The State of Nevada vs Artis L Moore

September 11, 2000

9:00 AM

Motion

DEFT'S PRO PER
MOTION FOR
WITHDRAWAL OF
ATTY/TRANSFER
OF RECORDS Court
Clerk: AMBER
FARLEY/AF Relief
Clerk: LEE ETTE
ARAGON
Reporter/Recorder:
RENEE SILVAGGIO
Heard By: Mark
Gibbons

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Robinson, Lynn M.

Attorney

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- Mr. Wommer stated he doesn't believe the Court has further jurisdiction in this matter. Mr. Wommer moved to withdraw as counsel. COURT GRANTED Motion to Withdraw. Mr. Wommer stated he will send the files to the Defendant.

NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 20, 2001

98C151122-2

The State of Nevada vs Artis L Moore

March 20, 2001

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PRO PER
PETITION FOR
WRIT OF HABEAS
CORPUS/
APPOINTMENT OF
COUNSEL Court
Clerk: TINA HURD
Reporter/Recorder:
PATSY SMITH
Heard By: Gibbons,
Mark

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Sweetin, James R.

Attorney

JOURNAL ENTRIES

- State advised this is a Major Violators' case and requested two weeks to file an opposition. COURT ORDERED, matter CONTINUED three weeks.

NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 10, 2001

98C151122-2

The State of Nevada vs Artis L Moore

April 10, 2001

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PRO PER
PETITION FOR
WRIT OF HABEAS
CORPUS/
APPOINTMENT OF
COUNSEL Court
Clerk: BILLIE JO
CRAIG
Reporter/Recorder:
MARCIA HARNESS
Heard By: Mark
Gibbons

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Zadrowski, Bernard B.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, defendant's PRESENCE IS WAIVED today. COURT ORDERED, Defendant's Pro Per Petition for Writ of Habeas Corpus/ Appointment of Counsel is DENIED as there is no factual support based on argument for inefficient assistance of counsel.
NDP

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 13, 2002

98C151122-2

The State of Nevada vs Artis L Moore

August 13, 2002

9:00 AM

Request

STATE'S REQUEST
SUPREME COURT
REMAND Court
Clerk: Nora Pena
Relief Clerk: Carrie
Hansen
Reporter/Recorder:
Carrie Hansen Heard
By: Douglas, Michael
L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Kochevar, Brian J.

Attorney

Schonfeld, Richard A.

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Schonfeld stated he has not been appointed counsel. COURT ORDERED, matter CONTINUED for Confirmation of Counsel; Mr. Schiek to be notified by the Judicial Executive Assistant.

NDC

08-15-02 9:00 AM CONFIRMATION OF COUNSEL (SCHIECK)...STATE'S REQUEST: SUPREME COURT REMAND FOR RECONSIDERATION OF POST-CONVICTION COUNSEL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 15, 2002

98C151122-2

The State of Nevada vs Artis L Moore

August 15, 2002

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 8/15/02
Court Clerk: Nora
Pena
Reporter/Recorder:
Carrie Hansen Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Kochevar, Brian J.
Schieck, David M.

Attorney
Attorney

JOURNAL ENTRIES

- STATE'S REQUEST: SUPREME COURT REMAND FOR RECONSIDERATION OF POST-
CONVICTION COUNSEL...CONFIRMATION OF APPOINTMENT OF COUNSEL (D SCHIECK)
Court advised the deft. didn't feel the Court properly considered his request for counsel being
appointed and it's the position taken by the Supreme Court; therefore, it would be the position of this
Court to appoint counsel. Mr. Schieck stated he would accept the appointment. COURT ORDERED,
David Schieck, Esq. APPOINTED as counsel and matter set for a status check in 60 days.
NDC
10/17/02 9:00 AM STATUS CHECK: DEFT'S WRIT

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2002

98C151122-2

The State of Nevada vs Artis L Moore

September 19, 2002

9:00 AM

Request of Court

AT THE REQUEST
OF THE COURT
SUPREME COURT
REMAND Court
Clerk: Nora Pena
Reporter/Recorder:
Liz Garcia Heard By:
Douglas, Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Kochevar, Brian J.

Attorney

JOURNAL ENTRIES

- Court advised there is a remand from the Supreme Court and they reversed what Judge Gibbons had done as to Counts 2, 4, and 14; however it would like the deft. present. COURT ORDERED, matter CONTINUED and directed the State to have the deft. present.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 10, 2002

98C151122-2

The State of Nevada vs Artis L Moore

October 10, 2002

9:00 AM

Request of Court

AT THE REQUEST
OF THE COURT
SUPREME COURT
REMAND Court
Clerk: Nora Pena
Reporter/Recorder:
Renee Silvaggio
Heard By: Gibbons,
Mark

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Kochevar, Brian J.

Attorney

JOURNAL ENTRIES

- Mr. Kohn stated he is concerned with adding the life sentence and he would like to more time to review the issues. COURT ORDERED, matter CONTINUED one week. Mr. Kohn requested for the deft. to stay here. COURT SO ORDERED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 17, 2002

98C151122-2

The State of Nevada vs Artis L Moore

October 17, 2002

9:00 AM

All Pending Motions

ALL PENDING
MOTIONS 10/17/02
Court Clerk: Cindy
Lory Relief Clerk:
Amber Farley/af
Reporter/Recorder:
Cat Nelson Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schieck, David M.
Tao, Jerry

Attorney
Attorney

JOURNAL ENTRIES

- REQUEST OF COURT: SUPREME COURT REMAND (MAXEY) ... STATUS CHECK: DEFT'S WRIT (MOORE)

DEFENDANT MAXEY: Matter CONTINUED to Tuesday at the request of Mr. Kohn, and Defendant not having been transported due to a calendaring error.

DEFENDANT MOORE: Mr. Schieck stated he's finally located the file and will go look at it next week. Mr. Schieck stated he'll need forty-five days to file a supplemental petition. COURT ORDERED, matter CONTINUED.

NDC (BOTH)

10/22/02 9:00 AM REQUEST OF COURT: SUPREME COURT REMAND (MAXEY)

12/19/02 9:00 AM STATUS CHECK: DEFT'S WRIT (MOORE)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 22, 2002

98C151122-2

The State of Nevada vs Artis L Moore

October 22, 2002

9:00 AM

Request of Court

AT THE REQUEST
OF THE COURT
SUPREME COURT
REMAND Court
Clerk: Nora Pena
Relief Clerk: Alan
Castle/ac
Reporter/Recorder:
Cat Nelson Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Pandukht, Taleen R.

Attorney

JOURNAL ENTRIES

- Pursuant to Nevada Supreme Court remand, COURT ORDERED, sentence is MODIFIED as to the enhancement for Count (II), sentence for use of a deadly weapon is VACATED; as to the enhancement for Count (V), sentence for use of a deadly weapon is AMENDED TO plus an equal and CONSECUTIVE MAXIMUM LIFE WITHOUT THE POSSIBILITY OF PAROLE; as to the enhancement for Count (XIV), sentence for use of a deadly weapon is VACATED; and remaining portions of the sentence STAND.

Following Court's ruling, Mr. Kohn stated this appeal was heard without argument and requested appointment of appellate counsel on Deft's writ, referring to the Cruz decision. Court so noted.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 03, 2002

98C151122-2

The State of Nevada vs Artis L Moore

December 03, 2002

9:00 AM

Motion to Withdraw as
Counsel

DEFT'S MTN TO
WITHDRAW AS
COUNSEL
APPOINTMNT
POST CONVICTN
CNSL/74 Court
Clerk: Nora Pena
Reporter/Recorder:
Cat Nelson Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Pandukht, Taleen R.

Attorney

JOURNAL ENTRIES

- Ms. McMahon advised the Supreme Court denied the appeal and requested counsel for the deft. COURT ORDERED, Special Public Defender's motion is GRANTED and directed Ms. McMahon to appear next week; matter CONTINUED for Appointment of Counsel as to Ms. Teicher for next week.

NDC

12/10/02 9:00 AM APPOINTMENT OF POST CONVICTION HABEAS CORPUS COUNSEL - L TEICHER

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2002

98C151122-2

The State of Nevada vs Artis L Moore

December 10, 2002

9:00 AM

Motion for Appointment

APPOINTMENT OF
POST CONVICTION
HABEAS CORPUS
COUNSEL - LORI
TEICHER Court
Clerk: Nora Pena
Reporter/Recorder:
Carrie Hansen Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Pandukht, Taleen R.

Attorney

JOURNAL ENTRIES

- Ms. Teicher advised she can accept the appointment; she talked with Ms. McMahon regarding the file can be ready Friday and she requested a status check in 90 days. COURT ORDERED, Ms. Teicher APPOINTED AS COUNSEL and matter set for a status check.

NDC

3/11/03 9:00 AM STATUS CHECK: DEFT'S POST CONVICTION OF HABEAS CORPUS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 19, 2002

98C151122-2

The State of Nevada vs Artis L Moore

December 19, 2002

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Relief
Clerk: Melissa Davis
Reporter/Recorder:
Carrie Hansen Heard
By: Michael Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L
Schieck, David M.
Tao, Jerry

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Defendant not present as he is housed at the Nevada Department of Prisons. Mr. Schieck advised he has received the necessary files and can now file a supplement to his points and authorities by the first of February. COURT ORDERED, matter CONTINUED to ensure supplement has been filed and no additional problems have been encountered.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2003

98C151122-2

The State of Nevada vs Artis L Moore

February 13, 2003

9:00 AM

Status Check

**STATUS CHECK:
DEFT'S WRIT Relief
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present. The Court advised this matter has been continued to 2/20/03.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 20, 2003

98C151122-2

The State of Nevada vs Artis L Moore

February 20, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Relief
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Coumou, Frank
Moore, Artis L
Schieck, David M.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Mr. Coumou requested this matter continued in order to review all material on this case. COURT SO ORDERED, CONTINUED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2003

98C151122-2

The State of Nevada vs Artis L Moore

March 27, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S POST
CONVICTION
HABEAS CORPUS
(VJ 5/13/03) Court
Clerk: Sharon Chun
Relief Clerk: Jennifer
Lott/jl
Reporter/Recorder:
Kendall Heath
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Coumou, Frank

Attorney

JOURNAL ENTRIES

- Mr. Langford requested a sixty day continuance on Ms. Teicher's behalf. COURT ORDERED, matter CONTINUED. Court noted Ms. Teicher MUST BE PRESENT at the next court date.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 03, 2003

98C151122-2

The State of Nevada vs Artis L Moore

April 03, 2003

9:00 AM

Status Check

**STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Pate, Susan
Schieck, David M.

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schieck stated he had requested a thirty-day continuance from the law clerk and that he needs to file a Supplemental Points and Authorities. COURT SO ORDERED, CONTINUED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 15, 2003

98C151122-2

The State of Nevada vs Artis L Moore

April 15, 2003

9:00 AM

Motion to Withdraw as
Counsel

TEICHER'S MTN TO
WITHDRAW AS
COUNSEL OF
RECORD/80 Court
Clerk: Sharon
Chun/SC Relief
Clerk: Kristin Brown
Reporter/Recorder:
Kit MacDonald
Heard By: Michael
Douglas

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Pate, Susan

Attorney

JOURNAL ENTRIES

- Also present for Defense, Susan Burke, Esq. COURT ORDERED, Ms. Teicher's Motion to Withdraw is GRANTED and Susan Burke, Esq. is hereby APPOINTED as Off-Track Counsel. FURTHER ORDERED, status check SET for Deft's Writ of Habeas Corpus.

NDC

5/13/03 9:00 AM STATUS CHECK: DEFT'S WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 13, 2003

98C151122-2

The State of Nevada vs Artis L Moore

May 13, 2003

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (5/13/03)
Court Clerk: Sharon
Chun Relief Clerk:
Melissa Davis/md
Reporter/Recorder:
Kit MacDonald
Heard By: Michael
Douglas**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Pate, Susan

Attorney

Schieck, David M.

Attorney

JOURNAL ENTRIES

- STATUS CHECK: DEFT MAXEY'S WRIT OF HABEAS CORPUS . . . STATUS CHECK: DEFT MOORE'S WRIT

AS TO DEFT MAXEY: Defendant not present as he is housed at the Nevada Department of Corrections. Ms. Burke requested until the end of July to file her opening brief, at which time a scheduling order can be set and COURT SO ORDERED.

AS TO DEFT MOORE: Defendant not present as he is housed at the Nevada Department of Corrections. Mr. Schieck advised due to his trial schedule has been unable to complete his opening brief and requested additional time and COURT SO ORDERED. As to the 5/29/03 date, COURT ORDERED, matter VACATED.

NDC (BOTH)

PRINT DATE: 01/21/2015

Page 91 of 147

Minutes Date: June 05, 1998

98C151122-2

7/31/03 9AM STATUS CHECK: DEFT MAXEY'S WRIT OF HABEAS CORPUS

6/17/03 9AM STATUS CHECK: DEFT MOORE'S WRIT

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2003

98C151122-2

The State of Nevada vs Artis L Moore

June 17, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sharon Chun
Relief Clerk: Jennifer
Kimmel/jk
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schieck, David M.
Tao, Jerry

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schieck requesting matter be CONTINUED and State having no opposition, COURT SO ORDERED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2003

98C151122-2

The State of Nevada vs Artis L Moore

July 31, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT OF
HABEAS CORPUS
Court Clerk: Sharon
Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Tao, Jerry

Attorney

JOURNAL ENTRIES

- At request of Ms. Burke for continuance, COURT ORDERED, matter CONTINUED two weeks.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 05, 2003

98C151122-2

The State of Nevada vs Artis L Moore

August 05, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Pate, Susan
Schieck, David M.

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schieck requested a two week continuance to complete the Writ. COURT SO ORDERED
CONTINUED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2003

98C151122-2

The State of Nevada vs Artis L Moore

August 14, 2003

9:00 AM

Status Check

**STATUS CHECK:
DEFT'S WRIT OF
HABEAS CORPUS
Court Clerk: Sharon
Chun
Reporter/Recorder:
Cindy Caldwell
Heard By: Douglas,
Michael L**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Turner, Robert B.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, DEFT. MAXEY'S PRESENCE WAIVED for this hearing. Ms. Burke stated she had filed a Petition and Appendix with the Clerk's Office this morning, with a copy to the Court and State. The Court noted it had received its copies and ORDERED, matter SET for briefing schedule and hearing. Ms. Burke inquired if Deft. Maxey was to be present and the Court directed the State to prepare the Transport Order. Mr. Turner confirmed he would do so.

BRIEFING SCHEDULE: 9/18/03 State's Opposition due; 10/9/03 Deft's Reply due; and HEARING SET for 10/23/03 9:00 AM.

NDC

10/23/03 9:00 AM HEARING: DEFT'S WRIT OF HABEAS CORPUS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 2003

98C151122-2

The State of Nevada vs Artis L Moore

September 16, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L

Defendant

Oram, Christopher R.

Attorney

Pandukht, Taleen R.

Attorney

JOURNAL ENTRIES

- Mr. Oram stated that Mr. Schieck requests a thirty day continuance as he is scheduled in another case. COURT SO ORDERED, CONTINUED.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 2003

98C151122-2

The State of Nevada vs Artis L Moore

October 14, 2003

9:00 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sharon Chun
Reporter/Recorder:
Kit MacDonald
Heard By: Douglas,
Michael L

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L

Defendant

Pandukht, Taleen R.

Attorney

Schieck, David M.

Attorney

JOURNAL ENTRIES

- Mr. Schieck requested a forty-five day continuance; COURT SO ORDERED, CONTINUED.
FURTHER, Deft's presence WAIVED as he is incarcerated in NDC.
NDC
.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 23, 2003

98C151122-2

The State of Nevada vs Artis L Moore

October 23, 2003

9:00 AM

Hearing

**HEARING: WRIT OF
HABEAS CORPUS
Court Clerk: Sharon
Chun Relief Clerk:
Jennifer Lott/jl
Reporter/Recorder:
Kit MacDonald
Heard By: Michael
Douglas**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Tao, Jerry

Attorney

JOURNAL ENTRIES

- Court indicated an area of concern involves ineffective counsel. Ms. Burke requested an evidentiary hearing concerning the issue of psycho-neurological examination and counsel is seeking a new psycho-neurological examination. Court noted there is an over-usage of federalization issue, and that issue should be raised on direct appeal. COURT ORDERED, status check SET on setting an evidentiary hearing (full argument) on the limited issue of neurological issue.

NDC

11/13/03 9:00 A.M. STATUS CHECK: SET EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 13, 2003

98C151122-2

The State of Nevada vs Artis L Moore

November 13, 2003

9:00 AM

Status Check

**STATUS CHECK:
SET EVIDENTIARY
HEARING (WRIT
OF HABEAS
CORPUS) Court
Clerk: Sue Deaton/sd
Relief Clerk: Billie Jo
Craig
Reporter/Recorder:
Joanie Grime Heard
By: Leavitt, Michelle**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- Ms. Burke advised Court there is issue of failure to look for neurological examination at time of trial and there are other issues included in Petition. Mr. Owens pointed out this case was transferred to this Court from another Department, Defendant's counsel is attempting to broaden the scope of the Hearing and he would suggest the Court set this over for a week or two to allow for review of the file and to define the scope of the Evidentiary Hearing. Mr. Owens said all the briefs have been submitted and Court can rule what the scope of the Hearing is to be. Ms. Burke said there was no argument on neurological issue and there is to be full argument after Evidentiary Hearing; have not argued other issues in Petition. Mr. Owens objected saying this would open up the entire thought

process and State's position is it was a tactical decision. Court informed counsel it would do what Judge Douglas indicated would be done in this matter. Mr. Owens FILED Reporter's Transcript of Jury Trial, Tuesday, January 25, 2000, 1:30 P.M. Session IN OPEN COURT. COURT ORDERED STATUS CHECK CONTINUED ONE WEEK. Ms. Burke noted Defendant was transported from Ely and requested he remain in Las Vegas so she can meet with him. Court Services Officer indicated Defendant will be held at Indian Springs and will be transported for next week's hearing date.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2003

98C151122-2

The State of Nevada vs Artis L Moore

November 20, 2003

9:15 AM

Status Check

**STATUS CHECK:
SET EVIDENTIARY
HEARING (WRIT
OF HABEAS
CORPUS) Relief
Clerk: Kristen Brown
Reporter/Recorder:
Joanie Grime Heard
By: Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney

JOURNAL ENTRIES

- Court noted that based upon the Court's reading of the Nevada Supreme Court opinion, it appears that the numerous issues raised have been settled by the Supreme Court. Ms. Burke stated that the Supreme Court did not rule on the constitutional issue and will need an evidentiary hearing; further, will need to get an order from the Court regarding the neurological opinion and will file a motion with the Court to seek the funds to get it done. Upon Court's inquiry, counsel stated the hearing will take 1/2 days. COURT ORDERED, matter set for Evidentiary Hearing.

NDC

1/09/04 9:15 AM EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2003

98C151122-2

The State of Nevada vs Artis L Moore

December 02, 2003

9:15 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Court
Clerk: Sue Deaton
Reporter/Recorder: Jo
A. Scott Heard By:
Leavitt, Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schieck, David M.
Tao, Jerry

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schieck advised Court he should finish Petition today and requested matter be set over two weeks; COURT SO ORDERED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2003

98C151122-2

The State of Nevada vs Artis L Moore

December 16, 2003

9:15 AM

Status Check

STATUS CHECK:
DEFT'S WRIT Relief
Clerk: Kristen Brown
Reporter/Recorder:
Joanie Grime Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schieck, David M.
Turner, Robert B.

Attorney
Attorney

JOURNAL ENTRIES

- Mr. Schieck stated the petition is complete and has been sent to the deft. for his signature; further, the State will need to file a reply. Upon Court's inquiry, Mr. Turner requested three weeks to file a reply. COURT ORDERED, State to file a reply by January 20, 2004 and matter set for hearing.

NDC

2/03/04 9:15 AM HEARING: DEFT. MOORE'S PETITION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 15, 2004

98C151122-2

The State of Nevada vs Artis L Moore

January 15, 2004

9:15 AM

All Pending Motions

**ALL PENDING
MOTIONS 1-15-04
Court Clerk: Sue
Deaton/sd Relief
Clerk: Kristen Brown
Reporter/Recorder:
Joanie Grime Heard
By: David Wall**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Monroe, Vicki J.

Attorney

JOURNAL ENTRIES

- DEFENDANT'S REQUEST TO CONTINUE EVIDENTIARY HEARING...EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS

Mr. Waite advised Court Defendant's counsel, Ms. Burke, had asked him to inform the Court the Hearing could be set anytime at the end of March or beginning of April. COURT ORDERED, Defendant's Request to Continue Evidentiary Hearing, GRANTED. Court made certain Defendant Maxey understood his attorney was requesting Hearing be continued. Officer who transported Defendant from prison requested they be provided with another Order to Produce Defendant Maxey for the new date. Ms. Monroe indicated she would make certain that Order was prepared.

NDC

4-6-04, 9:15 AM, EVIDENTIARY HEARING: WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 18, 2004

98C151122-2

The State of Nevada vs Artis L Moore

March 18, 2004

9:00 AM

Motion

**STATE'S MTN FOR
WAIVER OF ATTY
CLIENT
PRIVILEGE/90 Court
Clerk: Sue Deaton/sd
Relief Clerk: Kristen
Brown
Reporter/Recorder:
Tessa Heishman
Heard By: Leavitt,
Michelle**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Court inquired of Mr. Owens if he was requesting the entire file. Ms. Burke said request is for all papers, memorandums, notes; as near as she can tell that is the entire file. Court said State is not entitled to the entire file. Mr. Owens said the State served the Psychiatrist and Psychologist and they refused to give the State medical records; Defendant was in therapy with them for over a year and maybe some of the tests they administered covered the issue. Court said it would review the documents in-camera, because the Court knows what the State is looking for. Ms. Burke said State's request was too broad. Mr. Owens said State wants all the data off any tests Defendant was given and Mr. Kohn told Judge to let him think about that. Court said it was not going to require Ms. Burke to turn over the entire file.

Ms. Burke addressed Mr. Kohn's selection as Public Defender, said she has to withdraw as Defendant's counsel; has talked to Robert Langford about becoming Defendant's new counsel. Ms. Burke said she has talked to neurologist about doing the tests. Mr. Owens said trial may have to be continued and he has talked to Mr. Kohn and District Attorney David Roger. COURT ORDERED matter CONTINUED. COURT FURTHER ORDERED matter also placed on calendar for CONFIRMATION OF COUNSEL (ROBERT LANGFORD) in one week.

NDC

3-25-04, 9:15 AM, CONFIRMATION OF COUNSEL (ROBERT LANGFORD)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

March 25, 2004

98C151122-2

The State of Nevada vs Artis L Moore

March 25, 2004

9:15 AM

All Pending Motions

ALL PENDING
MOTIONS 3-25-04
Relief Clerk: Kristen
Brown
Reporter/Recorder:
Tessa Heishman
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Steven S.

Attorney

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL (ROBERT LANGFORD)...STATE'S MOTION FOR WAIVER OF
ATTORNEY-CLIENT PRIVILEGE
COURT ORDERED, matters OFF CALENDAR.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2004

98C151122-2

The State of Nevada vs Artis L Moore

April 05, 2004

11:00 AM

Hearing

HEARING: DEFT
MOORE'S
PETITION Court
Clerk: Sue Deaton
Reporter/Recorder:
Gina Shrader Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Lalli, Christopher J.
Schieck, David M.

Attorney
Attorney

JOURNAL ENTRIES

- Court noted Supreme Court remanded and Mr. Schieck was appointed to prepare Petition for Defendant Moore. Mr. Schieck confirmed and noted the Court has discretion as to what to do. COURT ORDERED matter SET for ARGUMENT as to whether an Evidentiary Hearing is warranted and should be scheduled.

NDC

4-13-04, 9:15 AM, ARGUMENT: EVIDENTIARY HEARING REQUIRED

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 06, 2004

98C151122-2

The State of Nevada vs Artis L Moore

April 06, 2004

9:15 AM

Evidentiary Hearing

EVIDENTIARY
HEARING: WRIT OF
HABEAS CORPUS
Court Clerk: Kristen
Brown/kb Relief
Clerk: Cheryl Case
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Steven S.

Attorney

JOURNAL ENTRIES

- Court stated Mr. Langford needs to appear in Court to confirm as counsel and ORDERED, matter set for confirmation of counsel and for status check to set the new evidentiary hearing date.

NDC

4/15/04 9:15 AM STATUS CHECK: RESET EVIDENTIARY HEARING

CLERK'S NOTE: As Mr. Langford has filed an Order Appointing Counsel on April 2, 2004, the Confirmation of Counsel set for April 15, 2004 is VACATED and the Status Check will remain./kb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 13, 2004

98C151122-2

The State of Nevada vs Artis L Moore

April 13, 2004

9:15 AM

Hearing

**ARGUMENT:
EVIDENTIARY
HEARING
REQUIRED Court
Clerk: Sue Deaton
Relief Clerk: Cheryl
Case/cc
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.
Schieck, David M.

Attorney
Attorney

JOURNAL ENTRIES

- COURT ORDERED, Defendant's presence WAIVED. Mr. Owens stated an Evidentiary Hearing is not needed; the issues have been briefed. Opposition by Mr. Schieck. Argument by Mr. Schieck regarding failure to raise specific issues on direct appeal and allegation of ineffective assistance of counsel. Mr. Schieck stated testimony of Defendant's former counsel is needed. COURT ORDERED, matter set for Evidentiary Hearing regarding issues related to ineffective assistance of counsel. Mr. Schieck stated Hearing should take two hours; Defendant will probably testify.

NDC

5/27/04 10:30 AM EVIDENTIARY HEARING

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 15, 2004

98C151122-2

The State of Nevada vs Artis L Moore

April 15, 2004

9:15 AM

Status Check

STATUS CHECK:
RESET
EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder:
Tessa Heishman
Heard By: Leavitt,
Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Monroe, Vicki J.

Attorney

JOURNAL ENTRIES

- Mr. Langford advised Court he was confirming as counsel, but has not had an opportunity to review the file yet and would request Status Check be continued one week; COURT SO ORDERED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 22, 2004

98C151122-2

The State of Nevada vs Artis L Moore

April 22, 2004

9:15 AM

Status Check

**STATUS CHECK:
RESET
EVIDENTIARY
HEARING Court
Clerk: Sue Deaton/sd
Relief Clerk: Kristen
Brown
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Mr. Langford advised Court he has now reviewed Defendant's file and would ask for thirty (30) days for Evidentiary Hearing. Mr. Langford noted the State had filed some motions for doctor's reports and it was decided the reports would be turned over to the Court and not the attorneys. Court noted it has not seen any records and/or reports. Mr. Schwartz advised thus far the doctors have not honored the subpoenas. Court informed Mr. Schwartz if an additional order is needed, the Court will sign it and it should reflect the reports are to be delivered directly to the Court's chambers for in-camera review and the Court will decide whether or not any of the reports should be disclosed to the attorneys. Mr. Langford requested this not be an ex-parte order and that he be allowed to review it prior to the Court's signature.

NDC

98C151122-2

6-24-04, 11 AM, EVIDENTIARY HEARING

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 08, 2004

98C151122-2

The State of Nevada vs Artis L Moore

June 08, 2004

11:00 AM

Evidentiary Hearing

**EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder:
Tessa Heishman
Heard By: Michelle
Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L
Schwartz, David P.

Defendant
Attorney

JOURNAL ENTRIES

- Mr. Schwartz advised Court he has discussed case with Mr. Schieck and he doesn't know if he can stay on this case. Mr. Schwartz suggested matter be set for a Status Check to see if Mr. Schieck is going to keep the case and if he isn't, to decide who to give the case to. Court explained to Defendant Moore that David Schieck was appointed as Special Public Defender and he has to determine whether there would be a conflict if he remains on this case. COURT ORDERED MATTER SET FOR STATUS CHECK.

NDC

6-15-04, 9:15 AM, STATUS CHECK: ATTORNEY SCHIECK CONFLICT

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

June 15, 2004

98C151122-2

The State of Nevada vs Artis L Moore

June 15, 2004

9:15 AM

Status Check

STATUS CHECK:
ATTY SCHIECK
CONFLICT Court
Clerk: Sue Deaton
Relief Clerk: Kristen
Brown/kb
Reporter/Recorder:
Gina Shrader Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L

Defendant

Schieck, David M.

Attorney

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Mr. Schieck stated there is no conflict as the County is allowing him to keep this case; further, if this case is still pending when Ms. Wildeveld returns, a "wall" will be put up. Colloquy between Court and counsel regarding setting the hearing. COURT ORDERED, matter set for an evidentiary hearing and deft. is to remain in Southern Nevada at the request of counsel.

NDC

9/02/04 11:00 AM EVIDENTIARY HEARING

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 2004

98C151122-2

The State of Nevada vs Artis L Moore

July 20, 2004

9:15 AM

Request

RESET
EVIDENTIARY
HEARING
REQUEST Relief
Clerk: Kristen Brown
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Steven S.

Attorney

JOURNAL ENTRIES

- Mr. Owens stated he is waiting for a decision by the Court; Court agreed to review documents in camera to decide what can be used at the hearing. COURT ORDERED, matter CONTINUED for thirty days for the Court to review documents and give a decision as to what records can be used; Evidentiary Hearing set for July 27, 2004 VACATED.

NDC

9/14/04 9:15 AM STATUS CHECK; DECISION ON RECORDS REVIEW/RESET EVIDENTIARY HEARING

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 02, 2004

98C151122-2

The State of Nevada vs Artis L Moore

September 02, 2004

11:00 AM

Evidentiary Hearing

**EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder: Jo
A. Scott Heard By:
Leavitt, Michelle**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Mr. Owens advised Court he received a telephone call from Mr. Schieck informing him he could not appear this morning and requesting a short continuance of this Hearing; COURT SO ORDERED. Mr. Owens indicated he would call Mr. Schieck's office and inform them of the new date.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2004

98C151122-2

The State of Nevada vs Artis L Moore

September 09, 2004

11:00 AM

Evidentiary Hearing

**EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder:
Gina Shrader Heard
By: Leavitt, Michelle**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schieck, David M.
Schwartz, David P.

Attorney
Attorney

JOURNAL ENTRIES

- Defendant Moore not transported for today's hearing. COURT ORDERED matter CONTINUED until Tuesday. Court informed counsel if an order was needed to transport Defendant Moore from High Desert for the next hearing date, the Court would be happy to sign one.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2004

98C151122-2

The State of Nevada vs Artis L Moore

September 14, 2004

11:00 AM

All Pending Motions

ALL PENDING
MOTIONS 9-14-04

Court Clerk: Sue
Deaton

Reporter/Recorder: Jo

A. Scott Heard By:

Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

Schieck, David M.

Attorney

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- STATUS CHECK: DECISION OF RECORDS REVIEW/RESET EVIDENTIARY HEARING (MAXEY)
EVIDENTIARY HEARING (MOORE)

AS TO DEFENDANT KENSHAWN MAXEY ... COURT ORDERED STATUS CHECK CONTINUED
thirty (30) days.

AS TO DEFENDANT ARTIS MOORE ... Court noted there was a mix-up again and Defendant Moore
wasn't transported for today's hearing. COURT ORDERED Evidentiary Hearing CONTINUED. Mr.
Schieck indicated he would prepare a new Order to Transport. Mr. Schieck noted attorney Paul E.
Wommer is also present pursuant to his subpoena to appear for today's hearing.

NDC (BOTH)

9-23-04, 11 AM, EVIDENTIARY HEARING (MOORE)

10-14-04, 11 AM, STATUS CHECK: DECISION OF RECORDS REVIEW/RESET EVIDENTIARY

PRINT DATE: 01/21/2015

Page 122 of 147

Minutes Date: June 05, 1998

98C151122-2

HEARING (MAXEY)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 23, 2004

98C151122-2

The State of Nevada vs Artis L Moore

September 23, 2004

11:00 AM

Evidentiary Hearing

**EVIDENTIARY
HEARING Relief
Clerk: April Watkins
Reporter/Recorder:
Norma Silverman
Heard By: Michelle
Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Moore, Artis L

Defendant

Owens, Christopher J.

Attorney

Schieck, David M.

Attorney

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Paul Wommer, Esq. sworn and testified. Exhibits presented. (See worksheets.) Closing arguments by counsel. After reviewing briefs and after hearing Mr. Wommer's testimony, COURT ORDERED, Deft's Petition DENIED. State to prepare findings of fact and conclusion of law.

Mr. Schieck stated since he is know the Special Public Defender, he feels this will create a conflict if he handles Deft's appeal and requested new counsel be appointed. Mr. Owens stated he does not oppose Mr. Schieck staying on case as long as the Chinese wall is upheld. FURTHER ORDERED, Mr. Schieck's request to withdraw is DENIED. Statement by Deft.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 12, 2004

98C151122-2

The State of Nevada vs Artis L Moore

October 12, 2004

9:15 AM

Request

STATE'S REQUEST
CONTINUE EVID
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Owens, Christopher J. Attorney

JOURNAL ENTRIES

- Colloquy between Court and counsel. COURT ORDERED Evidentiary Hearing as to Defendant Maxey set sometime the end of November. Counsel indicated motion scheduled for hearing this Thursday, October 14th, can remain on calendar; COURT SO ORDERED.

NDC

11-30-04, 11 AM, EVIDENTIARY HEARING (MAXEY)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 2004

98C151122-2

The State of Nevada vs Artis L Moore

October 14, 2004

11:00 AM

Status Check

STATUS CHECK:
DECISION OF
RECORDS
REVIEW/RESET
EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Relief Clerk: Sandra
Jeter/sj
Reporter/Recorder:
Gina Shrader Heard
By: Leavitt, Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Lewis, Linda Y.

Attorney

JOURNAL ENTRIES

- Mr. Langford stated he received word this matter was continued until next week. Court concurred and ORDERED, matter continued.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 21, 2004

98C151122-2

The State of Nevada vs Artis L Moore

October 21, 2004

11:00 AM

Status Check

**STATUS CHECK:
DECISION OF
RECORDS
REVIEW/RESET
EVIDENTIARY
HEARING Court
Clerk: Sue Deaton
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Schwartz, David P.

Attorney

JOURNAL ENTRIES

- COURT ORDERED DEFENDANT'S PRESENCE WAIVED. Court indicated it understood Mr. Langford came into case after this issue was raised. Court expressed concern that Defendant was only seventeen years old and records produced outline his entire life; his schooling, Child Protective Services issues, etc. Dr. Lewis Etcoff wrote the Court a letter, he complied with subpoena and gave the Court the raw data, provided the Court with all his records. Court said it would ask for more direction from the State, because the doctor expressed concern as to his ethical obligations to protect his client's privacy. Court said it would like more direction from the State, because records are from elementary school forward; records are essentially this Defendant's entire life history. Mr. Schwartz indicated he would discuss with Mr. Owens. Court instructed counsel to get together, discuss matter and come to Chambers to discuss matter informally.

98C151122-2

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2004

98C151122-2

The State of Nevada vs Artis L Moore

November 30, 2004

11:00 AM

Evidentiary Hearing

EVIDENTIARY
HEARING Court
Clerk: Denise
Trujillo
Reporter/Recorder:
Krista Broka Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Court advised Mr. Owens that she reviewed all the records and wanted to address the concerns by the doctor regarding raw data. Further Court would like more direction. Mr. Owens advised he would try to have Mr. Langford present to discuss. LATER: COURT ORDERED, matter OFF CALENDAR, counsel to meet with Court in chambers 12/1/04 at 11:00 am.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2004

98C151122-2

The State of Nevada vs Artis L Moore

December 02, 2004

9:15 AM

Status Check

STATUS CHECK
Court Clerk: Sue
Deaton
Reporter/Recorder:
Krista Broka Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Weckerly, Pamela C.

Attorney

JOURNAL ENTRIES

- Ms. Burke noted the Court has had an opportunity to review notes and she would ask the Court to stay turning anything over to the State and to place all the items under seal, pending the filing of an Interlocutory Writ. COURT ORDERED, ALL DOCUMENTS PLACED UNDER SEAL; those that passed the relevancy test to be sealed separately from those documents that did not, pending defense filing of a Writ. Court noted all documents will then be available for the Supreme Court's review if they so desire. COURT FURTHER ORDERED, matter SET for a STATUS CHECK as to the filing of the Writ.

NDC

12-28-04, 9:15 AM, STATUS CHECK: FILING OF WRIT

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 14, 2004

98C151122-2

The State of Nevada vs Artis L Moore

December 14, 2004

9:15 AM

Motion

DEFT'S MTN TO
PLACE ON
CALENDAR Relief
Clerk: Judy
McFadden
Reporter/Recorder: Jo
Scott Heard By:
Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Coumou, Frank

Attorney

Schieck, David M.

Attorney

JOURNAL ENTRIES

- Mr. Schieck advised a copy of the Decision had been received and he should be receiving the official notice. Mr. Schieck stated matter can be taken off calendar. COURT ORDERED, matter OFF CALENDAR.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 28, 2004

98C151122-2

The State of Nevada vs Artis L Moore

December 28, 2004

9:15 AM

Status Check

STATUS CHECK:
WRIT FILED Court
Clerk: Sue Deaton
Relief Clerk: Cheryl
Case/cc
Reporter/Recorder: Jo
Scott Heard By:
Leavitt, Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Villegas, Victoria A.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, Defendant's presence WAIVED. Ms. Burke stated she is in the process of filing the Writ and requested a two to three week continuance. COURT ORDERED, matter CONTINUED thirty days.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 01, 2005

98C151122-2

The State of Nevada vs Artis L Moore

February 01, 2005

9:15 AM

Status Check

**STATUS CHECK:
WRIT FILED Court
Clerk: Sue Deaton
Reporter/Recorder: Jo
A. Scott Heard By:
Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Defendant Maxey not present and Ms. Burke requested his presence be WAIVED; COURT SO ORDERED. Ms. Burke said defense counsel has decided not to file Writ of Mandamus. Ms. Burke said to expedite matter, she is not waiving objection to turn over these materials or that they are admitted and she would like some clarification. Mr. Owens said there is a proposed Order as to the nature of what the Court is going to turn over. Court said the documentation has been reviewed in-camera and the Clerk has two separate envelopes that are to be made a part of the record; one envelope contains those documents to be turned over to counsel and the other contains those documents that will not be turned over. COURT ORDERED ALL DOCUMENTS SEALED; the documents contain raw data, billing records, Dr. Etcoff's therapy notes, etc. Counsel suggested Evidentiary Hearing date be set and they will submit their objections, if any, to the various documents. Ms. Burke pointed out Order should say neurological testing, NOT psychological. Court said Ms. Burke can take Order, revise it and allow Mr. Owens to review prior to submitting for the Court's signature.

Colloquy between Court and counsel regarding Dr. Etkoff's concerns regarding the privacy issues and Court said when the two parties are done with documents, they are to return their copies to the Court. Mr. Owens said since Defendant is not going to file his Petition, records are not in evidence. Court said records are going to be in evidence at Evidentiary Hearing; they are coming in. Ms. Burke said there is a relevancy issue and she is not agreeing records are admitted, just there is a possibility they are going to be introduced. Court said it is aware of Dr. Etkoff's concerns regarding privacy issues and the doctor complied with a Court Order to turn over these records. As to evaluating the raw data, the Court said it could only be evaluated by someone with the proper training to do so. COURT ORDERED documents are to be used by counsel only for the purpose of this litigation and issue as to whether documents should be shredded at a later date will be addressed after all Hearings are completed. Court indicated it would have copies of the documents to be turned over to counsel made for them, one set for each attorney. COURT ORDERED the word psychological STRICKEN and changed to neurological in Order. Colloquy between Court and counsel regarding work product and not attorney/client privilege and Mr. Owens said there are some items that are expressed as attorney/client privilege. Ms. Burke argued these are not medical records, they are counseling, treatment and diagnosis. Court said psychological records are medical records and that can be reflected in the Order. COURT ORDERED MATTER SET FOR EVIDENTIARY HEARING. Court instructed Mr. Owens to prepare an Order to Transport Defendant Maxey for the date of the Evidentiary Hearing.

NDC

5-2-05, 1 PM, EVIDENTIARY HEARING (KENSHAWN MAXEY)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2005

98C151122-2

The State of Nevada vs Artis L Moore

September 08, 2005

9:15 AM

Request

PLTF'S REQUEST
STATUS CHECK
/115 Relief Clerk:
Georgette Byrd &
Michelle Jones/mj
Reporter/Recorder:
Krista Broka Heard
By: Leavitt, Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Mr. Langford advised he has found someone to complete a jail evaluation. Following conference at the bench, COURT ORDERED, matter continued for Deft. to be evaluated; Deft. to remain at the Clark County Detention Center (CCDC) pending evaluation. FURTHER ORDERED, matter set for status check.

CUSTODY

10/6/05 9:15 AM PLTF'S REQUEST STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2005

98C151122-2

The State of Nevada vs Artis L Moore

October 06, 2005

9:15 AM

Request

**PLTF'S REQUEST
STATUS CHECK
/115 Relief Clerk:
Georgette Byrd/gb
Reporter/Recorder:
Gina Shrader Heard
By: Leavitt, Michelle**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Ms. Burke presented a letter to the Court and stated Deft's problem has been getting a neurologist to test the defendant in CCDC and the letter explains the problems we have run into. Dr. Farrow explains in the letter that the defendant needs an EEG at minimum to check for brain damage, however he can not do this test in the atmosphere of the jail because its not normal surroundings. Court noted it previously offered the courtroom for this examination. Ms. Burk stated the equipment in the doctors office is not portable. The Court noted it is not comfortable transporting the defendant around town for exams. Mr. Owens stated there are real security issues here by letting the defendant out of CCDC for these tests. COURT ORDERED, it is not convinced the doctor can't do the exam outside of his office. This Court will be in the Regional Justice Center soon and the Court has been told by the Detention Center they have a place where these exams can be done. Ms. Burke stated this would have to be done after hours and requested a two week continuance to speak with the doctor. COURT FURTHER ORDERED, DEFT. TO REMAIN IN CCDC.

NDC

PRINT DATE: 01/21/2015

Page 136 of 147

Minutes Date: June 05, 1998

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 25, 2005

98C151122-2

The State of Nevada vs Artis L Moore

October 25, 2005

9:15 AM

Request

PLTF'S REQUEST
STATUS CHECK
/115 Court Clerk:
Denise Trujillo
Reporter/Recorder:
Sharon Howard
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Schwartz, David P.

Attorney

JOURNAL ENTRIES

- Colloquy between Court and counsel. COURT ORDERED, matter OFF CALENDAR, counsel to meet with Court in chambers at later date.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2006

98C151122-2

The State of Nevada vs Artis L Moore

July 27, 2006

9:15 AM

Status Check

STATUS CHECK:
FURTHER
PROCEEDINGS
Court Clerk: April
Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Berrett, Bill A.

Attorney

JOURNAL ENTRIES

- Mr. Berrett advised Mr. Owens is unavailable today as he is at the City of Henderson. Mr. Langford requested matter be set for argument/decision and COURT SO ORDERED.

NDC

8/10/06 11:00 AM ARGUMENT/DECISION

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 10, 2006

98C151122-2

The State of Nevada vs Artis L Moore

August 10, 2006

11:00 AM

Hearing

ARGUMENT/DECISION
Court Clerk:
April Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Leavitt,
Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Berrett, Bill A.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2006

98C151122-2

The State of Nevada vs Artis L Moore

September 14, 2006

11:00 AM

Hearing

**ARGUMENT/DECISION Court Clerk:
April Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Court stated she has no received copy of MRI report from the doctor or any additional briefs. Further, Court noted Judge Douglas limited the issue as to neurological only. Ms. Burke advised MRI has been done and is normal. Further, doctor stated he did not have anything additional to add as there was no additional findings. On ineffective assistance of counsel, Ms. Burke argued it was due to not ordering MRI or Cat Scan. Court stated it is not appropriate to argue entire petition over again. Ms. Burke stated she would rely upon the briefs. Further, Court noted Deft. did not receive death penalty. Ms. Burke argued second prong cannot be met as there is no prejudice and no need for evidentiary hearing as there is no findings in the MRI. Court stated she believes letter from doctor indicates MRI was normal and ORDERED, letter to be made part of the record. Ms. Burke stated she has tried contacting the doctor for a report. Colloquy regarding specifically mentioning Federal Constitution grounds to go forward in Federal Court. Mr. Owens objected to declaration. Court stated Federalization was raised by Justice Douglas. Mr. Owens argued no evidence as to failure to Federalize and requested Court recognize as a whole. Further colloquy. Court stated you

do not have to state is violating the U.S. Constitution when stated an objection. Further argument by Ms. Burke. Mr. Owens argued issue should have been raised on direct appeal. COURT ORDERED, Petition DENIED IN IT'S ENTIRETY and believes it is important to have doctor's report for the record. Ms. Burke advised she will pursue getting the report from the doctor. Further, Ms. Burke stated she never had the opportunity to argue other issues and requested to be allowed to argue those issues. Court stated she believes there was sufficient argument as to all issues and ORDERED, request DENIED. Ms. Burke stated as to issue of Breach of Fiduciary Duty, Deft. was made a ward of the State due to abuse and neglect. Further, as to the issue of Felony Robbery versus First Degree Premeditated Murder, Ms. Burke argued instruction was wrong as to the Robbery. Additionally, Ms. Burke argued no specific verdict form and does not know the basis Deft. was found guilty on. Court inquired if the State used Robbery as aggravating factor. Mr. Owens stated he believed they did. Court stated she believes this is a McConnell issue and advised she has allowed additional briefing. Ms. Burke stated it may have McConnell issues. Court inquired if counsel wants to wait for decision on McConnell issue or counsel can brief. Mr. Owens argued no death penalty imposed so why is McConnell an issue. Further argument by Ms. Burke. Additional colloquy. COURT ORDERED, matter SET for Status Check and counsel has ten (10) days to get letter from doctor and then the State can prepare the order. FURTHER ORDERED, Deft. to be transported back to the Nevada Department of Corrections (NDC).

NDC

9/28/06 9:15 AM STATUS CHECK: DOCTOR'S LETTER

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

September 28, 2006

98C151122-2

The State of Nevada vs Artis L Moore

September 28, 2006

9:15 AM

Status Check

STATUS CHECK:
DR'S REPORT Court
Clerk: April Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Leavitt,
Michelle

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Berrett, Bill A.

Attorney

JOURNAL ENTRIES

- Mr. Langford advised Ms. Burke has not been able to obtain letter from the doctor and requested matter be continued. COURT ORDERED, matter CONTINUED.
NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

October 12, 2006

98C151122-2

The State of Nevada vs Artis L Moore

October 12, 2006

9:15 AM

Status Check

**STATUS CHECK:
DR'S REPORT Court
Clerk: April Watkins
Reporter/Recorder:
Thelma Stapley
Heard By: Michelle
Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- Letter FILED IN OPEN COURT. Colloquy regarding documents already provided by counsel. Ms. Burke advised Deft. is going to appeal this Court's decision and requested to be appointed. Court advised counsel to file a written motion.

NDC

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 16, 2009

98C151122-2

The State of Nevada vs Artis L Moore

July 16, 2009

10:00 AM

Petition for Writ of Habeas
Corpus

PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: April
Watkins
Reporter/Recorder:
Kerry Esparza Heard
By: Michelle Leavitt

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- Court stated her FINDINGS and ORDERED, petition DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Artis Londell Moore #61167, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 06, 2009

98C151122-2

The State of Nevada vs Artis L Moore

August 06, 2009

8:30 AM

All Pending Motions

**ALL PENDING
MOTIONS (8/6/09)
Court Clerk: April
Watkins
Reporter/Recorder:
Kerry Esparza Heard
By: Michelle Leavitt**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR ENLARGEMENT OF TIME...DEFT'S PRO PER MOTION FOR RECONSIDERATION

Court FINDS writ has previously been ruled on, motion to reconsider not appropriate as the order has not been filed yet and ORDERED, motions DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Artis Londell Moore #61167, Souther Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89070. aw

Exhibit List

Case: 98C151122-2 Party: Sort Order: Status Defendant Name: Moore, Artis L DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
PCT1	Plaintiff			UNLV SCHOOL OF MED LTR DTD 5/15/06		State of Nevada	District Court Criminal/Civil 03/24/2006	Evidence Vault
			Comment: ExhibitID : 114874					
P	Plaintiff			GRAND JURY EXHIBITS		State of Nevada	District Court Criminal/Civil 06/05/1998	Evidence Vault
			Comment: ExhibitID : 38907					
P-1	Plaintiff			SEE EXHIBITS LIST (EXH 1 THRU 51)		State of Nevada	District Court Criminal/Civil 02/22/1999	Evidence Vault
			Comment: ExhibitID : 42368					
P/P	Plaintiff			EXH P-1 & P-2		State of Nevada	District Court Criminal/Civil 02/24/1999	Evidence Vault
			Comment: ExhibitID : 42369					
P-CT	Plaintiff			COURT EXHIBITS "A"		State of Nevada	District Court Criminal/Civil 02/25/1999	Evidence Vault
			Comment: ExhibitID : 42370					
D	Defendant			NO EXHIBITS		Moore, Artis L		
			Comment: ExhibitID : 42371					
P	Plaintiff			*****9/23/04 HEARING*****		State of Nevada		
			Comment: ExhibitID : 91696					
P/2	Plaintiff			CELL PALLS (INTERNET PRINT OUT)		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
			Comment: ExhibitID : 91698					

Exhibit List

Case: 98C151122-2 Party: Sort Order: Status Defendant Name: Moore, Artis L DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P/1	Plaintiff	Admitted 09/23/2004		MEDICAL RECORDS (SEALED)		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
<p>Comment: ExhibitID : 97975</p>								
P/1	Plaintiff	Admitted 09/23/2004		VENDOR CLAIM VOUCHER		State of Nevada	District Court Criminal/Civil 09/23/2004	Evidence Vault
<p>Comment: ExhibitID : 91697 NO OBJECTION</p>								
D/A	Defendant	Admitted 09/23/2004		APPELLANT'S OPENING BRIEF		Moore, Artis L	District Court Criminal/Civil 09/23/2004	Evidence Vault
<p>Comment: ExhibitID : 91697 NO OBJECTION</p>								
D/B	Defendant	Admitted 09/23/2004		ORDER DISMISSING APPEAL		Moore, Artis L	District Court Criminal/Civil 09/23/2004	Evidence Vault
<p>Comment: ExhibitID : 91699 NO OBJECTION</p>								

OFFERED ADMITTED

Item	Offered	Admitted
① Photo	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
② "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
3 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
4 "	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
5 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
6 "	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/19
7 "	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
8 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
9 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
10 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
11 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
12 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
13 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
14 - Clear Evidence Bag / contents	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
14A - Black Purse	<input type="checkbox"/> "	<input type="checkbox"/> "
15 - Evidence Box - Long	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
15A - Evidence ^{wrap} Shot ^{A2} gun (sealed out by counsel)	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
16 Evidence Box med.	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
16A Evidence Bag ^{A1} - gun ^{16A-2} - (cartridge / ^{16A-3} magazine)	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/19
17 Evidence Box med.	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 2/18
17A Evidence Bag gun ^{17A2} (cartridge ^{17A3} magazine)	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
18 Diagram	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
19 "	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18
20 "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 2/18
21 "	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/18

	OFFERED	ADMITTED
<u>22 Evidence Bag</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>22A contents unopened</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>23 Evidence Envelope</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/18
<u>23A-A contents - glasses (1)</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>24- Photo</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/18
<u>25- Photo</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>26- Photo</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>27- Photo</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/18
<u>28 Photo</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 2/19
<u>29 Firearms Transaction</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>30 Evidence envelope</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> "
<u>30A Vial - slug spent bullet</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>30B Vial - slug spent bullet</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>31) Evidence Envelope + content</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/>
<u>31A) unopened casing</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 2/22
<u>32) Evidence Envelope + contents 31A-^{PINK} slip 32B-money</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/22
<u>33) Small Photo</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/22
<u>34) Photo</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>35) Photo</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
<u>36) Evidence Bag</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>36A) New York Cap</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>36B) Blue Cap</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>37) Evidence Envelope & contents (31A-^{PINK} slip & invoice)</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>38) Evidence ^{bag} & contents (6 vials)</u>	<input checked="" type="checkbox"/> No Obj	<input checked="" type="checkbox"/> 2/19
<u>39 Evidence ^{bag} & contents (2 vials 1 jar)</u>	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "

STATE'S EXHIBIT

CASE NO. 0157122

OFFERED ADMITTED

Item Description	OFFERED	ADMITTED
40) Evidence Envelope & contents ^(unopened) shotgun shells	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/19
41) Evidence Envelope	<input type="checkbox"/>	<input type="checkbox"/>
41A) Contents	<input type="checkbox"/>	<input type="checkbox"/>
42) Photo	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/22
43) Signature Sheet	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/22
44) sm Photo	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
45) Photo	<input checked="" type="checkbox"/> OBJ	<input checked="" type="checkbox"/> 2/22
46) "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
47) "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
48) "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
49) "	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
50) LUMPED - rights card	<input checked="" type="checkbox"/> NO OBJ	<input checked="" type="checkbox"/> 2/22
51) LUMPED - consent to search	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
	<input type="checkbox"/>	<input type="checkbox"/>
4- Court exhibit - Jurors note/answer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 2/25
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

OFFERED ADMITTED

P-1 Poster - Board

P-2 Video

Courts exhibit

P1 - Letter

P2 - letter to jurors from victims sister

P3 - letter from Vicki Zandano

P4 - letter to jurors from Salvatore Zandano Sr.

P5 - 2/2/00 Memo from Special PD's office

P6 - Dr. Etcoff Letter (redacted) 9-24-98

P6A - Dr. Etcoff Letter (NON-Redacted- to be sealed)

P7 - Dr. Etcoff letter 7-16-99

P8 - Voluntary Statement 5-19-98 of Kenneth Maxey

	OFFERED	ADMITTED
① Photo 8x10 Bar	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/2
② Photo 8x10 Bar	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
③ Photo 8x10 Women on Table	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/24/00
④ Photo 8x10 Woman's face	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/24/00
⑤ Photo 8x10 Bo Jackson	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
⑥ Photo 8x10 Bo Jackson	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 1-21-00
⑦ Photo 8x10 Body in Hell	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/20
⑧ Photo 8x10 front of Bar	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
⑨ Photo 8x10 Shot gun - Liquor bottle	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
⑩ Photo 8x10 Bar	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
⑪ Photo 8x10 Bar	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> "
⑫ Photo Copy 8x10 Victim w/ friend	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 1/2
⑬ Photo Copy 8x10 Victim suit	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/20
⑭ Clear Evidence Bag & content (Black Purse)	<input checked="" type="checkbox"/> "	<input checked="" type="checkbox"/> 1/24
⑮ Black Purse unopened	<input type="checkbox"/>	<input type="checkbox"/>
⑯ Long Evidence Box	<input type="checkbox"/>	<input type="checkbox"/>
• ⑰ Evidence Wrap - Shotgun	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
⑱ Evidence Box - medium A3 - Plastic Bag - shell	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
⑲ Evidence Bag - A1 - Plastic Bag, gun - A2 Plastic Bag, mag shells	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 1-21-00
⑲ Evidence Box - medium	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
⑲ Evidence Bag A1 - Plastic Bag - gun A2 - P. Bag Magazine shells A3 - P. Bag shell	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
• ⑲ Diagram - Ref'd Photos	<input checked="" type="checkbox"/> Subject to	<input checked="" type="checkbox"/> 1/24
⑲ Diagram Exterior Bar	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
• ⑲ Diagram Interior Bar	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
⑲ Diagram Aerial	<input checked="" type="checkbox"/> no obj	<input checked="" type="checkbox"/> 1/20

OFFERED ADMITTED

Item Description	OFFERED	ADMITTED
22 Evidence Bag - unopened	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
22A Contents - sealed	<input type="checkbox"/>	<input type="checkbox"/>
23 Evidence Envelope	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/20/12
23A Glasses	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1-11
24 Photo 8x10 Gun	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/21
25 Photo 8x10 Victim in Bar	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
26 Photo 8x10 Gloves	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/21
27. Photo 8x10 Cones	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/21
28 Photo 8x10 Car	<input checked="" type="checkbox"/> No obj	<input checked="" type="checkbox"/> 1/21
29 Photo Copy Firearms Transaction	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
30. Evidence Envelope	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
30A. Vial Slug Spent Bullet	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
30B Vial Slug Spent Bullet	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
31. Evidence Envelope	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
31A Vial Slug Bullet	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
(32) Evidence...	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
32A) Pink Slip	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
32B) Money	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
33 Small Photo Permit	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
34 Photo 8x10 yard	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
35 Photo 8x10 Bar - Liquor Bottles	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
36 Evidence Bag	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
36A - New York Cap	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
36 B - Blue Cap	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
37 Evidence Envelope	<input checked="" type="checkbox"/> sub	<input type="checkbox"/> 1-21-00

	OFFERED	ADMITTED
<u>37A Invoice</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21
<u>37B \$30 in Plastic Bag</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21
<u>38 Evidence Envelope (w/ 6 vials)</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
<u>39 Evidence Envelope (1 Jar 2 vials)</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
<u>40 Evidence Envelope (unopened Shotgun Shells)</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1-21-00
<u>41 Evidence Envelope</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>41A Contents (unopened)</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>42 Photo car</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
<u>43 Signature Sheet</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>44 Photo 2 1/2 x 3 money</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24/00
<u>45 Photo Victim Autopsy Photo</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>46 Photo Victim Wound</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>47 Photo Victim Wound</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>48 Photo Victim Wound</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>49 Photo Victim Wound</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>50 Miranda Card - Artis Moore MAXEY</u>	<input checked="" type="checkbox"/> sub	<input checked="" type="checkbox"/> 1/24
<u>51 Consent to Search - Art's Moore</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>52. Photo 3x5 FOR Defense</u>	<input checked="" type="checkbox"/> sub by [unclear]	<input checked="" type="checkbox"/> 1-20-00
<u>53. TAPE Recording voluntary statement</u> + 8 Tape Holder	<input checked="" type="checkbox"/> oppose	<input checked="" type="checkbox"/> 1/24/00
<u>54. (Defense) Picture</u>	<input checked="" type="checkbox"/> SA not opp	<input checked="" type="checkbox"/> 1/24/00
<u>Court Exhibit ABC - (Jury instructions Not accepted)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 1/26
<u>D (Court Exhibit) #1 instructions</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Court Exhibit 1 - Right of Person arrested</u>	<input checked="" type="checkbox"/> FOR HEAR ONLY	<input checked="" type="checkbox"/> 1/24
<u>2 Transcript of voluntary statement</u>	<input checked="" type="checkbox"/> FOR HEAR ONLY	<input checked="" type="checkbox"/>

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

ARTIS L. MOORE aka ARDIS L. MOORE,

Defendant(s).

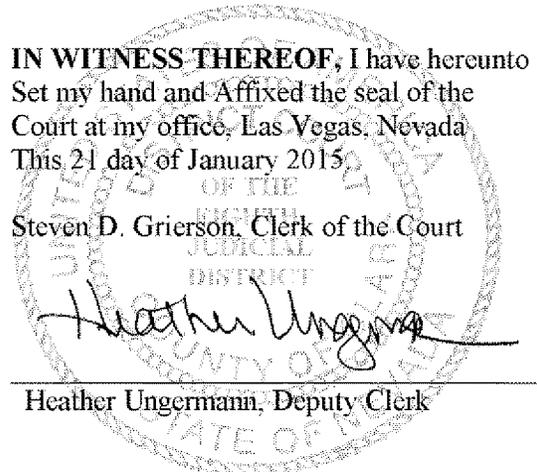
Case No: C151122-2

Dept No: XII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 21 day of January 2015.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk