

CLERK OF THE COURT

Electronically Filed
Feb 10 2015 11:50 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 NOAS
GORDON SILVER
2 DOMINIC P. GENTILE
Nevada Bar No. 1923
3 Email: dgentile@gordonsilver.com
VINCENT SAVARESE III
4 Nevada Bar No. 2467
Email: vsavarese@gordonsilver.com
5 KORY L. KAPLAN
Nevada Bar No. 13164
6 Email: kkaplan@gordonsilver.com
3960 Howard Hughes Pkwy., 9th Floor
7 Las Vegas, Nevada 89169
Tel: (702) 796-5555
8 Fax: (702) 369-2666
ANJALI D. WEBSTER
9 Nevada Bar No. 12515
Email: awebster@gordonsilver.com
10 100 West Liberty Street, Suite 940
Reno, Nevada 89501
11 Tel: (775) 343-7500
Fax: (702) 786-0131
12 Attorneys for Defendant/Appellant Mazen Alotaibi

13 DISTRICT COURT

14 CLARK COUNTY, NEVADA

15 THE STATE OF NEVADA,

16 Plaintiff,

17 vs.

18 MAZEN ALOTAIBI,

19 Defendant.
20

CASE NO. C-13-287173-1
DEPT. XXIII

21 **DEFENDANT MAZEN ALOTAIBI'S NOTICE OF APPEAL**

22 NOTICE is hereby given pursuant to NRS § 177.015(3) and NRAP 3(a)(1) and
23 4(b)(1)(A) that MAZEN ALOTAIBI, Defendant in the above-entitled matter, by and through
24 counsel, the law firm of Gordon Silver, hereby appeals to the Supreme Court of Nevada from the

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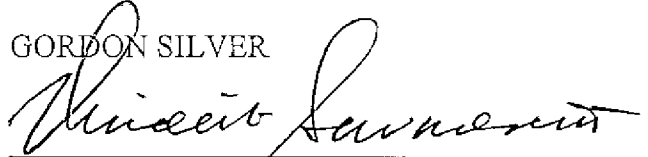
28 ...

1 ...
2 ...
3 final Judgment of Conviction dated February 4, 2015, filed in this matter on February 5, 2015;
4 all rulings, decisions and orders of the district court ancillary thereto; and the sentences imposed
5 in this matter by the district court with respect to the offenses of conviction.

6 Defendant hereby gives notice.

7 Dated this 5th day of February, 2015.

8 GORDON SILVER



10 DOMINIC P. GENTILE

Nevada Bar No. 1923

11 VINCENT SAVARESE III

Nevada Bar No. 2467

12 KORY L. KAPLAN

Nevada Bar No. 13164

13 3960 Howard Hughes Pkwy., 9th Floor

Las Vegas, Nevada 89169

14 (702) 796-5555

ANJALI D. WEBSTER

15 Nevada Bar No. 12515

100 West Liberty Street, Suite 940

16 Reno, Nevada 89501

(775) 343-7500

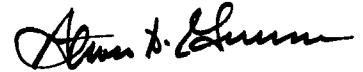
17 Attorneys for Defendant Mazen Alotaibi

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4 Nevada Bar No. 1923
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Tel: (702) 796-5555
Fax: (702) 369-2666
ANJALI D. WEBSTER
Nevada Bar No. 12515
Email: awebster@gordonsilver.com
100 West Liberty Street, Suite 940
Reno, Nevada 89501
Tel: (775) 343-7500
Fax: (702) 786-0131
Attorneys for Defendant/Appellant Mazen Alotaibi

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02/05/2015 04:46:32 PM



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

MAZEN ALOTAIBI,

Defendant.

CASE NO. C-13-287173-1
DEPT. XXIII

DEFENDANT MAZEN ALOTAIBI'S CASE APPEAL STATEMENT

Pursuant to NRAP 3(f), Mazen Alotaibi, Defendant in the above-entitled matter, by and through his counsel, the law firm of Gordon Silver, hereby respectfully submits the following Case Appeal Statement:

1. The Appellant filing this Case Appeal Statement is Defendant Mazen Alotaibi.
2. The judge who issued the Judgment of Conviction and all decisions and orders appealed from is the Honorable Stefany Miley, Judge of the Eighth Judicial District Court in and for Clark County, Nevada.

3. Defendant Mazen Alotaibi is the only Appellant in this matter; and appellate counsel for Defendant/Appellant Alotaibi are the following attorneys: Dominic P. Gentile, Esq., Vincent Savarese III, Esq., and Kory L. Kaplan Esq., of the law firm of Gordon Silver, 3960 Howard Hughes Parkway, Ninth Floor, Las Vegas, Nevada 89169; and Anjali D. Webster, Esq., of the law firm of Gordon Silver, 100 West Liberty Street, Suite 940, Reno, Nevada 89501.
4. Plaintiff State of Nevada is the only Respondent in this matter; and the above-named counsel for Defendant/Appellant Alotaibi do not know at this time who will act as appellate counsel for Plaintiff/Respondent State of Nevada. However, the following attorneys represented Plaintiff/Respondent State of Nevada in this matter in the trial court: Steven B. Wolfson, District Attorney in and for Clark County, Nevada; Jacqueline M. Bluth, Chief Deputy District Attorney; and Mary Kay Holthus, Chief Deputy District Attorney, of the Clark County District Attorney's Office Criminal Division, Regional Justice Center, 200 Lewis Avenue, Third Floor, Las Vegas, Nevada 89155.
5. Each and every attorney identified above in paragraphs 3 and 4, *supra* is licensed to practice law in the State of Nevada.
6. Defendant/Appellant Alotaibi was represented by retained counsel in the trial court.
7. Defendant/Appellant Alotaibi is represented by retained counsel on appeal.
8. Defendant/Appellant Alotaibi has not been granted leave to proceed in forma pauperis.
9. Proceedings commenced in the district court in this matter with the filing of an information on February 4, 2013.
10. This is a criminal case in which Defendant/Appellant Alotaibi was charged by information with the following offenses, each of which was alleged therein to have been committed on or about December 21, 2012, at and within Clark County, Nevada: Count 1 – Burglary (Category B Felony pursuant to NRS § 205.060); Count 2 – First Degree Kidnapping (Category A Felony pursuant to NRS §§ 200.310, 200.320); Count 3 – Sexual Assault With A Minor Under Fourteen Years Of Age (Category A Felony

1 pursuant to NRS §§ 200.364, 200.366); Count 4 -- Lewdness With A Child Under
2 Fourteen Years Of Age (Category A Felony pursuant to NRS § 201.230); Count 5 --
3 Sexual Assault With A Minor Under Fourteen Years Of Age (Category A Felony
4 pursuant to NRS §§ 200.364, 200.366); Count 6 -- Lewdness With A Child Under
5 Fourteen Years Of Age (Category A Felony pursuant to NRS § 201.230); Count 7 --
6 Lewdness With A Child Under Fourteen Years Of Age (Category A Felony pursuant to
7 NRS § 201.230); Count 8 -- Lewdness With A Child Under Fourteen Years Of Age
8 (Category A Felony pursuant to NRS § 201.230); and Count 9 -- Coercion (Sexually
9 Motivated) (Category B Felony pursuant to NRS §§207.190, 207.193, 175.547).
10 Defendant/Appellant Alotaibi entered pleas of not guilty with respect to each and every
11 count of the information. Following a jury trial, verdicts of guilty were returned with
12 respect to Counts 1, 2, 3, 5, 7, 8 and 9. Defendant/Appellant Alotaibi was acquitted
13 with respect to Counts 4 and 6. On January 28, 2015 and February 2, 2015,
14 Defendant/Appellant Alotaibi was sentenced with respect to the counts of conviction as
15 follows: Count 1 -- a maximum of forty-eight (48) months of imprisonment with a
16 minimum parole eligibility of twelve (12) months; Count 2 -- a maximum of fifteen (15)
17 years of imprisonment with parole eligibility after five (5) years of imprisonment have
18 been served, concurrent with Count 1; Count 3 -- life imprisonment with parole
19 eligibility after thirty-five (35) years of imprisonment have been served, concurrent
20 with Count 2; Count 5 -- life imprisonment with parole eligibility after thirty-five (35)
21 years of imprisonment have been served, concurrent with Count 3; Count 7 -- life
22 imprisonment with parole eligibility after ten (10) years of imprisonment have been
23 served, concurrent with Count 5; Count 8 -- life imprisonment with parole eligibility
24 after ten (10) years of imprisonment have been served, concurrent with Count 7, with
25 seven hundred fifty-eight (758) days credit for time served; Count 9 -- credit for time
26 served. Defendant/Appellant Alotaibi was further sentenced to a special sentence of
27 lifetime supervision to commence upon release from any term of imprisonment,
28 probation or parole; ordered to register as a sex offender in accordance with NRS §

1 179D.460 within forty-eight (48) hours after any release from custody; and ordered to
2 pay Restitution in the amount of \$2,723.94, a \$150.00 DNA Analysis Fee, and an
3 \$25.00 Administrative Assessment Fee. The district court further ordered that before
4 Defendant/Appellant Alotaibi is eligible for parole, a panel consisting of the
5 Administrator of Mental Health and Development Services of the Nevada Department
6 of Human Resources or his designee; the Director of the Nevada Department of
7 Corrections or his designee; and either a psychologist or a psychiatrist licensed to
8 practice in the State of Nevada must certify that Defendant/Appellant Alotaibi does not
9 present a high risk to re-offend based on current accepted standards of assessment. On
10 February 5, 2015, the Judgment of Conviction in this matter was filed by the district
11 court. Defendant/Appellant Alotaibi appeals from the Judgment of Conviction and all
12 rulings, decisions and orders of the district court ancillary thereto; and from the
13 sentences imposed by the district court with respect to the counts of conviction.

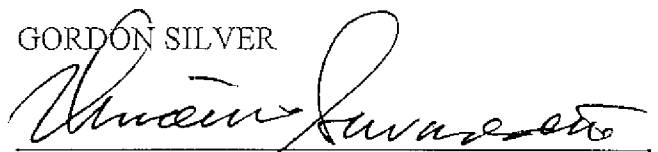
14 11. This case has never previously been the subject of an appeal to or original writ
15 proceeding in the Nevada Supreme Court.

16 12. This appeal does not involve child custody or visitation.

17 13. This is not a civil case.

18 Dated this 5th day of February, 2015.

19 GORDON SILVER

20 

21 DOMINIC P. GENTILE

22 Nevada Bar No. 1923

23 VINCENT SAVARESE III

24 Nevada Bar No. 2467

25 KORY L. KAPLAN

26 Nevada Bar No. 13164

27 3960 Howard Hughes Pkwy., 9th Floor

28 Las Vegas, Nevada 89169

(702) 796-5555

ANJALI D. WEBSTER

Nevada Bar No. 12515

100 West Liberty Street, Suite 940

Reno, Nevada 89501

(775) 343-7500

Attorneys for Defendant/Appellant,
Mazen Alotaibi

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1 CERTIFICATE OF SERVICE

2 The undersigned, an employee of Gordon Silver, hereby certifies that on the 5th day
3 of February, 2015, I served a copy of the DEFENDANT MAZEN ALOTAIBI'S CASE
4 APPEAL STATEMENT, by electronic means addressed to:

5 Clark County District Attorney's Office – Criminal Division
6 Steven B. Wolfson, District Attorney
7 Mary Kay Holthus, Chief Deputy District Attorney
8 Jacqueline M. Bluth, Chief Deputy District Attorney
9 Regional Justice Center
10 200 Lewis Avenue
11 Las Vegas, NV 89155
12 Email: mary.holthus@clarkcountyda.com
13 Email: jacqueline.bluth@clarkcountyda.com

14 
15 _____
16 An employee of Gordon Silver
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DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

State of Nevada
vs
Mazen Alotaibi

§ Location: **Department 23**
§ Judicial Officer: **Miley, Stefany**
§ Filed on: **02/01/2013**
§ Cross-Reference Case **C287173**
§ Number:
§ Defendant's Scope ID #: **2884816**
§ Lower Court Case Number: **12F20986**

CASE INFORMATION

Offense	Deg	Date	Case Type: Felony/Gross Misdemeanor
1. BURGLARY	F	12/31/2012	Case Flags: Appealed to Supreme Court Custody Status - Nevada Department of Corrections Charge Description Updated
2. FIRST DEGREE KIDNAPPING	F	12/31/2012	
3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	12/31/2012	
4. LEWDNESS WITH CHILD UNDER THE AGE OF 14	F	12/31/2012	
5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	12/31/2012	
6. LEWDNESS WITH CHILD UNDER THE AGE OF 14	F	12/31/2012	
7. LEWDNESS WITH CHILD UNDER THE AGE OF 14	F	12/31/2012	
8. LEWDNESS WITH CHILD UNDER THE AGE OF 14	F	12/31/2012	
9. COERCION	M	12/31/2012	
<i>Filed As:</i> COERCION (SEXUALLY MOTIVATED)	F	02/04/2013	

Statistical Closures

02/02/2015 Jury Trial - Conviction - Criminal

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number C-13-287173-1
Court Department 23
Date Assigned 02/01/2013
Judicial Officer Miley, Stefany

PARTY INFORMATION

Defendant	Alotaibi, Mazen	Lead Attorneys
		Gentile, Dominic P. <i>Retained</i> 7023860066(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE












EVENTS & ORDERS OF THE COURT

INDEX

02/01/2013  Criminal Bindover
Criminal Bindover

02/01/2013 No Bail Set

DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1




02/04/2013	 Information <i>Information</i>
02/06/2013	 Initial Arraignment (1:30 PM) (Judicial Officer: De La Garza, Melisa)
02/13/2013	 Arraignment Continued (9:30 AM) (Judicial Officer: Miley, Stefany)
02/13/2013	 Order Filed By: Defendant Alotaibi, Mazen <i>Order Directing Jail Commander to Allow Defense Counsel to Permission to Have Contact Visits With his Personal Laptop and DVD's and CD's Provided as Discovery by The State</i>
02/13/2013	Plea (Judicial Officer: Miley, Stefany) <ol style="list-style-type: none">1. BURGLARY Not Guilty2. FIRST DEGREE KIDNAPPING Not Guilty3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Not Guilty4. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Not Guilty6. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty7. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty8. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty9. COERCION (SEXUALLY MOTIVATED) Not Guilty
02/15/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order for Camera Access to Court Proceedings</i>
02/15/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order Allowing Camera Access to Court Proceedings</i>
02/15/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order Allowing Camera Access to Court Proceedings</i>
02/26/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order Allowing Camera Access to Court Proceedings</i>
03/15/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i>
03/26/2013	 Ex Parte <i>Ex Parte Motion and Order for Release of Medical Records</i>
05/02/2013	 Notice of Witnesses and/or Expert Witnesses

DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1


















Notice of Witnesses and/or Expert Witnesses

05/08/2013	 Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany)
05/13/2013	 Supplemental Witness List <i>Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/13/2013	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
05/14/2013	 Supplemental Witness List <i>Second Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/15/2013	 Trial Setting (9:30 AM) (Judicial Officer: Miley, Stefany)
06/17/2013	 Motion to Take Video Deposition <i>Motion for Video Testimony</i>
06/17/2013	 Motion to Reduce
07/01/2013	Motion for Leave (9:30 AM) (Judicial Officer: Miley, Stefany) 07/01/2013, 07/08/2013, 07/22/2013 <i>Defendant's Motion for Leave to Present Live Testimony Via Internet Video Phone aka Skype</i>
07/01/2013	Motion to Reduce (9:30 AM) (Judicial Officer: Miley, Stefany) 07/01/2013, 07/08/2013, 07/22/2013 <i>Defendant's Motion to Reduce Bail</i>
07/01/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
07/05/2013	 Motion to Suppress <i>Motion for Suppression of Oral Statements Pursuant to N.R.S. 179.085</i>
07/08/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
07/16/2013	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Reduce Bail</i>
07/17/2013	 Notice of Rescheduling <i>Notice Resetting Date and Time of Hearing</i>
07/17/2013	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
07/18/2013	 Opposition to Motion <i>Opposition to Defendant's Motion for Suppression of Oral Statement Pursuant to NRS 179.085</i>
07/19/2013	 Opposition to Motion <i>Opposition to Defendant's Motion for Leave to Present Live Testimony Via Internet Video Phone aka Skype</i>
07/22/2013	Trial Setting (9:30 AM) (Judicial Officer: Miley, Stefany)

DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

07/22/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
07/22/2013	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
07/30/2013	 Supplemental Witness List <i>Third Supplemental Notice of Witnesses and/or Expert Witnesses</i>
07/30/2013	 Supplemental Witness List <i>Fourth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
07/31/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Regarding Defendant's Motions of July 22, 2013</i>
08/01/2013	Motion to Suppress (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion for Suppression of Oral Statements Pursuant to N.R.S. 179.085</i>
08/01/2013	Evidentiary Hearing (9:30 AM) (Judicial Officer: Miley, Stefany)
08/01/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
08/14/2013	 Finding of Fact and Conclusions of Law <i>Finding of Fact and Conclusions of Law and Order</i>
09/16/2013	 Supplemental Witness List <i>Fifth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
09/19/2013	 Certificate for Attendance of Out-Of-State Witness <i>Certificate for Attendance of Out-of-State Witness Rashed Alshehri</i>
09/19/2013	 Order <i>Order for Payment of Witness Fees</i>
09/19/2013	 Request for Attendance of Out-Of-State Witness <i>Request for Attendance of Out-of-State Witnesses Rashed Alshehri</i>
09/19/2013	 Request for Attendance of Out-Of-State Witness <i>Request for Attendance of Out-of-State Witness Rashed Alshehri</i>
09/27/2013	 Supplemental Witness List <i>Sixth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
10/02/2013	 Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany)
10/03/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
10/07/2013	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
10/10/2013	















DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

	 Jury Trial (9:30 AM) (Judicial Officer: Miley, Stefany) 10/10/2013-10/11/2013, 10/14/2013-10/17/2013, 10/21/2013-10/23/2013
10/10/2013	 Notice of Witnesses and/or Expert Witnesses <i>Seventh Supplemental Notice of Witnesses And/Or Expert Witnesses (NRS 174.234)</i>
10/11/2013	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Proceeding Defendant's Motion for Suppression of Oral Statements Pursuant to NRS 179.085</i>
10/11/2013	 Jury List
10/14/2013	 Amended Information <i>Amended Information</i>
10/15/2013	 Order <i>Order for Transcripts</i>
10/18/2013	 Amended Information <i>Second Amended Information</i>
10/22/2013	 Amended Jury List
10/23/2013	 Instructions to the Jury
10/23/2013	 Verdict
10/28/2013	 Peremptory Challenge
11/22/2013	 PSI
12/02/2013	 Notice of Rescheduling <i>Notice Resetting Date and Time of Hearing</i>
01/16/2014	 Motion to Withdraw As Counsel <i>Motion To Withdraw as Attorney of Record</i>
01/29/2014	Sentencing (9:30 AM) (Judicial Officer: Miley, Stefany)
01/29/2014	Motion to Withdraw as Counsel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Don P. Chairez's Motion to Withdraw as Attorney of Record</i>
01/29/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
01/30/2014	 Order Filed By: Defendant Alotaibi, Mazen <i>Transcript Request Order</i>
01/31/2014	 Notice of Rescheduling <i>Notice Resetting Date and Time of Hearing</i>










DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Partial Jury Trial - Day 2 October 11, 2013</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 3 October 14, 2013</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 4 October 15, 2013</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 5 October 16, 2013</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 6</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 7</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 8</i>
03/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial - Day 9</i>
05/07/2014	 Stipulation and Order <i>Stipulation and Order to Continue Sentencing</i>
05/07/2014	 Notice of Entry <i>Notice of Entry of Stipulation and Order</i>
05/08/2014	 Receipt of Copy <i>Receipt of Copy</i>
05/08/2014	 Motion <i>Defendant's Motion to Examine Evidence on Order Shortening Time</i>
05/14/2014	 Order Granting <i>Order Granting Motion to Examine Evidence</i>
05/14/2014	 Motion for Examination (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Examine Evidence on Order Shortening Time</i>
05/15/2014	 Notice of Entry of Order <i>Notice of Entry of Order</i>
05/27/2014	 Motion for New Trial <i>Motion for New Trial and/or For An Evidentiary Hearing</i>
05/29/2014	 Media Request and Order <i>Media Request And Order Allowing Camera To Court Proceedings</i>




DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

06/09/2014	 Amended Notice <i>Amended Notice Resetting Date and Time of Hearing</i>
06/17/2014	 Notice of Motion <i>Notice of Motion and Motion to Proceed to Sentencing and Stay Defendant's Motion for New Trial and/or for an Evidentiary Hearing</i>
06/25/2014	 Opposition to Motion <i>Opposition to Notice of Motion and Motion to Proceed to Sentencing and Stay Defendant's Motion for New Trial and/or for Evidentiary Hearing</i>
06/30/2014	 Motion (9:30 AM) (Judicial Officer: Miley, Stefany) 06/30/2014, 07/02/2014 <i>State's Notice of Motion and Motion to Proceed to Sentencing and Stay Defendant's Motion for New Trial and/or for an Evidentiary Hearing</i>
07/16/2014	 Opposition <i>Opposition to Defendant's Motion for New Trial and/or An Evidentiary Hearing</i>
08/01/2014	 Reply to Opposition <i>Reply to Opposition to Defendant's Motion for New Trial and/or for Evidentiary Hearing</i>
08/08/2014	 Notice of Rescheduling <i>Amended Notice Resetting Date and Time of Hearing</i>
09/12/2014	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Reset Sentencing</i> <i>07/10/2014 Continued to 08/01/2014 - At the Request of Counsel - Alotaibi, Mazen</i>
09/12/2014	Motion for New Trial (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Motion for New Trial and/or For An Evidentiary Hearing</i>
09/12/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
11/07/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Defendant's Motion for New Trial and/or For an Evidentiary Hearing; Status Check: Reset Sentencing September 12, 2014</i>
11/18/2014	 Finding of Fact and Conclusions of Law <i>Findings of Fact, Conclusions of Law and Order and Decision</i>
11/19/2014	 Notice of Hearing <i>Notice of Hearing</i>
12/12/2014	 Opposition <i>State's Opposition to Defendant's Motion to Continue Sentencing</i>
12/12/2014	 Motion <i>Motion to Continue Sentencing Hearing on Order Shortening Time</i>
12/12/2014	 Receipt of Copy <i>Receipt of Copy</i>





DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

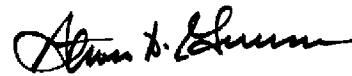
12/16/2014	 Reply <i>Reply in Support of Defendant's Motion to Continue Sentencing</i>
12/17/2014	 Motion to Continue (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Continue Sentencing Hearing on Order Shortening Time</i>
01/23/2015	 Memorandum <i>Defendant Mazen Alotaibi's Sentencing Memorandum</i>
01/23/2015	 Filed Under Seal <i>Dr John Paglini's Psychosexual Evaluation Under Seal Per Order Dated 2/2/15</i>
01/26/2015	 Certificate of Service <i>Certificate of Service</i>
01/26/2015	 Receipt of Copy <i>Receipt of Copy</i>
01/26/2015	 Ex Parte <i>Defendant Mazen Alotaibi's Ex Parte Motion to File Dr. John Paglini's Psychosexual Evaluation Under Seal</i>
01/26/2015	 Errata <i>Errata to Defendant Mazen Alotaibi's Sentencing Memorandum</i>
01/28/2015	Sentencing (9:30 AM) (Judicial Officer: Miley, Stefany)
01/28/2015	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant Mazen Alotaibi's Ex Parte Motion to File Dr. John Paglini's Psychosexual Evaluation Under Seal</i>
01/28/2015	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Sentencing; Defendant Mazen Alotaibi's Ex Parte Motion to File Dr. John Paglini's Psychosexual Evaluation Under Seal</i>
01/28/2015	Disposition (Judicial Officer: Miley, Stefany) 1. BURGLARY Guilty 2. FIRST DEGREE KIDNAPPING Guilty 3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Guilty 4. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty 5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Guilty 6. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Not Guilty 7. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Guilty 8. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Guilty 9. COERCION (SEXUALLY MOTIVATED) Guilty
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 1. BURGLARY

DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

	Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 48 Months
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 2. FIRST DEGREE KIDNAPPING Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 5 Years, Maximum: 15 Years Concurrent: Charge 1
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 35 Years Concurrent: Charge 2
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 35 Years Concurrent: Charge 3
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 7. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 10 Years Concurrent: Charge 5
01/28/2015	Sentence (Judicial Officer: Miley, Stefany) 8. LEWDNESS WITH CHILD UNDER THE AGE OF 14 Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 10 Years Concurrent: Charge 7 Credit for Time Served: 758 Days Condition 1. Register As A Sex Offender, within 48 hours of release from custody 2. Lifetime Supervision, is imposed to commence upon the release from any term of Probation, Parole or Imprisonment
02/02/2015	 Order Granting <i>Order Granting Defendant Mazen Alotaibi's Ex Parte Motion to File Dr. John Paglini's Psychosexual Evaluation Under Seal</i>
02/02/2015	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
02/02/2015	 Sentencing (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Sentencing - Count 9/Imposition of Restitution</i>
02/02/2015	Sentence (Judicial Officer: Miley, Stefany) 9. COERCION Adult Adjudication Sentenced to CCDC Credit for Time Served: Other Fees 1. , \$2,723.94 Payable to Social Services

DEPARTMENT 23
CASE SUMMARY
CASE NO. C-13-287173-1

02/02/2015	Amended Disposition (Judicial Officer: Miley, Stefany) 9. COERCION Guilty
02/04/2015	 Notice of Entry of Order <i>Notice of Entry of Order</i>
02/05/2015	 Notice of Appeal (criminal) <i>Defendant Mazen Alotaibi's Notice of Appeal</i>
02/05/2015	 Case Appeal Statement <i>Defendant Mazen Alotaibi's Case Appeal Statement</i>
02/05/2015	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>



CLERK OF THE COURT

JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MAZEN ALOTAIBI
#2884816

Defendant.

CASE NO. C287173-1

DEPT. NO. XXIII

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 - BURGLARY (Category B Felony) in violation of NRS 205.060, COUNT 2 - FIRST DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320, COUNTS 3 and 5 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony) in violation of NRS 200.364, 200.366, COUNTS 4, 6, 7 and 8 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony) in violation of NRS 201.230 and COUNT 9 - COERCION (Sexually Motivated) (Category B Felony) in violation of NRS 207.190, 207.193, 175.547; and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT

1 - BURGLARY (Category B Felony) in violation of NRS 205.060, COUNT 2 – FIRST DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320, COUNTS 3 and 5 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony) in violation of NRS 200.364, 200.366, COUNTS 7 and 8 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony) in violation of NRS 201.230 and COUNT 9 – COERCION (Misdemeanor) in violation of NRS 207.190; thereafter, on the 28th day of January, 2015, the Defendant was present in court for sentencing with counsel DOMINIC P. GENTILE, ESQ., and good cause appearing,

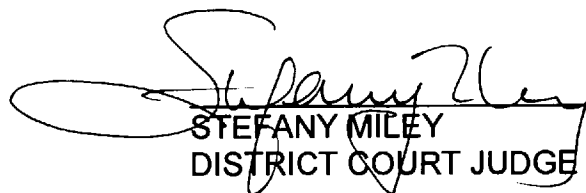
THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee, \$2,723.94 Restitution and \$150.00 DNA Analysis Fee including testing to determine genetic markers, the Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:

COUNT 1 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 2** - a MAXIMUM of FIFTEEN (15) YEARS with a Parole Eligibility after FIVE (5) YEARS have been served, CONCURRENT with COUNT 1; **COUNT 3** – LIFE with a Parole Eligibility after THIRTY-FIVE (35) YEARS have been served, CONCURRENT with COUNT 2; **COUNT 5** - LIFE with a Parole Eligibility after THIRTY-FIVE (35) YEARS have been served, CONCURRENT with COUNT 3; **COUNT 7** - LIFE with a Parole Eligibility after TEN (10) YEARS have been served, CONCURRENT with COUNT 5; ; **COUNT 8** - LIFE with a Parole Eligibility after TEN (10) YEARS have been served, CONCURRENT with COUNT 7; with SEVEN HUNDRED FIFTY-EIGHT (758) DAYS credit for time served. COUNTS 4 & 6 – NOT GUILTY and COUNT 9 – Credit Time Served.

1 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION
2 is imposed to commence upon release from any term of imprisonment, probation or
3 parole. In addition, before the Defendant is eligible for parole, a panel consisting of
4 the Administrator of the Mental Health and Development Services of the Department
5 of Human Resources or his designee; the Director of the Department of corrections or
6 his designee; and a psychologist licensed to practice in this state; or a psychiatrist
7 licensed to practice medicine in Nevada must certify that the Defendant does not
8 represent a high risk to re-offend based on current accepted standards of assessment.
9
10

11 ADDITIONALLY, the Defendant is ORDERED to REGISTER as a sex offender
12 in accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any
13 release from custody.

14 DATED this 4 day of February, 2015

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19 STEFANY MILEY
DISTRICT COURT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

February 06, 2013 1:30 PM Initial Arraignment

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Monique Alberto

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Chairez, Don P.	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present. Mr. Chairez advised he will not be available for afternoon court and requested matter be continued one week. Ms. Holthus requested matter be continued in the assigned department. COURT ORDERED, matter CONTINUED; Deft's presence WAIVED.

CUSTODY

2/13/13 9:30 A.M. ARRAIGNMENT CONTINUED (DEPT 23)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

February 13, 2013 9:30 AM Arraignment Continued

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mary Kay Holthus and James Sweetin, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Theresa Tordjman also present.

Order Directing Jail Commander to Allow Defense Counsel to Permission to have Contact Visits with his Personal Laptop and DVD's and CD's Provided as Discovery by the State FILED IN OPEN COURT.

CONFERENCE AT BENCH. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Mr. Chairez WAIVED a formal reading of the Information. DEFT. ALOTAIBI ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. Mr. Chairez advised Deft. is making a limited WAIVER and agreeing to set the trial on 5/13/13 because of scientific evidence that isn't available. COURT ORDERED, matter SET for trial. Court indicated Mr. Chairez brought up bringing his laptop to the Jail and advised it has no objection as long as all protocol and requirements of the Jail are complied with. Mr. Chairez further advised he spoke with the Jail Commander and the Commander said it would be preferable if the Court ordered

the Defense be allowed to take the discovery, in the form of cd's and dvd's, on Mr. Chairez's laptop because there is a special program to watch the discovery. COURT FURTHER ORDERED, Request GRANTED as long as it complies with all policies and procedures. Court further advised it is its understanding Deft. wants to be able to call his parents in Saudi Arabia by way of using the Consulate here and ADDITIONALLY ORDERED, that is fine as long as it complies with the policies and procedures of the Jail for phone calls. Mr. Chairez indicated when Deft. is allowed to make the phone calls it is the middle of the night and he can't reach the Saudi Consul. Mr. Chairez further indicated he would like the Jail Commander to allow them access to make one phone call a week to the Saudi Consul, who will make a three way call and get Deft's family on the line. Court indicated so long as it follows the policies and procedures. Order SIGNED IN OPEN COURT.

CUSTODY

5/8/13 9:30 AM CALENDAR CALL

5/13/13 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 08, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

May 08, 2013 9:30 AM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
 Teresa Slade

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- James Sweetin, Deputy District Attorney, present for the State of Nevada.
Deft. Alotaibi, present in custody, with Don Chairez, Esq.
Arabic Interpreter Theresa Tordjman also present.

Mr. Chairez announced not ready and advised there is some discovery they are still trying to get.
Counsel requested a one week continuance to set the trial. COURT ORDERED, trial date VACATED,
Trial Setting SET. Upon Court's inquiry, Deft. WAIVED the 60-day rule.

CUSTODY

5/15/13 9:30 AM TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

May 15, 2013 9:30 AM Trial Setting

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mary Kay Holthus and James Sweetin, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Theresa Tordjman also present.

Mr. Sweetin not present. Colloquy regarding trial dates. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Mr. Sweetin now present. Colloquy regarding trial dates. COURT ORDERED, trial dates SET.

CUSTODY

7/17/13 9:30 AM CALENDAR CALL

7/22/13 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 01, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

July 01, 2013 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Deft. Alotaibi, present in custody.

DEFT'S MOTION FOR LEAVE TO PRESENT LIVE TESTIMONY VIA INTERNET VIDEO PHONE
AKA SKYPE...DEFT'S MOTION TO REDUCE BAIL

Mr. Sweetin and Mr. Parris not present. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 7/8/13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 2013

C-13-287173-1 State of Nevada
vs
Mazen Alotaibi

July 08, 2013 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- James Sweetin and Mary Kay Holthus, Deputy District Attorney, present for the State of Nevada.
Deft. Alotaibi, present in custody, with Don Chairez, Esq.

DEFT'S MOTION FOR LEAVE TO PRESENT LIVE TESTIMONY VIA INTERNET VIDEO PHONE
AKA SKYPE...DEFT'S MOTION TO REDUCE BAIL

CONFERENCE AT BENCH. Court advised it has another case that would take priority over Deft's case and the trial will have to be moved. COURT ORDERED, trial dates VACATED. Court further advised it will need supplemental information about the other witnesses that would testify via Skype and the State wants to file an opposition. Court noted the State advised there is an offer to resolve this case and Mr. Chairez indicated he needs to review the offer with Deft, with the assistance of an interpreter. COURT FURTHER ORDERED, matter CONTINUED, trial setting SET, Deft's Motion to Suppress RESET to 7/22/13. Court noted it may need additional testimony after if reviews the Motion to Suppress. Colloquy regarding hearing. Mr. Chairez provided a video to the Court for review. Arguments regarding Motion to Suppress by Mr. Chairez.

CUSTODY

PRINT DATE: 02/06/2015

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Minutes Date: February 06, 2013

7/22/13 9:30 AM DEFT'S MOTION FOR LEAVE TO PRESENT LIVE TESTIMONY VIA INTERNET VIDEO PHONE AKA SKYPE...DEFT'S MOTION TO REDUCE BAIL...TRIAL SETTING...DEFT'S MOTION FOR SUPPRESSION OF ORAL STATEMENTS PURSUANT TO N.R.S. 179.085

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 22, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

July 22, 2013 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mary Kay Holthus, Deputy District Attorney, present for the State of Nevada.
Deft. Alotaibi, present in custody, with Don Chairez, Esq.
Arabic Interpreter Nabiha Al-Abed also present.

**DEFT'S MOTION FOR LEAVE TO PRESENT LIVE TESTIMONY VIA INTERNET VIDEO PHONE
AKA SKYPE...DEFT'S MOTION TO REDUCE BAIL...TRIAL SETTING**

With respect to Deft's Motion for Leave, arguments by counsel. Colloquy regarding witnesses and statements. Further arguments by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED. Court noted if the Defense comes into information that would satisfy the reliability prong, these issues may be revisited. Additional arguments by Mr. Chairez.

With respect to Deft's Motion to Reduce, arguments by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED. COURT FURTHER ORDERED, if Deft. posts bail, he is to surrender his passport, remain in Nevada, and will be on House Arrest.

Colloquy regarding trial setting. COURT ORDERED, trial dates SET. Court advised the offer made

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Minutes Date: February 06, 2013

C-13-287173-1

to Deft. and Deft's rejection of it will be placed on the record next week.

CUSTODY

10/2/13 9:30 AM CALENDAR CALL

10/7/13 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

August 01, 2013 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mary Kay Holthus and James Sweetin, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Nabiha Al-Abed also present.

DEFT'S MOTION FOR SUPPRESSION OF ORAL STATEMENTS PURSUANT TO NRS 179.085...EVIDENTIARY HEARING

Court requested the Court Interpreter interpret everything. Mr. Chairez placed the terms of the State's offer on the record and advised there may have been some confusion about how long the offer was available. Mr. Chairez confirmed Deft. rejected the offer two weeks ago, when it was discussed, and today. Colloquy regarding the State's offer. Upon Court's inquiry, Deft. confirmed he heard the offer made by the State, discussed it with his attorney, understands the offer, and has decided to reject it. Upon Court's further inquiry, Deft. confirmed he spoke to his attorney about all of the evidence and potential trial defenses and his decision to reject the offer was made freely and voluntarily. Upon Court's additional inquiry, Deft. indicated he understands the charges and that he is looking at a greater potential sentence, if he is found guilty by a jury, of all of the charges. Court noted Deft. understands the offer and is making a knowing choice to go to trial and reject the offer.

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Minutes Date: February 06, 2013

Ms. Holthus advised it is her understanding the offer expired weeks ago and indicated as of today the offer is withdrawn. Upon Court's inquiry, Deft. confirmed he understands the offer is no longer available to him.

David Garner SWORN and TESTIFIED. Exhibits presented (See Worksheet). Jose Haros SWORN and TESTIFIED. Keith Pool SWORN and TESTIFIED. CONFERENCE AT BENCH. COURT CANVASSED Court Interpreter. Upon Court's inquiry, Deft. confirmed he understands the dialect the Interpreter is translating in. CONFERENCE AT BENCH. Arguments by Mr. Chairez and Ms. Holthus regarding Motion. COURT ORDERED, Motion CONTINUED FOR CHAMBERS DECISION. Colloquy regarding Defense witnesses.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 02, 2013 9:30 AM Calendar Call

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- James Sweetin and Jacqueline Bluth, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Nabiha Al-Abed also present.

Court noted it spoke with counsel and counsel are announcing ready with a Thursday start date. Mr. Chairez agreed. Mr. Sweetin and Mr. Chairez noted they will be presenting evidence of Deft's marijuana use at trial. Court noted trial will be moved a few days for the State to provide the Defense with DNA evidence on Monday and the Defense has indicated that is sufficient time. Mr. Chairez confirmed he will be ready for trial if he receives it on Monday. COURT ORDERED, trial date VACATED and RESET and advised Mr. Chairez to contact its Chambers if he doesn't receive the DNA evidence on Monday. Mr. Sweetin noted the State is providing the raw data to the Defense.

CUSTODY

10/10/13 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 10, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 10, 2013 9:30 AM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
 Melissa Murphy

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Theresa Tordjman and Saad Musa also present.

Seventh Supplemental Notice of Witnesses and/or Expert Witnesses FILED IN OPEN COURT

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding interpreters and jury selection. Upon Court's inquiry, Deft. confirmed he understands the dialect the interpreters are speaking.

PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding challenges for cause, interpreters, and trial schedule.

PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCE AT BENCH.

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Minutes Date: February 06, 2013

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding challenges for cause.

PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCES AT BENCH. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding challenges for cause and scope of Defense's opening statement.

CUSTODY

CONTINUED TO: 10/11/13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 11, 2013 9:30 AM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
Andrea Natali

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Nabiha Al-Abed and Saad Musa also present.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding challenges for cause. Colloquy and arguments by counsel regarding scope of Defense's opening statement. COURT ORDERED, the marijuana usage would be a prior bad act and the Court would have to make specific findings regarding it; additionally, the Court cannot ascertain a way the Victim's California school records could come in. Colloquy regarding marijuana usage by Victim and Deft. Court noted the parties are standing by their prior stipulation regarding marijuana usage by the Deft. and Victim on the date in question.

PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCE AT BENCH. Peremptory challenges exercised. Twelve Jurors and two Alternates selected and sworn.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding excused Jurors. Ms. Holthus placed
PRINT DATE: 02/06/2015 Page 16 of 40 Minutes Date: February 06, 2013

the State's reasons for the excusal of potential jurors on the record. COURT FINDS the State offered neutral reasons for the dismissal of the jurors.

JURY PRESENT. Clerk read the Information and stated Deft's plea thereto. Ms. Bluth INVOKED the Exclusionary Rule.

1:45 PM, Andrea Davis, Court Clerk present.

JURY PRESENT. Opening statements by Ms. Bluth and Mr. Chairez. Court admonished the Jury and instructed them to return Monday at the given time. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/14/13 1:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 14, 2013 1:00 PM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Nabiha Al-Abed, Theresa Tordjman, and Saad Musa also present.

OUTSIDE THE PRESENCE OF THE JURY. COURT CANVASSED Juror #13.

JURY PRESENT. Testimony presented (See Worksheet). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel regarding Defense's questioning of the Victim regarding his prior sexual conduct. Colloquy regarding Defense's line of questioning. COURT ORDERED, the Defense, not the State, did improperly put the Victim's prior sexual history at issue and it will allow a very limited curative line of questioning by Ms. Bluth; however, it is the Court's position it is curative only and doesn't open the door with respect to the Victim's prior sexual history or conduct.

JURY PRESENT. Testimony presented (See Worksheet). COURT ORDERED, matter CONTINUED.

C-13-287173-1

CUSTODY

CONTINUED TO: 10/15/13 1:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 15, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 15, 2013 1:00 PM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Mohammad Taha and Saad Musa also present.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding Court's prior bad act ruling. CONFERENCE AT BENCH. Court noted there was a bench discussion regarding its ruling with respect to the Victim being in possession of marijuana and the Court not allowing it on the grounds of relevance; however, the Victim conceded it at trial and said he smoked marijuana and went to the room with Deft. Colloquy and arguments by counsel regarding Petrocelli Motion. COURT ORDERED, it would entertain a Petrocelli Motion if the Defense made an appropriate offer of proof, requested a Petrocelli Hearing, and indicated it would be used for something other than saying the Victim is a bad kid and smoking marijuana. Further arguments by Ms. Bluth and Mr. Chairez.

JURY PRESENT. Testimony and exhibits presented (See Worksheets).

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding trial schedule.

C-13-287173-1

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

CUSTODY

CONTINUED TO: 10/16/13 1:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 16, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 16, 2013 1:00 PM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Saad Musa and Mohammad Taha also present.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding trial schedule.

JURY PRESENT. Testimony and exhibits presented (See Worksheets). CONFERENCE AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding DVD of Deft's statement.

JURY PRESENT. Testimony and exhibits presented (See Worksheets). CONFERENCES AT BENCH. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY. Ms. Holthus noted the State will redact the video of Deft's statement at the request of the Defense.

CUSTODY

PRINT DATE: 02/06/2015

Page 22 of 40

Minutes Date: February 06, 2013

C-13-287173-1

CONTINUED TO: 10/17/13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 17, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 17, 2013 9:30 AM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Nabiha Al-Abed also present.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy and arguments by counsel regarding testimony of Rashed Al-Shri.

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

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding Jury Instructions. Arguments by Mr. Chairez in support of dismissing two of the Lewdness counts. Court advised Deft. of his right not to testify.

CUSTODY

CONTINUED TO: 10/21/13 11:00 AM

PRINT DATE: 02/06/2015

Page 24 of 40

Minutes Date: February 06, 2013

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 21, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 21, 2013 11:00 AM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Saad Musa, Mohammed Taha, and Theresa Tordjman also present.

Deft. and Interpreters not present. Court advised at the request of the Defense, the settling of the Jury Instructions can proceed without Deft; however, Deft. will review them. Mr. Chairez agreed. Jury Instruction settled on the record.

Deft. and Interpreters now present. Mr. Chairez made an oral Motion to Dismiss the lewdness counts. Arguments by Mr. Chairez and Ms. Holthus. Upon Court's inquiry, Deft. confirmed Mr. Chairez reviewed the Jury Instructions with him. Colloquy regarding redaction of State's Exhibit 180.

JURY PRESENT. Colloquy and exhibits presented (See Worksheets). CONFERENCE AT BENCH. State rests. CONFERENCES AT BENCH. Defense rests. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy and argument regarding whether Statutory Sexual Seduction is a lesser included and whether the Defense wants that Jury Instruction.

PRINT DATE: 02/06/2015

Page 26 of 40

Minutes Date: February 06, 2013

C-13-287173-1

CUSTODY

CONTINUED TO: 10/22/13 1:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 22, 2013

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

October 22, 2013 1:00 PM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreters Saad Musa and Mohammed Taha also present.

OUTSIDE THE PRESENCE OF THE JURY. Jury Instructions settled on the record. Arguments by Mr. Chairez in support of dismissing two of the lewdness counts. Opposing arguments by Ms. Holthus. COURT stated its FINDINGS and ORDERED, oral Motion to Dismiss DENIED.

JURY PRESENT. Court instructed the Jury. Closing statements by Ms. Holthus and Mr. Chairez. Rebuttal argument by Ms. Bluth. At the hour of 3:34 p.m. the Jury retired to deliberate. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/23/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 23, 2013

C-13-287173-1 State of Nevada
vs
Mazen Alotaibi

October 23, 2013 8:00 AM Jury Trial

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Mary Kay Holthus, Deputy District Attorneys, present for the State of Nevada. Deft. Alotaibi, present in custody, with Don Chairez, Esq. Arabic Interpreter Mohammed Taha also present.

OUTSIDE THE PRESENCE OF THE JURY. Court advised it received a question from the Jury which was marked and admitted as a Court's Exhibit. Colloquy regarding Jury question.

JURY PRESENT. Court directed the Jury to Jury Instruction Twenty. Jury continued deliberations. At the hour of 1:32 p.m. the Jury returned with a verdict in accordance with verdict which was FILED IN OPEN COURT. JURY FOUND Deft. GUILTY OF COUNT 1 - BURGLARY (F), COUNT 2 - FIRST DEGREE KIDNAPPING (F), COUNTS 3, 5 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F), COUNTS 7, 8 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F) and COUNT 9 - COERCION (M). JURY FOUND Deft. NOT GUILTY of COUNTS 4, 6 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F). Jury polled, thanked, and excused.

OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, Deft. REMANDED WITHOUT BAIL pending Sentencing, matter REFERRED to the Division of Parole and Probation (P & P) and SET for

C-13-287173-1

SENTENCING.

CUSTODY

12/16/13 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2014

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

January 29, 2014 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mary Kay Holthus, Deputy District Attorney, present for the State of Nevada.
Deft. Alotaibi, present in custody, with Vincent Savarese, III., Esq.
Don Chairez, Esq., also present.
Arabic Interpreter Saad Musa also present.

SENTENCING...DON P. CHAIREZ'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD

COURT ORDERED, Motion GRANTED. Mr. Savarese advised his office was retained and requested a sixty day continuance to review the trial transcripts prior to trial. Ms. Holthus advised the State had only agreed to a thirty day continuance. **COURT FURTHER ORDERED, Sentencing CONTINUED for sixty days.**

CUSTODY

3/31/14 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2014

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

May 14, 2014 9:30 AM Motion for Examination

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Jacqueline Bluth and Mark Kay Holthus, Deputy District Attorneys, present for the State of Nevada.
Deft. Alotaibi, present in custody, with Dominic Gentile, Esq.

Mr. Gentile advised Deft. doesn't need an Interpreter. Ms. Bluth requested to respond orally; COURT
SO ORDERED. Argument by counsel. COURT ORDERED, Motion GRANTED and directed the
State to arrange a time and let the Defense know what equipment he can or can't have in the vault.
Colloquy regarding Sentencing date. Defense to prepare the order.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 30, 2014

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

June 30, 2014 9:30 AM Motion

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
 Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Alotaibi, Mazen	Defendant
	Bluth, Jacqueline	Attorney
	Kaplan, Kory	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Kaplan and Deft. advised Deft did not need Arabic Interpreter. COURT WAIVED Interpreter's appearance. Ms. Bluth advised the Defense is requesting a continuance to Wednesday. Mr. Kaplan agreed. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 7/2/14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 02, 2014

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

July 02, 2014 9:30 AM Motion

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Emma Knauss
 Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Alotaibi, Mazen	Defendant
	Bluth, Jacqueline	Attorney
	Gentile, Dominic P.	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Argument by Ms. Bluth noting the State will be prejudiced without Deft being sentenced, the Victim deserves closure, and Deft. should be sentenced before the Court makes a ruling on Deft's Motion for New Trial. Counter argument by Mr. Gentile noting the Victim does deserve closure, but it should be after the Court makes a ruling on Deft's Motion to avoid too much travel on the Victim's behalf. COURT stated its FINDINGS and ORDERED, Motion DENIED. Colloquy regarding Status Check and Deft.'s Motion. COURT ORDERED, Status Check and Deft's Motion for New Trial RESET.

CUSTODY

8/1/14 9:30 AM STATUS CHECK: RESET SENTENCING...DEFENDANT'S MOTION FOR NEW TRIAL AND/OR EVIDENTIARY HEARING.

CLERK NOTE: Subsequent to matter being heard, Court noted Deft did not request an Arabic Interpreter and usually chooses to proceed in English. COURT ORDERED, it Is Deft's obligation to make sure an Interpreter is present if needed. Copies of this Minute Order were placed in the attorney folders of the District Attorney and Mr. Gentile.ek/7/8/14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 12, 2014

C-13-287173-1 State of Nevada
 vs
 Mazen Alotaibi

September 12, 2014 9:30 AM All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mary Kay Holthus and Jacqueline Bluth, Deputy District Attorneys, present for the State of Nevada
Def. Alotaibi present in custody appearing with D. Gentile, Esq. and Anjali Webster, Esq.
Mohammad Taha, Arabic Interpreter.

**DEFT'S MOTION FOR NEW TRIAL AND/OR FOR AN EVIDENTIARY HEARING STATUS
CHECK: RESET SENTENCING**

Counsel argued whether the newly discovered evidence would result in a different verdict; if
ineffective assistance of counsel is an issue to be raised prior to sentencing; and the credibility of
Rashed Alsheri s testimony. Following argument, COURT ORDERED a WRITTEN DECISION TO
ISSUE.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 17, 2014

C-13-287173-1 State of Nevada
vs
Mazen Alotaibi

**December 17, 2014 9:30 AM Motion to Continue Defendant's Motion
to Continue
Sentencing Hearing
on Order Shortening
Time**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber
Kristin Duncan

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Alotaibi, Mazen	Defendant
	Gentile, Dominic P.	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Case recalled. Mr. Gentile argued in support of the Motion, stating that additional time was needed for preparation of the Psychosexual Report. State argued in opposition, stating that defense counsel had plenty of time to procure the Psychosexual Report and any additional undue delay would be prejudicial to the victim. COURT ORDERED, Motion DENIED, Finding that defense counsel has had adequate time to prepare for sentencing. Sentencing date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 28, 2015**

C-13-287173-1 State of Nevada
vs
Mazen Alotaibi

January 28, 2015	9:30 AM	All Pending Motions	Sentencing; Defendant Mazen Alotaibi's Ex Parte Motion to File Dr. John Paglini's Psychosexual Evaluation Under Seal
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HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Alotaibi, Mazen	Defendant
	Bluth, Jacqueline	Attorney
	Gentile, Dominic P.	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Colloquy regarding Deft's Motion to Seal Report. Court advised Order had been signed and noted it had received Sentencing Memorandum and Errata. Deft. advised interpreter was not needed. Argument by the State. Argument by counsel. Victim Witness SWORN and addressed the Court. DEFT. ALOTAIBI ADJUDGED GUILTY of COUNT 1 - BURGLARY (F); COUNT 2 - FIRST DEGREE KIDNAPPING (F); COUNTS 3 & 5 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F); and COUNTS 7 & 8 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

PRINT DATE: 02/06/2015

Page 38 of 40

Minutes Date: February 06, 2013

(F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of FORTY-EIGHT (48) MONTHS and MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 - to a Definite term of FIFTEEN (15) YEARS with eligibility for parole beginning when a MINIMUM of FIVE (5) YEARS has been served, to run CONCURRENT with COUNT 1; COUNT 3 - LIFE with eligibility for parole beginning when a MINIMUM of THIRTY-FIVE (35) YEARS has been served, to run CONCURRENT with COUNT 2; COUNT 5 - LIFE with eligibility for parole beginning when a MINIMUM of THIRTY-FIVE (35) YEARS has been served, to run CONCURRENT with COUNT 3; COUNT 7 - LIFE with eligibility for parole beginning when a MINIMUM of TEN (10) YEARS has been served, to run CONCURRENT with COUNT 5; and COUNT 8 - LIFE with eligibility for parole beginning when a MINIMUM of TEN (10) YEARS has been served, to run CONCURRENT with COUNT 7, with SEVEN HUNDRED FIFTY-EIGHT (758) DAYS credit for time served. COURT ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. FURTHER, Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing.

NDC

02-02-15 9:30 AM SENTENCING COUNT 9

CLERK' NOTE: After Court Proceedings: Clerk noticed Court had not imposed sentence as to Count 9 as it was not contained in presentence report. At the direction of the Court, all parties were contacted and matter was calendared for sentencing on Count 9. 01/28/15 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 02, 2015

C-13-287173-1 State of Nevada
vs
Mazen Alotaibi

**February 02, 2015 9:30 AM Sentencing Sentencing - Count
9/Imposition of
Restitution**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Alotaibi, Mazen	Defendant
	Gentile, Dominic P.	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arabic Interpreter not used. Court advised it had not adjudged Deft. guilty of Count 9 as it was not contained in the presentence report and stated restitution was overlooked. DEFT. ALOTAIBI ADJUDGED GUILTY of COUNT 9 - COERCION (M) and SENTENCED to credit for time served. FURTHER, \$2,723.94 Restitution IMPOSED and is to be paid to Social Services.

NDC

Court's EXHIBITS

CASE NO. C287173

[illegible]

State's EXHIBITS

CASE NO. C287173

[illegible]

STATE'S EXHIBITSCASE NO. C287173

		Date Offered	Objection	Date Admitted
1- Photo		10/15/13	no	10/15/13
2-				
3-				
4-				
5-				
6-				
7-		10/21/13	no	10/21/13
8-				
9-				
10-				
11-	"			
12-				
13-				
14-				
15-		"	"	"
16-				
17-				
18-				
19-				
20-				
21-		10/21/13	no	10/21/13
22- v				
23- Photo		10/21/13	no	10/21/13

STATE'S EXHIBITSCASE NO. C287173

	Date Offered	Objection	Date Admitted
24-Photo	10/21/13	no	10/21/13
25-			
26-			
27-			
28-			
29-	"	"	"
30-			
31-			
32-			
33-			
34-	10/21/13	no	10/21/13
35-			
36- "	10/15/13	Stip	10/15/13
37-			
38-			
39-			
40-			
41-	"	"	"
42-			
43-			
44-			
45- ↓	↓	↓	↓
46-Photo	10/15/13	Stip	10/15/13

STATE'S EXHIBITSCASE NO. C287173

		Date Offered	Objection	Date Admitted
47-	Photo	10/15/13	Stip	10/15/13
48-				
49-				
50-				
51-				
52-				
53-				
54-				
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56-				
57-	"			
58-				
59-		"	"	"
60-				
61-				
62-				
63-				
64-				
65-				
66-				
67-				
68-	✓	↓	↓	↓
69-	Photo	10/15/13	Stip	10/15/13

State's EXHIBITS

CASE NO. C287173

		Date Offered	Objection	Date Admitted
70- Photo		10/15/13	Stip	10/15/13
71-				
72-				
73-				
74-				
75-				
76-				
77-				
78-				
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80- "	"	"	"	"
81-				
82-				
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84-				
85-				
86-				
87-				
88-				
89-				
90-				
91- v		10/15/13	Stip	10/15/13
92- Photo				

State's EXHIBITS

CASE NO. C287173

		Date Offered	Objection	Date Admitted
93-Photo		10/15/13	Stip	10/15/13
94-				
95-				
96-				
97-				
98-				
99-				
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102-				
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105-				
106-				
107-				
108-				
109-				
110-				
111- ↓		↓	↓	↓
112-Photo		10/15/13	Stip	10/15/13
113-Photo		10/14/13	no	10/14/13
114-Photo		10/14/13	no	10/14/13
115-Photo		10/14/13	no	10/14/13

State's EXHIBITS

CASE NO. C287173

		Date Offered	Objection	Date Admitted
116-	Surveillance Video	10/14/13	Stip	10/14/13
117-	Photo	10/14/13	no	10/14/13
118-				
119-				
120-				
121-				
122-				
123-				
124-				
125-				
126-				
127-	"	"	"	"
128-				
129-				
130-				
131-				
132-				
133-				
134-				
135-				
136-				
137-	↓	↓	↓	↓
138-	photo	10/14/13	no	10/14/13

State's EXHIBITS

CASE NO. C287173

	Date Offered	Objection	Date Admitted
139-Photo	10/14/13	no	10/14/13
140-			
141-			
142-			
143-"			
144-	"	"	"
145-			
146-			
147- ↓			
148-Photo	↓	↓	↓
149-Photo	10/14/13	no	10/14/13
150-Subject Summary	10/15/13	no	10/15/13
151-			
152-"	"	"	"
153- ↓	↓	↓	↓
154-Subject Summary	10/15/13	no	10/15/13
155-Photo	10/15/13	no	10/15/13
156-			
157-			
158-"	"	"	"
159-			
160- ↓	↓	↓	↓
161-Photo	10/15/13	no	10/15/13

State's EXHIBITS

CASE NO. C287173

	Date Offered	Objection	Date Admitted
162-Photo	10/15/13	no	10/15/13
163-			
164- "			
165- "	"	"	"
166- ↓			
167-Photo	↓	↓	↓
168-Reservation Print Out	10/15/13	no	10/15/13
169-Circus Circus Receipt	10/15/13	no	10/15/13
170-Reservation Inquiry	10/15/13	no	10/15/13
171-Note	↓ "	↓ "	↓ "
172-Note	10/15/13	no	10/15/13
173-Penile Swabs	10/17/13	no	10/17/13
174-Buccal Swab	10/17/13	no	10/17/13
175-Sex Assault Kit	10/17/13	no	10/17/13
176-Shirt & Boxers	10/17/13	no	10/17/13
177-Documents	10/16/13	no	10/16/13
178-Documents	10/16/13	no	10/16/13
179-Documents	10/16/13	no	10/16/13
180-DVD of Statement	10/16/13	Stip	10/16/13
181-Forensic Report	10/17/13	no	10/17/13
182-Identifiler Documents	10/17/13	Stip	10/17/13

Court's EXHIBITS

CASE NO. C287173

[illegible]

Certification of Copy

State of Nevada }
County of Clark } SS:

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

DEFENDANT MAZEN ALOTAIBI'S NOTICE OF APPEAL; DEFENDANT
MAZEN ALOTAIBI'S CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES;
JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

MAZEN ALOTAIBI,

Defendant(s).

Case No: C287173

Dept No: XXIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 6 day of February 2015.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

