

Colloquy between Court and counsel regarding order from previous hearing. Court advised to file order Nunc Pro Tunc.

Ms. Jackson advised there are two issues left, Derrick Simpson and Darnell Johnson. Mr. Simpson has subsequently passed away and counsel has submitted this matter to an expert to see if the gunshot wounds he received contributed to his death. Court will ALLOW this information in. As to Darnell Johnson his homicide was never prosecuted and will dispute every aspect of case. Mr. Stanton stated this Court reserved ruling as autopsy did not prove homicide as to Mr. Johnson.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 2005

98C153154

The State of Nevada vs Donte Johnson

April 12, 2005

9:00 AM

Calendar Call

**CALENDAR CALL**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Schieck, David M.

Attorney  
 Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- Ms. Jackson advised they have received nothing from the Supreme Court. Mr. Daskas announced ready to go on April 19. As to the Jury Questionnaire, Ms. Jackson advised they decided to have a questionnaire over a year ago, the case got continued, and the questionnaire slipped through the cracks. A copy of the proposed questionnaire was submitted. Court noted Ms. Jackson will have to confer with the Jury Commissioner to see whether they can get them out in time. As a housekeeping matter, Ms. Jackson submitted a Nunc Pro Tunc Order, which was reviewed by Court, signed, and FILED IN OPEN COURT. Defendant's Motion to Reconsider Request to Bifurcate Penalty Phase FILED IN OPEN COURT.  
 NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 15, 2005

98C153154

The State of Nevada vs Donte Johnson

April 15, 2005

9:30 AM

Hearing

**HEARING:  
MOTION TO  
EXCLUDE PRIOR  
BAD ACTS Relief  
Clerk: Tina Hurd  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Jackson, Alzora B.	Attorney
Johnson, Donte	Defendant
Schieck, David M.	Attorney
Stanton, David L.	Attorney

**JOURNAL ENTRIES**

- State's Opposition to Defendant's Motion to Reconsider Request to Bifurcate Penalty Phase, State's Amended Supplemental Notice of Intent to Seek Death Penalty and Deft's Second Supplemental Notice of Witnesses FILED IN OPEN COURT. Mr. Daskas advised Ms. Jackson had filed a motion to withdraw an aggravating circumstance and advised he has withdrawn that aggravator and filed an amended notice to seek the death penalty. Ms. Jackson advised, in April of last year, they had extensive argument and this Court ordered, on #16 of the aggravators, that evidence of Deft's gang activity is excluded unless it becomes relevant. Ms. Jackson argued she believes for that order to be effective, the penalty phase needs to be bifurcated. Mr. Daskas advised the Supreme Court mandates

that, in capital cases, the Court must give an instruction for what the Jury must do before they determine a Deft. is death eligible. If the penalty hearing is bifurcated, they have to alter these instructions and a Supreme Court mandate. Mr. Daskas stated he believes the remedy is, any time they introduce evidence that mentions gang activity, they can instruct the Jury it is other bad acts and not an aggravator. Further arguments by counsel. COURT ORDERED, issue UNDER ADVISEMENT. Ms. Jackson advised she also filed a motion to dismiss the notice of intent to seek death and advised, in the Davis case, the Supreme Court declined to rule on the issue of whether or not aggravators are subject to probable cause scrutiny. Ms. Jackson stated she believes the motion is moot. Mr. Daskas advised the Supreme Court lifted the stay and he agrees the motion is moot. Court stated, on April 7, 2005, he granted the motion to strike aggravator #4 and believes he denied the motion to dismiss, though it is not in the minutes. For the record, COURT ORDERED, motion to dismiss the notice is DENIED. Ms. Jackson advised, as to #17-evidence of the death of Derrick Simpson, she wanted an expert to evaluate the evidence. Court stated he believes he denied that motion, however, in case it is not in the record, COURT ORDERED, motion DENIED. Ms. Jackson requested the State call their expert first. Mr. Daskas argued this evidence was admitted in previous cases against Deft. Johnson and the co-Defts. and advised Deft. Johnson has made admissions to others regarding killing Darnell Johnson, the victim the defense wishes to exclude, and he believes it is the defense's burden. Colloquy. Court directed the State to call their witness. Testimony and exhibits presented. (See worksheets.) Arguments by counsel. COURT ORDERED, UNDER ADVISEMENT. Ms. Jackson advised this Jury did not hear the first phase of the trial and advised Mr. Daskas has provided a list of witnesses. Ms. Jackson advised she is concerned with the length of time of the victim impact statements and would request they be limited to 15 minutes. Mr. Daskas argued that is an unfair request. COURT ORDERED, time limits will NOT be imposed, however, if counsel go overboard, he will stop it and that applies to both sides. Mr. Daskas advised the State intends to submit some of the evidence and photographs admitted in the first trial, however, they intend to abide by the Court's rulings. Mr. Schieck requested the defense be allowed to review the evidence from the trial. Ms. Jackson advised she has evidence from the prior penalty phase as the Court released it to her. Court stated he believes counsel want to review the State's evidence. Colloquy. COURT ORDERED, counsel to meet with the Clerk in this courtroom at 1:30 p.m. Monday afternoon. NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 18, 2005**

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98C153154

The State of Nevada vs Donte Johnson

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**April 18, 2005****9:00 AM****Decision**

**DECISION:  
MOTION TO  
BIFURCATE  
PENALTY  
PHASE...MOTION  
TO SUPPRESS  
EVIDENCE RE  
Court Clerk: Sharon  
Coffman Heard By:  
Lee Gates**

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

**JOURNAL ENTRIES**

**- COURT HEREBY ORDERS, Defendant's Motion to Bifurcate Penalty Phase of trial is GRANTED;  
FURTHER ORDERS, Defendant's Motion to Suppress Evidence re Darnell Johnson is GRANTED.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 19, 2005

98C153154

The State of Nevada vs Donte Johnson

April 19, 2005

10:00 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Lisa Makowski**  
**(A.M.) Sonia Riley**  
**(P.M.) Heard By:**  
**Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- Court convened at 10:30 A.M. OUTSIDE THE PRESENCE OF THE JURY, argument by Mr. Daskas that Ms. Jackson wishes to show certain photos that are in evidence during jury selection. Following arguments of counsel, COURT ORDERED, use of evidence during jury selection is DENIED. Arguments as to the Defendant having to wear restraints during the trial as the Jury already knows he has been found guilty. Counsel came to an arrangement whereby visible restraints removed. Mr. Whipple advised of possible occasions during which he may have to be absent from trial for a short period of time. Court so noted. Parties noted they had been informed by the Clerk that the hearing will be bifurcated and that evidence of the Darnell Johnston incident will be excluded. Defendant's

Third Supplemental Notice of Witnesses FILED IN OPEN COURT. Jury selection commenced.  
COURT ORDERED, matter continued and recessed at 5:30 p.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

98C153154

The State of Nevada vs Donte Johnson

**April 20, 2005****10:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Sharon  
Coffman****Reporter/Recorder:****Lisa Makowski A.M.****Sonia Riley 3:00 P.M.****Heard By: Gates, Lee  
A****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Jackson, Alzora B.

Attorney

Johnson, Donte

Defendant

Stanton, David L.

Attorney

Whipple, Bret O.

Attorney

**JOURNAL ENTRIES**

- Court reconvened at 11:30 a.m. OUTSIDE THE PRESENCE OF THE JURY arguments of counsel as to the extent of hypothetical situations to be allowed in voir dire. Jury selection continued. COURT ORDERED, matter continued and recessed at 5:10 p.m.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 21, 2005**

98C153154

The State of Nevada vs Donte Johnson

**April 21, 2005****9:30 AM****Jury Trial**

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Kristine Johnson**  
**A.M. Sonia Riley**  
**P.M. Heard By:**  
**Gates, Lee A**

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

Daskas, Robert J.  
Jackson, Alzora B.  
Johnson, Donte  
Stanton, David L.  
Whipple, Bret O.

Attorney  
Attorney  
Defendant  
Attorney  
Attorney

**JOURNAL ENTRIES**

- Court reconvened at 10:00 a.m. Jury selection continued. OUTSIDE THE PRESENCE OF THE JURY, parties stipulated that they consent to Juror 249 and Juror 203, who are aunt and nephew. Jury selection continued. COURT ORDERED, matter continued and recessed at 8:15 p.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 22, 2005

98C153154

The State of Nevada vs Donte Johnson

April 22, 2005

10:30 AM

Jury Trial

TRIAL BY JURY

Court Clerk: Sharon  
Coffman

Reporter/Recorder:

Sonia Riley

A.M./Kristine Moore

P.M. Heard By:

Gates, Lee A

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Jackson, Alzora B.

Attorney

Johnson, Donte

Defendant

Stanton, David L.

Attorney

Whipple, Bret O.

Attorney

**JOURNAL ENTRIES**

- Court reconvened at 10:00 with all present as before. Juror #320 excused as he has the Defendant in shackles. Jury selection completed at 2:05 p.m.; however, not sworn, as one of the juror was missing. OUTSIDE THE PRESENCE OF THE JURY, scheduling discussed. COURT ORDERED, matter continued and recessed at 2:30 p.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 25, 2005

98C153154

The State of Nevada vs Donte Johnson

April 25, 2005

10:00 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Kristine Moore A.M./**  
**Sonia Riley P.M.**  
**Heard By: Gates, Lee**  
**A**

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

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Jackson, Alzora B.	Attorney
	Johnson, Donte	Defendant
	Stanton, David L.	Attorney
	Whipple, Bret O.	Attorney

**JOURNAL ENTRIES**

- Court reconvened at 11:15 with all present. Roll call of Jurors. Jury sworn in. Opening statements. Testimony and exhibits. Sonia Riley, Court reporter in at 1:30 p.m. Testimony and exhibits continued. Jury excused for the evening at 4:40 p.m. **OUTSIDE THE PRESENCE OF THE JURY** arguments of counsel regarding Ms. Jackson's objection to the inclusion of details of a traffic stop two days before the homicide, as it is a prior bad act.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2005

98C153154

The State of Nevada vs Donte Johnson

April 26, 2005

11:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: Sharon  
Coffman

Reporter/Recorder:

Kristine Moore A.M./

Sonia Riley P.M.

Heard By: Gates, Lee  
A

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**Daskas, Robert J.  
Jackson, Alzora B.  
Johnson, Donte  
Stanton, David L.  
Whipple, Bret O.Attorney  
Attorney  
Defendant  
Attorney  
Attorney**JOURNAL ENTRIES**

- Court reconvened at 9:40 with all present as before. Testimony and exhibits continued. State rested. Defense proceeded with mitigation portion of trial. Testimony and exhibits. Court recessed at 5:00 p.m. OUTSIDE THE PRESENCE OF THE JURY, instructions discussed.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 27, 2005

98C153154

The State of Nevada vs Donte Johnson

April 27, 2005

10:30 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Kristine Moore**  
**A.M./Sonia Riley**  
**P.M. Heard By:**  
**Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Jackson, Alzora B.	Attorney
	Johnson, Donte	Defendant
	Stanton, David L.	Attorney
	Whipple, Melvin R.	Attorney

**JOURNAL ENTRIES**

- Court reconvened at 11:20 a.m. with all present as before. Defense rested at 12:40 p.m. OUTSIDE THE PRESENCE OF THE JURY, instructions settled on the record. JURY PRESENT. Court inquired of the Jurors whether anyone had heard any comments from the gallery. Each Jury member replied in the negative. During Mr. Daskas' closing arguments a family member of one of the victim's fainted and was assisted out of the courtroom. OUTSIDE THE PRESENCE OF THE JURY Mr. Daskas advised that during closing a photo of the crime scene was being shown, he heard a commotion and the family member fainted. Mr. Daskas further advised the family member did not say anything, the jury doesn't know who he is, and he will not be asked to testify as to victim impact. Argument by Ms.

Jackson that the courtroom is clearly divided as to the Defendant's family and the victims' families and anyone can tell which side he was on. Argument by Mr. Daskas that this is the first time that person has been here. Argument by Ms. Jackson that he was crying and was visibly upset by the photos of the crime scene. Court took note of the objection.

JURY PRESENT. Court advised there was a commotion and ORDERED, the Jury is to disregard it.

Closing arguments. Jury sworn at 5:05 p.m.

OUTSIDE THE PRESENCE OF THE JURY, argument by Ms. Jackson that the Prosecutors keep referring to the victim's as "boys". Argument by State that Ms. Jackson is using reference that personalize things. Parties agreed to refrain from these types of references.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 28, 2005**

98C153154

The State of Nevada vs Donte Johnson

**April 28, 2005****9:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Sharon  
Coffman****Reporter/Recorder:****Sonia Riley****A.M./Kristine Moore****P.M. Heard By:****Gates, Lee A****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Jackson, Alzora B.

Attorney

Johnson, Donte

Defendant

Stanton, David L.

Attorney

Whipple, Bret O.

Attorney

**JOURNAL ENTRIES**

- At 2:30 p.m. the Jury returned with the following verdicts:

Aggravating circumstance or circumstances have been established unanimously and beyond a reasonable doubt as to COUNTS XI, XII, XIII, and XIV (4 verdict forms):

That the Defendant has been convicted of more than one offense of murder in the first or second degree.

Mitigating circumstance or circumstances which have been established as to COUNTS XI, XII, XIII and XIV (4 verdict forms):

The youth of the Defendant at the time of crime; Instruction #10: Mitigators #3, #5, #6, #7, #8, and

#10.

As to COUNTS XI, XII, XIII, and XIV (4 verdict forms):

The aggravating circumstance outweighs any mitigating circumstance or circumstances.

Opening arguments as to sentencing. OUTSIDE THE PRESENCE OF THE JURY, arguments as to Ms. Jackson's objection to use of the incident at Clark County Detention Center involving a phone call to have a contract put out. Argument by Mr. Daskas that the original notice references the introduction of infractions while at Clark County Detention Center. Copy of notice submitted. Following further arguments and a further incident, Mr. Daskas and Mr. Stanton advised that, out of an abundance of caution, they will not introduce evidence as to threats to another individual, Scale. Argument by Ms. Jackson that she had worked extensively with Mr. Guyman and Mr. Daskas and sent a letter stating they need to set guidelines. She was told they would use the information in the Amended Information.

Court notes it has read the notice and thinks that once an Amended Notice is filed, it replaces the original and it speaks to getting records and speaks to the Orias incident. However, in looking at it, Court does not see mention of putting a hit out on someone. COURT FINDS, that needs to be specifically put on the notice and if she couldn't defend against it would jeopardize the proceedings. Court agrees with the agreement the parties have come to that they will not use this evidence.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 29, 2005

98C153154

The State of Nevada vs Donte Johnson

April 29, 2005

9:00 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: April**  
**Watkins**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY: Ms. Jackson stated counsel is objecting to the use of photo during victim impact. Opposition by the State. Further, Ms. Jackson argued Payne vs. Tennessee allows the State to present brief picture of decedent and impact on family. This photo leaves an impression a two year old child was shot. Mr. Daskas argued the picture is of Matthew Mullen with his sister at a young age. Further, sister will be called and will tell what impact she has suffered. Further arguments by counsel. COURT ORDERED, objection SUSTAINED. Mr. Daskas requested a short recess before calling witnesses as to victim impact to confer with the family members. Further, Mr. Daskas requested the victim's brother be allowed back in the courtroom today after fainting the previous day. Court stated he has a duty to protect the integrity of the trial and if the brother returns to the courtroom he will have to maintain his composure. JURY PRESENT:

Further testimony and exhibits presented. (See worksheets.) OUTSIDE THE PRESENCE OF THE JURY: Mr. Daskas stated he has agreed to redact certain information from the disciplinary reports that were a concern to Deft's counsel. Ms. Jackson stated she has reviewed the records and wants the record to reflect her objection to the entire packet. Further arguments by counsel. Court FINDS hearsay is allowable in a penalty hearing and there is no case law to support argument by Ms. Jackson, therefore, objection is OVERRULED. JURY PRESENT: Further testimony and exhibits. Court recessed.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2005

98C153154

The State of Nevada vs Donte Johnson

May 02, 2005

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk: April  
WatkinsReporter/Recorder:  
Sonia Riley Heard

By: Gates, Lee A

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
Jackson, Alzora B.  
Johnson, Donte  
Stanton, David L.  
Whipple, Bret O.

Attorney  
Attorney  
Defendant  
Attorney  
Attorney

**JOURNAL ENTRIES**

- JURY PRESENT: Further testimony and exhibits presented. (See worksheets.) OUTSIDE THE PRESENCE OF THE JURY: The Court advised counsel, the Bailiff advised the Court he found what appears to be a crack pipe in the jury box. Officer Burrell, Bailiff for Department VIII advised this was brought to his attention by one of the jurors. Further, Officer Burrell stated it appears to be a glass tube with residue which appeared to be drugs or narcotic residue. Next to the glass tube what appeared to be a screw which is used to push drugs closer to ends for smoking. Ms. Jackson advised she was at the bench with counsel when Officer Burrell brought this to the Court's attention and it appeared to be a crack pipe and pusher. Mr. Daskas advised in the morning the in custody prisoners are seated in the jury box for this Court's morning calendar. Additionally, there were in custody prisoners in the jury box on Friday, April 29, 2005. Mr. Whipple asked Officer Burrell if jury box was

checked? Officer Burrell advised he looks in the box every morning. The prisoners came in on Friday and nothing was there. Did not check in the evening and did not check this morning. The juror indicated she had not seen it prior to today. Court noted for the record there are in custody prisoners in this courtroom seated in the jury box on Mondays, Wednesdays and sometimes on Fridays. Mr. Daskas stated for the record the pipe was about 2 and one half to three inches long and eighth of an inch in diameter. Officer Burrell stated he will make a report and book into evidence. Further statements by counsel. JURY PRESENT: Further testimony and exhibits. Court recessed.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 03, 2005

98C153154

The State of Nevada vs Donte Johnson

May 03, 2005

1:30 PM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- Court convened at 9:30 a.m. OUTSIDE THE PRESENCE OF THE JURY, Mr. Daskas advised the Ms. Jackson's next witness, has a slide presentation which includes information relating to gang activity, child soldiers, statements allegedly made by the Defendant that has not been included in any testimony or evidence presented to the Jury, etc., all of which is beyond the scope of a neuro-psychologist. Argument by Ms. Jackson that the witness has had years of experience working in counseling and a lot of the things were told to him by the Defendant. Further argument that the witness had a duty to look at all the data available and form an opinion. Further argued the Statute permits that. Thomas Kinsora sworn and testified. Copy of report from mitigation expert submitted by Ms. Jackson. COURT ORDERED, objection is OVERRULED; Dr. Kinsora will be allowed to testify and to use his slide presentation. Parties noted Dr. Kinsora was retained at the last moment in the

Sikia Smith trial and testified as to the detrimental effect of PCP on the brain. Parties concurred there was no conflict in his testifying in this case.

JURY PRESENT at 9:55 a.m. Testimony and exhibits. Defense rested at 12:00 p.m. Rebuttal witness by State. Jury excused for the day.

OUTSIDE THE PRESENCE OF THE JURY, Defendant advised of his right to give an unsworn allocution. Defendant advised he did not wish to do so. Jury instructions discussed.

COURT ORDERED, matter continued to 1:30 p.m. on 5/4/05.

CLERK'S NOTE: Statement from the Bailiff regarding the crack pipe found in the Jury seating area given to Clerk and FILED IN OPEN COURT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 04, 2005

98C153154

The State of Nevada vs Donte Johnson

May 04, 2005

8:30 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Roger, David J.  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY instructions settled on the record. As to proposed exhibit #258, the Guilty Plea Agreement and Judgment of Conviction re Reginald Johnson, Court advised it has reconsidered and will not admit it as it is more prejudicial than probative. Following further arguments of counsel, COURT ORDERED, the Judgment of Conviction may be admitted but not the Plea Agreement.

Jury present at 1:50 p.m. OUTSIDE THE PRESENCE OF any gallery people, Jurors questioned as to the piece of glass found by one of the jury seats. Upon Court's inquiry, jurors advised they first saw the piece of glass on Monday; further advised it does not belong to any one of the jurors.

OBSERVERS IN THE GALLERY PRESENT. Court read jury instructions. Closing arguments. Jury

retired to deliberate at 5:10 p.m.

OUTSIDE THE PRESENCE OF THE JURY Court thanked the attorneys for their professionalism during trial.

Jury dismissed for the evening at 7:45 p.m.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 05, 2005

98C153154

The State of Nevada vs Donte Johnson

May 05, 2005

8:30 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Lee Gates**

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

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- At 11:00 a.m. the Jury returned with the following verdict:

The Defendant, Donte Johnson, having been found guilty of Murder of the First Degree With Use of a Deadly Weapon, and we, the Jury, having found that the aggravating circumstance outweighs any mitigating circumstances, impose a sentence of:

Count XI (Jeffrey Biddle): Death Count XII (Tracey Gorringer): Death Count XIII (Matthew Mowen):  
 Death Count XIV (Peter Talamentez): Death

As the Defendant has been incarcerated in prison since the last sentencing and no Pre-Sentence Investigation report will be required, Ms. Jackson requested a speedy sentencing date. COURT SO ORDERED.

NDC

**98C153154**

5-12-05 9:00 A.M. SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2005

98C153154

The State of Nevada vs Donte Johnson

May 12, 2005

9:00 AM

Sentencing

**SENTENCING**  
**Relief Clerk: Elaine**  
**York/ey**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- Ms. Jackson stated not ready to proceed with the sentencing today and noted it was at Defendant's request a speedy sentencing date was originally given. Ms. Jackson explained there are post trial motions that may be filed and added by statute there is time remaining for the filing of a request for a new trial. Ms. Jackson noted conferring with Mr. Schieck and Ms. McMahon on several issues and requested a continuance to protect the defendant's life and the record. There being no opposition from Mr. Daskas, COURT ORDERED, matter CONTINUED. Ms. Jackson inquired as to the housing of defendant and requested defendant be released and housed at Nevada Department of Corrections at High Desert. Colloquy between Court and counsel regarding transporting defendant for hearings. Ms. Jackson stated defendant will waive his appearance for all hearings. COURT ORDERED, defendant released to Nevada Department of Corrections at High Desert.

**98C153154**

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 06, 2005

98C153154

The State of Nevada vs Donte Johnson

June 06, 2005

9:00 AM

Sentencing

**SENTENCING**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
 Jackson, Alzora B.  
 Johnson, Donte  
 Stanton, David L.  
 Whipple, Bret O.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- Conference in chambers.

Pursuant to Jury's verdict, COURT ORDERED, Defendant sentenced as follows:

As to COUNT XI - MURDER OF THE FIRST DEGREE (F) Defendant is SENTENCED to DEATH; As to COUNT XII - MURDER OF THE FIRST DEGREE (F), Defendant is SENTENCED to DEATH; As to COUNT XIII - MURDER OF THE FIRST DEGREE (F), Defendant is SENTENCED to DEATH; As to COUNT XIV - MURDER OF THE FIRST DEGREE (F), Defendant is SENTENCED to DEATH.

Judgement of Conviction signed and FILED IN OPEN COURT. Warrant of Execution signed and FILED IN OPEN COURT. Order of Execution signed and FILED IN OPEN COURT. Order to Stay Execution signed in FILED IN OPEN COURT.

COURT ORDERED, Clerk to enter the Judgment in the Minutes of the Court. Having sentenced

Defendant to death, COURT ORDERED, Director of the Nevada Department of Corrections to execute the Defendant during the week of August 31, 2005. COURT FURTHER ORDERED, Defendant to be turned over to the Nevada Department of Corrections for execution of the sentence; Defendant to be transported forthwith.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 14, 2005

98C153154

The State of Nevada vs Donte Johnson

June 14, 2005

10:00 AM

Evidentiary Hearing

**EVIDENTIARY  
HEARING Court  
Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
Jackson, Alzora B.  
Stanton, David L.  
Whipple, Bret O.

Attorney  
Attorney  
Attorney  
Attorney

**JOURNAL ENTRIES**

- Conference in Chambers with the attorneys. Court excused all personnel from Chambers and did an in camera review of Juror #4's notes.

Court reconvened at 11:30 with all parties present. Defendants's presence waived.

Testimony and exhibits presented.

Argument by Ms. Jackson that Juror #4 had already made up her mind as to the death sentence.

Argument by Mr. Daskas that the defense team passed the juror for cause. Objection by Ms. Jackson that they were not allowed to see the jurors note's. Court advised it examined the notes and the testimony was consistent with the notes. Court further advised the loose leaf papers only recorded what happened regarding breaks; there was nothing to suggest the Juror's mind was made up.

State presented an Affidavit of Juror Twila Morgan which was marked as State's Exhibit 1. Argument

by Ms. Jackson as to Declaration #7 of the Affidavit. Ms. Jackson requested Court allow them to get a transcript of today's proceedings and brief the matter of whether the Juror's mind was made up or not. COURT ORDERED, request is DENIED.

Argument by Mr. Daskas that Ms. Jackson has accused the Juror of stating she is writing a book and argued there is nothing improper about that; that Ms. Jackson has accused the Juror of planning to use information from the penalty hearing in the book and argued the accusation is belied by the record. Further that Ms. Jackson has made the accusation that the Juror had her mind made up regarding the penalty to be imposed and argued that this also is belied by the record and the testimony.

As to the question of whether or not the Juror had already stated to the other jurors that the Defendant had been given a death sentence by a three-judge panel, COURT FINDS, all of the jurors were asked about that and some remembered vaguely. This was discussed in depth and it was solicited from the jurors whether they could put aside what they had heard; all of them gave assurance under oath that they could put it aside. COURT FINDS, it came out from a witness that the Defendant was on death row; that was not a violation by Juror #4. COURT FINDS, the defense team did not challenge her for cause; further, there is nothing in the record or in her notes to indicate she had made up her mind as to the sentence. COURT ORDERED, the notes to be made a part of the record UNDER SEAL and to be opened only by Court's order. COURT FINDS, the fact that she may have said she is writing a book cannot be used to show prejudice. The testimony was that she is not writing a book about the case but only about jury service and the problems faced by people serving as jurors. There is no evidence she was making an outcome happen in order to put it in her book. COURT FINDS, there is nothing from the witnesses or the notes to support this allegation, and, in fact, witness testimony has been contrary to that.

Based on the totality of the circumstances, the facts, the notes, and the testimony, COURT DOES NOT FIND there was prejudice or any misconduct by the Juror. COURT ORDERED, Motion for a New Trial is DENIED.

State to prepare the Order.

CLERK'S NOTE: Juror's notes marked as Court's Exhibit I and SEALED.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2005

98C153154

The State of Nevada vs Donte Johnson

June 20, 2005

12:00 AM

Minute Order

**MINUTE ORDER  
RE: NON-  
APPEARING  
JURORS Court  
Clerk: Sharon  
Coffman Heard By:  
Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, the names of the following non-appearing jurors be forwarded to Jury Services for inclusion on the next scheduled hearing for Order to Show Cause of non-appearance:  
Juror 101583732, Badge 110110 - Alonzo Estes Juror 100424729, Badge 110124 - George Story Juror  
101499152, Badge 110161 - Ana Silvia Lopez Juror 101531294, Badge 110165 - Carlos Villareal Juror  
101591875, Badge 110232 - Kyle Dormanen

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 30, 2008**

98C153154

The State of Nevada vs Donte Johnson

**April 30, 2008**

**9:00 AM**

**Petition for Writ of Habeas  
Corpus**

**PTN FOR WRIT OF  
HABEAS CORPUS  
Court Clerk:  
Katherine Streuber  
Reporter/Recorder:  
Sonia Riley Heard  
By: Gates, Lee A**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Bawa, Ravindar N.

Attorney

**JOURNAL ENTRIES**

- State provided copy of response filed on April 29, 2008 and stated counsel would most likely need to file a supplemental petition. COURT ORDERED, matter CONTINUED. FURTHER, Chris Oram APPOINTED and matter SET for confirmation.

NDC

05-07-08 9:00 AM CONFIRMATION OF COUNSEL (C. ORAM)

CLERK'S NOTE: Clerk spoke with Simone of Christopher Oram's office, advised of appointment and confirmation date. 04/30/08 kls

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 07, 2008**

98C153154

The State of Nevada vs Donte Johnson

**May 07, 2008**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS (05/07/08)  
Court Clerk:  
Katherine Streuber  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Oram, Christopher R.  
Owens, Steven S.

Attorney  
Attorney

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS...CONFIRMATION OF COUNSEL (C. ORAM)  
Mr. Oram CONFIRMED AS COUNSEL and requested status check in order to obtain file. COURT  
ORDERED, petition CONTINUED and SET for status check.  
NDC  
06-04-08 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: RECEIPT OF  
FILE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 04, 2008**

98C153154

The State of Nevada vs Donte Johnson

**June 04, 2008**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS (06/04/08)  
Court Clerk:  
Katherine Streuber  
Reporter/Recorder:  
Yvette Lester Heard  
By: Jennifer Togliatti**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Oram, Christopher R.  
Owens, Steven S.

Attorney  
Attorney

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: RECEIPT OF FILE  
Def't's presence WAIVED. Counsel advised file to be received from prior counsel and requested a status check regarding briefing schedule. COURT ORDERED, petition CONTINUED and matter SET for status check.

NDC

10-08-08 9:00 AM STATUS CHECK: SETTING OF BRIEFING SCHEDULE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 08, 2008**

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98C153154

The State of Nevada vs Donte Johnson

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**October 08, 2008****9:00 AM****All Pending Motions****ALL PENDING  
MOTIONS (10/08/08)****Court Clerk:****Katherine Streuber****Reporter/Recorder:****Sonia Riley Heard****By: Lee Gates****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

**JOURNAL ENTRIES****- PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: BRIEFING SCHEDULE**Counsel requested continuance in order to prepare supplemental petition. There being no opposition,  
COURT ORDERED, matter CONTINUED.01-07-09 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK:  
SUPPLEMENTAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 07, 2009

98C153154

The State of Nevada vs Donte Johnson

January 07, 2009

8:30 AM

All Pending Motions

**ALL PENDING  
MOTIONS 1-7-09  
Court Clerk: Keith  
Reed  
Reporter/Recorder:  
cheryl Carpenter  
Heard By: ELISSA  
CADISH**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.  
Owens, Steven S.

Attorney  
Attorney

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: SUPPLEMENTAL  
Court notes the Deft. prepared a Pro Per Petition For Writ Of Habeas Corpus, appointed counsel was to have prepared a supplemental petition which has not been received. Mr. Oram requested 6 months to file the supplemental. Mr. Owens argued the rules require the petition proceed expeditiously on death penalty claims & post conviction claims must be filed within a year, Deft's filing does not make any claims & the state recommends the petition be kept moving. Mr. Oram advised he just received the case in June and presented argument in support of a continuance of 6 months, or if not 6 months, 4 months. Mr. Owens argued he should be allowed to argue for the dismissal of the petition if a supplemental is not filed by January 28th. COURT ORDERED, Mr. Oram will be allowed 6 months, NO MORE for the filing of his supplemental petition which is to be filed by July 8th; proceedings CONTINUED to July 13th to discuss the remaining briefing and hearing schedules.

**98C153154**

NDC

7-13-09 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK:

SUPPLEMENTAL PETITION FOR WRIT OF HABEAS CORPUS

CLERK'S NOTE: Minutes amended 1-14-09. kar

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 13, 2009**

98C153154

The State of Nevada vs Donte Johnson

**July 13, 2009**

**8:30 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS (7/13/09)  
Relief Clerk: Susan  
Jovanovich/sj  
Reporter/Recorder:  
Cheryl Carpenter  
Heard By: ELISSA  
CADISH**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Oram, Christopher R.  
Owens, Steven S.

Attorney  
Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO PLACE ON CALENDAR TO RESET BRIEFING SCHEDULE...PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: SUPPLEMENTAL

Deft. not present, incarcerated in the Nevada Department of Corrections. Mr. Oram requested continuance, further noting he needs additional time to file supplement, as there are several volumes consisting Deft's file, and he would need additional time to review the it. Arguments by Mr. Owens. Colloquy. COURT ORDERED, briefing schedule SET as follows: supplemental pleadings will be filed by no later than October 12; responses are due by no later than December 16; and, replies are due by no later than January 18. FURTHER, matter SET for hearing on argument.

NDC

1-25-10 8:30 AM HEARING: ARGUMENT



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 19, 2009

98C153154

The State of Nevada vs Donte Johnson

October 19, 2009

8:30 AM

Motion

DEFT'S MTN TO  
EXTEND TIME FOR  
FILING SECOND  
SUPPLEMENTAL  
BRIEF FOR  
WRIT/144 Court  
Clerk: Keith Reed  
Reporter/Recorder:  
Jessica Ramirez  
Heard By: ELISSA  
CADISH

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Rogan, Jeffrey

Attorney

**JOURNAL ENTRIES**

- Mr. Oram advised a supplement was filed, he now has 3 bankers boxes of information to go through and needs an expert & investigator. Mr. Oram requested an opportunity to file another supplement. There being no opposition, COURT ORDERED, proceedings to be scheduled for status check, by which time Mr. Oram's supplements will be filed; remainder of briefing to be addressed at the next hearing.

NDC

1-20-10 8:30 AM STATUS CHECK: BRIEFING/FURTHER PROCEEDINGS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 20, 2010

98C153154

The State of Nevada vs Donte Johnson

January 20, 2010

8:30 AM

Status Check

**STATUS CHECK:  
BRIEFING/FURTHER  
PROCEEDINGS  
Court Clerk: Keith  
Reed  
Reporter/Recorder:  
Jessica Ramirez  
Heard By: ELISSA  
CADISH**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.  
Owens, Steven S.

Attorney  
Attorney

**JOURNAL ENTRIES**

- Mr. Oram advised he has obtained an investigator based upon the Court order, but there may be a conflict; in addition, the defense will need a DNA expert as well as a full psychological evaluation of this particular individual. Mr. Owens noted concern with the cost and delays in addressing the defense request and requested he be apprised of what has been done in the case in terms of the requested items. Mr. Owens noted the conflict with the appointment of investigator Mike Carstead who actually did work for the co Deft. Court directed Mr. Oram to file a motion in regards to the need for the DNA expert and the psychological evaluation. Colloquy regarding further proceedings. COURT ORDERED, the defense supplement is to be filed by April 21st; state's response to the supplement is due May 26th after which defense counsel may file a reply brief; argument

**98C153154**

CONTINUED to June 9th @ 8:30 AM. Mr. Oram advised he may use investigator Dennis Reater, as he does not have any conflicts. Court stated if a different investigator is hired, the same \$2,500.00 limit applies.

NDC

6-9-10 8:30 AM HEARING/ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2010

98C153154

The State of Nevada vs Donte Johnson

May 12, 2010

8:30 AM

Motion

MTN TO EXTEND  
TIME TO FILE  
SUPPLEMENTAL  
BRIEF Court Clerk:  
Keith Reed  
Reporter/Recorder:  
Jessica Ramirez  
Heard By: ELISSA  
CADISH

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

**PRESENT:** Oram, Christopher R. Attorney  
Owens, Steven S. Attorney

**JOURNAL ENTRIES**

- Mr. Oram advised he has been in trial and requested a 60 day continuance to file a supplemental brief. Matter submitted by Mr. Owens. COURT ORDERED, motion GRANTED, Deft's supplemental brief to be filed by July 14th; state's response is due September 15th; Deft's reply is due October 15th; hearing CONTINUED to October 20th. Court directed counsel to make sure courtesy copies are provided to Chambers.

NDC

6-9-10 8:30 AM HEARING: ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 20, 2010**

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98C153154

The State of Nevada vs Donte Johnson

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**October 20, 2010****8:30 AM****Hearing****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Mr. Owens requested a resetting of the briefing schedule and a continuance of the hearing. Argument in opposition by Mr. Oram requesting the state file a brief & explain why at the minimum a motion to extend was not filed. Court stated findings and ORDERED, request to continue GRANTED; state's response to be filed by January 28th; Deft's reply due March 28th; matter set for hearing April 13th.

NDC

4-13-11 8:30 AM HEARING: PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 11, 2011**

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98C153154

The State of Nevada vs Donte Johnson

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**April 11, 2011****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Mr. Oram advised he is in a capital case and requested additional time to reply. Matter submitted by Mr. Owens. COURT ORDERED, motion GRANTED; reply is due May 23rd; argument CONTINUED to June 6th. Mr. Oram requested the Deft. be transported. Mr. Owens opposed the transport of the Deft. at this time unless there is an evidentiary hearing. Issue of transport submitted by Mr. Oram noting this is an ineffective assistance of counsel petition for which he does not want extra cost to be incurred. COURT ORDERED, the Deft. is not to be transported and will be transported should an evidentiary hearing be scheduled.

NDC

6-6-11 8:30 AM ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 06, 2011**

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98C153154

The State of Nevada vs Donte Johnson

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**June 06, 2011****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Monique Alberto**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO PLACE ON CALENDAR TO EXTEND THE TIME TO FILE A REPLY BRIEF IN SUPPORT OF DEFENDANT'S WRIT OF HABEAS CORPUS...HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...ARGUMENT: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

Mr. Owens advised he is not ready to argue and requested matter be continued. There being no opposition, COURT ORDERED, matter CONTINUED.

NDC

6/29/11 8:30 A.M. DEFENDANT'S MOTION TO PLACE ON CALENDAR TO EXTEND THE TIME TO FILE A REPLY BRIEF IN SUPPORT OF DEFENDANT'S WRIT OF HABEAS CORPUS...HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...ARGUMENT: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2011

98C153154

The State of Nevada vs Donte Johnson

June 29, 2011

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...ARGUMENT:  
DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS

Deft. not present.

Court noted the issue to be addressed relates to the time bar. Arguments by counsel. COURT ORDERED, proceedings CONTINUED for the issuance of the decision before getting into the merits of the case; a determination of scheduling going forward will be made after the decision; the Chappell case will be reviewed and parties are to submit any additional authorities within a week.

NDC

7-20-11 8:30 AM DECISION...ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 20, 2011**

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98C153154

The State of Nevada vs Donte Johnson

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**July 20, 2011****8:30 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Ramirez**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- DECISION: PROCEDURAL BAR...ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS

Court stated findings and ORDERED, the claims are not time barred; Mr. Oram will have until August 22nd to file a reply on the merits; matter set for argument on the merits to determine if an Evidentiary Hearing is needed; all issues raised in the petition and the supplement will be addressed.

NDC

9-1-11 8:30 AM HEARING: ARGUMENT: PETITION FOR WRIT OF BAHEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 01, 2011**

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98C153154

The State of Nevada vs Donte Johnson

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**December 01, 2011      8:30 AM      Argument****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Oram, Christopher R.	Attorney
	Owens, Steven S.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Argument in support of Deft's Petition For Writ of Habeas Corpus by Mr. Oram noting ineffective assistance of counsel and requesting the writ be granted, a new trial or an Evidentiary Hearing. Argument in opposition by Mr. Owens. Court stated findings and ORDERED, an Evidentiary Hearing is needed. Colloquy regarding any discovery to be completed for the Evidentiary Hearing by Mr. Oram, the time needed for the completion of discovery and for the Evidentiary Hearing. Mr. Oram stated he was directed to inquire of the Court in regards to the PET scan for which the cost is uncertain; the witness will be contacted in regards to the cost of the PET scan and matters will be discussed with the state as to the time needed. COURT ORDERED, proceedings CONTINUED for status check to allow an opportunity to determine the cost of the PET scan and to address the scheduling of the Evidentiary Hearing and timing issues. In preparation for the status check, Mr. Owens requested the Court think about narrowing the scope of the Evidentiary Hearing because it is not believed counsel can come to an agreement. Court stated it makes sense to do so and it will be considered in advance of the hearing.

NDC

1-11-12 8:30 AM STATUS CHECK: EVIDENTIARY HEARING/DEFT'S PETITION FOR WRIT OF

PRINT DATE: 02/27/2015

Page 163 of 186

Minutes Date: September 02, 1998

**98C153154**

HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 11, 2012**

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98C153154

The State of Nevada vs Donte Johnson

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**January 11, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed  
Jill Chambers**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Ferreira, Amy L.	Attorney
	Oram, Christopher R.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Ferreira stated Mr. Owens should be present for status check and requested matter be continued. COURT SO ORDERED.

NDC

1/18/12 8:30 AM CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2012

98C153154

The State of Nevada vs Donte Johnson

January 18, 2012

8:30 AM

Status Check

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Court advised what was to be discussed is setting of the Evidentiary Hearing and the cost of the Pet Scan. Mr. Oram stated the Pet Scan cost about \$900. Upon the inquiry of the Court, Mr. Oram stated that in regards to the fetal alcohol syndrome, there was ineffective assistance of counsel for failing to have had a Pet Scan performed, no matter what. Mr. Owens opposed the Pet Scan being conducted arguing there must be a basis for the testing to be done. Continued argument in support of Pet Scan by Mr. Oram. Court stated it is inclined to allow the defense to conduct the Pet Scan to attempt to establish ineffective assistance of counsel, for which no finding is being made. Colloquy regarding the scheduling of the Evidentiary Hearing. COURT ORDERED, matter CONTINUED to determine the scheduling of the Evidentiary Hearing, depending on the Pet Scan.

NDC

3-21-12 8:30 AM STATUS CHECK: EVIDENTIARY HEARING PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 21, 2012**

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98C153154

The State of Nevada vs Donte Johnson

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**March 21, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Noelle Peguese**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Court noted Deft. is in the Nevada Department of Corrections. Mr. Oram requested that the Court set a hearing in July and a Status Check the preceding month. Mr. Owens advised he does not object. COURT ORDERED, matter SET for Status Check and Evidentiary Hearing.

NDC

6/13/12 8:30 AM STATUS CHECK

7/19/12 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 13, 2012**

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98C153154

The State of Nevada vs Donte Johnson

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**June 13, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed  
Dulce Romea**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Oram, Christopher R.	Attorney
	State of Nevada	Plaintiff
	Van Boskerck, Jonathan	Attorney

**JOURNAL ENTRIES**

- Deft. not present. Mr. Vanboskerck advised the parties have agreed to request the matter be continued to July 11. Upon the inquiry of the Court, Mr. Oram stated they have no problem with the continuance being close to the July 19th evidentiary hearing. COURT ORDERED, matter CONTINUED.

NDC

7-11-12 8:30 AM STATUS CHECK

7-19-12 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 11, 2012**

98C153154

The State of Nevada vs Donte Johnson

**July 11, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Deft. not present.

Mr. Oram advised he will not be ready for the July 19th Evidentiary Hearing due to the unavailability of Alzora Jackson the main attorney in the 3rd penalty phase and he would prefer not to bifurcate the witnesses. Mr. Owens stated he is not opposed to a continuance. Upon the inquiry of the Court, Mr. Oram advised the hearing should take 4-6 hours at the maximum; all witnesses are in town. Colloquy regarding the continuation of the Evidentiary Hearing. COURT ORDERED, Evidentiary Hearing CONTINUED; matter set for status check.

NDC

10-1-12 8:30 AM STATUS CHECK

10-4-12 8:30 AM EVIDENTIARY HEARING



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

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98C153154

The State of Nevada vs Donte Johnson

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**October 01, 2012****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed  
Sharon Chun**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Oram, Christopher R.	Attorney
	Owens, Steven S.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Owens stated that no advance transport arrangements were made for Deft Johnson's transport for the 10/4/12 evidentiary hearing. He noted that a two week advance request is required for transport. Mr. Oram requested another status check as well.

COURT ORDERED, Evidentiary Hearing Rescheduled for 11/15/12 at 8:30 A.M. with the Status Check continued to 11/7/12 at 8:30 A.M. Deft's transport is to be requested in advance.

NDC

STATUS CHECK CONTINUED TO: 11/7/12 8:30 AM

11/15/12 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 29, 2012**

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98C153154

The State of Nevada vs Donte Johnson

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**October 29, 2012****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed  
Katrina Hernandez  
Andrea Natali  
Sylvia Perez  
Sharon Coffman

**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Oram, Christopher R.	Attorney
	Owens, Steven S.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft not present on this date. COURT ORDERED Deft's Motion to Place on Calendar to Reschedule Evidentiary Hearing GRANTED and FURTHER ORDERED 11/7/12 Status Check and 11/15/12 Evidentiary Hearing VACATED.

3/27/12 8:30 AM STATUS CHECK

4/4/13 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 25, 2013**

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98C153154

The State of Nevada vs Donte Johnson

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**March 25, 2013****8:30 AM****Status Check****HEARD BY:** Brennan, James**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

State of Nevada

Plaintiff

Van Boskerck, Jonathan

Attorney

**JOURNAL ENTRIES**

- Mr. Van Boskerck advised he is ready to proceed with the scheduled Evidentiary Hearing April 4th. Mr. Oram concurred advising all subpoenaed counsel have indicated they can appear for the proceedings which will take 3/4 of the day. Mr. Van Boskerck stated a transport order has been prepared. COURT ORDERED, proceedings STAND.

NDC

4-4-13 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

98C153154

The State of Nevada vs Donte Johnson

**April 04, 2013****8:30 AM****Evidentiary Hearing****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Johnson, Donte

Defendant

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Special Public Defender David Schieck (SPD) appeared on behalf of Deputy SPD Alzora Jackson advising Ms. Jackson called him indicating she is ill with food poisoning and will not be able to appear. COURT ORDERED, Ms. Jackson's appearance is excused for today and her appearance will be rescheduled. Mr. Oram advised the most important witness Lee McMahon passed away. Testimony and Exhibits presented. (See Worksheet). Colloquy regarding the continuation of proceedings for the testimony of Ms. Jackson. COURT ORDERED, proceedings CONTINUED to April 11, 2013; Deft. to be transported. Mr. Oram stated should Ms. Jackson be unavailable, the state will be notified so that an alternative date can be scheduled. Upon the inquiry of counsel, Court stated once testimony is completed full arguments do not need to be heard and requested parties provide a courtesy copy of the appeal briefing from the first appeal. Mr. Owens stated he will take care of it.

NDC

4-11-13 10:30 AM EVIDENTIARY HEARING

PRINT DATE: 02/27/2015

Page 173 of 186

Minutes Date: September 02, 1998



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

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98C153154

The State of Nevada vs Donte Johnson

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**April 11, 2013****10:30 AM****Evidentiary Hearing****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Court noted the understanding Ms. Jackson is unavailable. Mr. Oram stated his office was contacted by Ms. Jackson representing she is not available today or tomorrow and requested matters be re calendared at the Court's convenience. Colloquy regarding the continuation of the hearing which is believed will take an hour. Mr. Owens suggested if Ms. Jackson continues to have scheduling conflicts that they contact her supervisor David Schieck to assist in securing her presence. COURT ORDERED, proceedings CONTINUED; counsel to speak with Ms. Jackson right away and inform the Court should there be any issues. Mr. Oram stated Mr. Owens will be notified should there be any issues.

NDC

5-3-13 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 29, 2013**

98C153154

The State of Nevada vs Donte Johnson

**April 29, 2013****8:30 AM****Motion****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Mr. Oram requested a continuance of the Evidentiary Hearing advising he will be out of the country, and upon speaking with Ms. Jackson office she is reasonably available. Colloquy regarding the continuation of the Evidentiary Hearing. There being no opposition. COURT ORDERED, Evidentiary Hearing scheduled May 3, 2013 CONTINUED. Mr. Oram advised Ms. Jackson will be contacted right away.

NDC

6-21-13 8:30 AM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 21, 2013**

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98C153154

The State of Nevada vs Donte Johnson

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**June 21, 2013****8:30 AM****Evidentiary Hearing****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Johnson, Donte

Defendant

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Alzora Jackson-Winder sworn and testified. Upon the inquiry of the Court, Mr. Oram noted there was argument at the prior hearing, but the matter is fully briefed and it's at the discretion of the Court if argument is to be heard. Colloquy regarding the ordering of a Pet Scan for the Deft., which did not happen. Upon the request of Mr. Oram for a fetal alcohol evaluation. Matter submitted by Mr. Oram as to the requested fetal alcohol evaluation. COURT ORDERED, matter UNDER ADVISMENT. Mr. Oram requested a status check be set and the Deft's presence waived. COURT SO ORDERED; Deft. IS NOT to be transported for the September status check.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

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98C153154

The State of Nevada vs Donte Johnson

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**September 18, 2013    8:30 AM                      Status Check****HEARD BY:**    Cadish, Elissa F.**COURTROOM:**    RJC Courtroom 15B**COURT CLERK:**    Sylvia Perez**RECORDER:**    Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Defendant not present, NDC, presence WAIVED.

Court advised a ruling has not been made on this matter and ORDERED, matter CONTINUED.

NDC

CONTINUED TO 1/13/14 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 13, 2014**

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98C153154

The State of Nevada vs Donte Johnson

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**January 13, 2014****8:30 AM****Status Check****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

COURT ORDERED, matter CONTINUED for the completion of the Court's review and for a ruling to be issued.

NDC

3-3-14 8:30 AM STATUS CHECK: RULING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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**Felony/Gross Misdemeanor**
**COURT MINUTES**
**February 13, 2014**


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98C153154

The State of Nevada vs Donte Johnson

**February 13, 2014****3:00 AM****Minute Order****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Before the Court is Defendant's Petition for Writ of Habeas Corpus, Supplemental Brief in Support of Defendants Writ of Habeas Corpus, Second Supplemental Brief in Support of Defendants Writ of Habeas Corpus, State's Response, Defendant's Reply to the State's Response, and Defendant's Reply Brief on Mr. Johnson's Initial Trial Issues. The Court heard argument followed by an evidentiary hearing at which Mr. Johnson's trial attorneys from his 2000 and 2005 trials testified. After review of the briefs, exhibits, and evidence presented to the Court, the Court hereby denies Defendant's Petition for Writ of Habeas Corpus. In 2000, Mr. Johnson was found guilty by the jury, but the jury was unable to reach a unanimous verdict on the appropriate penalty in the penalty phase. Thereafter, a three-judge panel held a penalty hearing and imposed the death penalty on Mr. Johnson for all four murders. On appeal, the Nevada Supreme Court noted the overwhelming evidence of Mr. Johnson's guilt and affirmed his convictions by the jury. However, under the United States Supreme Court's decision in *Ring v. Arizona*, the Court reversed the imposition of death by the three-judge panel and remanded the case for a new penalty phase before a new jury. In 2005, the jury imposed a sentence of death for all four murders. This sentence was affirmed on appeal to the Nevada Supreme Court. Mr. Johnson asserts ineffective assistance of counsel at his trials and on his appeals. Under *Strickland v. Washington*, 466 U.S. 668, 104 S. Ct. 2052 (1984), to establish ineffective assistance, Defendant must show first that his counsel's representation fell below an objective standard of reasonableness, and second, that but for counsel's errors, there is a reasonable probability that the result of the proceedings would have been different.

Here, Mr. Johnson asserts that his first appeal should have challenged various issues relating to the jury selection process. Given that the jury did not reach a verdict on the penalty and the Nevada Supreme Court reversed the death penalty imposed by the three-judge panel, the alleged appeal deficiencies could only be prejudicial if they would have resulted in a reversal of the convictions herein. With respect to the alleged underrepresentation of African Americans in the jury venire, there is no evidence presented that this was a systematic underrepresentation and the issue, if raised on appeal, would not have been successful. Additionally, the State is permitted to use its peremptory challenges to strike life-affirming jurors, and no authority is provided indicating this is in any way improper. This issue would not be likely to succeed on the direct appeal. Mr. Johnson also argues that appellate counsel should have raised the trial court's denial of cause challenges for jurors who would have automatically voted for death or otherwise should have been stricken for cause, but the trial court had denied those challenges. At trial, defense counsel used its peremptory challenges to strike these jurors. Thus, the jurors in question did not sit on the jury that made decisions about Mr. Johnson's case. There is no indication that the actual jurors had improper biases, and no authority that the forced use of peremptory challenges violated Mr. Johnson's rights other than a dissenting opinion in a United States Supreme Court case. Thus, this issue would likely have been rejected if raised on appeal, and it is not below an objective standard of reasonableness to fail to make this argument. Mr. Johnson also argues that his counsel should have moved to dismiss the kidnapping charges as incidental to the robbery charges. However, under applicable case law, the movement and restraints used in this case would likely have been found to have substantially increased the risk of harm to the victims and the motion would not have been successful. Accordingly, no prejudice has been shown. The Court has also reviewed each of the other arguments about alleged ineffective assistance at the 2000 trial and appeal therefrom and finds that neither prong of Strickland is met as to those matters.

With respect to the 2005 penalty phase, the Court similarly finds that Mr. Johnson's counsel neither fell below an objective standard of reasonableness, nor has prejudice been shown. Specifically, the failure to list on the verdict form the mitigators listed by the jury at the first penalty phase is not ineffective given that those matters were argued in any event and the jurors could consider them in evaluating the penalty. Additionally, there is no showing of prejudice from this failure. The failure to obtain and present a PET scan was not unreasonable given that Mr. Johnson was noted to be bright, the conflicting testimony about whether his mother had been drinking during her pregnancy with him, and the fact it was not general practice to do one at the time. Additionally, there is no showing that a PET scan would have assisted Mr. Johnson in presenting mitigation evidence to the jury. The decisions not to present evidence of the co-defendants' sentences or to attempt to present Mr. Johnson's father as a witness were strategic decisions that do not rise to the level of ineffective assistance, and were not shown to be prejudicial. Similarly, all other matters raised regarding the 2005 penalty phase and the appeal therefrom are also rejected as failing under both prongs of Strickland.

Accordingly, the Petition for Writ of Habeas Corpus is denied. State should prepare an order containing findings of fact and conclusions of law, and provide a draft to Mr. Oram for review and

comment before submitting it to chambers. The status check on the Court's ruling set for March 3, 2014 at 8:30 am is hereby vacated.

CLERK'S NOTE: The above minute order has been distributed to: Christopher Oram Esq. & Deputy District Attorney Steven S. Owens

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 17, 2014

98C153154

The State of Nevada vs Donte Johnson

November 17, 2014      8:30 AM      Motion

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Oram, Christopher R.	Attorney
	Owens, Steven S.	Attorney
	State of Nevada	Attorney
		Plaintiff

**JOURNAL ENTRIES**

- Defendant not present

The Court inquired as to what is counsel requests of the Court. CONFERENCE AT BENCH. Mr. Oram requested counsel be appointed. Court noted the understanding the appeal from this Court is regarding the denial of the prior habeas petition pending before the Supreme Court, for which Mr. Oram is counsel. Mr. Oram concurred. Court noted the Clerk's Office would not file a motion from the Defendant seeking the appointment of counsel that should have been filed, as it's believed they were confused and ORDERED, matter CONTINUED to January 14, 2015 to determine if appointment of counsel is warranted, and if it is, it will be determined whether to appoint Mr. Oram, or other counsel. Mr. Owens requested until December 15th to respond to the Petition. COURT SO ORDERED.

NDC

1-14-15 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S MOTION TO ENDORSE MR. JOHNSON'S PRO PER DOCUMENTS



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2015

98C153154

The State of Nevada vs Donte Johnson

January 14, 2015

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

**PARTIES****PRESENT:**

Oram, Christopher R.

Attorney

Owens, Steven S.

Attorney

State of Nevada

Attorney

Plaintiff

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO ENDORSE MR. JOHNSON'S PRO PER DOCUMENTS...PETITION FOR WRIT OF HABEAS CORPUS

To recap matters, Court noted Mr. Oram still represents the Defendant on the appeal of the prior petition, and the Defendant has a Second Pro Per Petition to determine if counsel should be appointed or not. Mr. Oram concurred. Court noted the Defendant's petition and State's opposition were read; the Defendant tried to submit a reply, which was rejected by the Clerk's Office due to the Defendant having counsel; it's uncertain if the petition was served on the State. Mr. Owens stated he has not seen the petition, but he's heard about it. Mr. Oram noted he is only representing the Defendant on the appeal, but will proceed however the Court would like, but it's doubtful the response will change. Court noted Mr. Oram does not represent the Defendant on this petition, stated findings, and ORDERED, the Deft's Instant Petition For Writ Of Habeas Corpus is DENIED; and because of that, Deft's Request For Appointment Of Counsel for this petition is DENIED; State to prepare the proposed order



**98C153154**

NDC

CLERK'S NOTE: The above minute order has been distributed to: Donte Johnson #66858, Ely State Prison, POB 1989, Ely Nevada, 89301

## Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donfe DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P	Plaintiff			GRAND JURY EXHIBITS		State of Nevada	District Court Criminal/Civil 09/02/1998	Evidence Vault
			Comment: ExhibitID : 39525					
P/	Plaintiff			SUPERSEDING GRAND JURY EXHIBITS		State of Nevada	District Court Criminal/Civil 09/16/1998	Evidence Vault
			Comment: ExhibitID : 39589					
P/II	Plaintiff			COURT EXHIBITS I THRU XI		State of Nevada	District Court Criminal/Civil 06/05/2000	Evidence Vault
			Comment: ExhibitID : 53383					
P-XII	Plaintiff			COURT'S EXHIBITS / VERDICTS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
			Comment: ExhibitID : 53696					
P;	Plaintiff			*****5/3/04 HEARING*****		State of Nevada		
			Comment: ExhibitID : 88365					
P:1	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
			Comment: ExhibitID : 88366					
P:2	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
			Comment: ExhibitID : 88367					

## Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donte DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P:3	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88368								
P:4	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88369								
P:5	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88370								
P:6	Plaintiff			HANDWRITTEN LETTER BY DEFT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88371								
P:7	Plaintiff			DECLARATION OF WARRANT/SUMMONS		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88372								
P:	Plaintiff			*****5/17/04 HEARING*****		State of Nevada		
Comment: ExhibitID : 88800								
D:A	Defendant			PHOTO		Johnson, Donte	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88801								

# Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donte DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D;B	Defendant			PHOTO		Johnson, Donte	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 88802								
P;"	Plaintiff			*****4/19/05 PENALTY HEARING*****		State of Nevada		
Comment: ExhibitID : 97319								
P<	Plaintiff			STATES EXHIBITS 1-258		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 97320								
D<	Defendant			DEFTS EXHIBITS A99-D99, A-HHH		Johnson, Donte	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 97321								
PCT	Plaintiff			COURTS EXHIBITS XII		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
Comment: ExhibitID : 97322								
P,	Plaintiff			*****4/15/05 HEARING*****		State of Nevada		
Comment: ExhibitID : 99825								
P-1	Plaintiff	Admitted 10/26/1999		1 - 13 PHOTOS		State of Nevada	District Court Criminal/Civil 10/26/1999	Evidence Vault
Comment: ExhibitID : 46915								



## Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donte DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-14	Plaintiff	Admitted 10/26/1999		CHART		State of Nevada	District Court Criminal/Civil 10/26/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 46916 NO OBJECTION								
D/A	Defendant	Admitted 10/26/1999		A - D LETTERS		Johnson, Donte	District Court Criminal/Civil 10/26/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 46917 STIPULATION								
P/1	Plaintiff	Admitted 01/06/2000		COPY OF CONSENT TO SEARCH		State of Nevada	District Court Criminal/Civil 01/06/2000	Evidence Vault
<b>Comment:</b> ExhibitID : 49138 NO OBJECTION								
P/1	Plaintiff	Admitted 06/05/2000		PLTF EXH 1 THRU 244		State of Nevada	District Court Criminal/Civil 06/05/2000	Evidence Vault
<b>Comment:</b> ExhibitID : 53382								
D/1	Defendant	Admitted 06/05/2000		DEFT EXH A THRU N		Johnson, Donte	District Court Criminal/Civil 06/05/2000	Evidence Vault
<b>Comment:</b> ExhibitID : 53384								
D/C	Defendant	Admitted 05/17/2004		PHOTO		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
<b>Comment:</b> ExhibitID : 88803 NO OBJECTION								
D/D	Defendant	Admitted 05/17/2004		OFFICER'S REPORT		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
<b>Comment:</b> ExhibitID : 88804 NO OBJECTION								

## Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donte DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D,E	Defendant	Admitted 05/17/2004		6 PG PHOTO OF CCDC		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
Comment: ExhibitID : 88805 NO OBJECTION								
D,F	Defendant	Admitted 05/17/2004		PRELIMINARY HEARING TRANSCRIPT		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
Comment: ExhibitID : 88806 NO OBJECTION								
D,G	Defendant	Admitted 05/17/2004		PHOTO		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
Comment: ExhibitID : 88807 NO OBJECTION								
D,H	Defendant	Admitted 05/17/2004		WAIVER OF CONFLICT		Johnson, Donte	District Court Criminal/Civil 05/17/2004	Evidence Vault
Comment: ExhibitID : 88808 NO OBJECTION								
P1	Plaintiff	Admitted 06/14/2005		AFFDVT OF TWILA MORGAN		State of Nevada	District Court Criminal/Civil 06/14/2005	Evidence Vault
Comment: ExhibitID : 98564 OBJECTION								
PCT1	Plaintiff	Admitted 06/14/2005		JUROR #4 NOTES-SEALED		State of Nevada	District Court Criminal/Civil 06/14/2005	Evidence Vault
Comment: ExhibitID : 98565 NO OBJECTION								

## Exhibit List

Case: 98C153154 Party: Sort Order: Status Defendant Name: Johnson, Donte 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 04/15/2005		2/8/05 LETTER FROM TODD GREY MD		State of Nevada	District Court Criminal/Civil 04/15/2005	Evidence Vault
Comment: ExhibitID : 99826 NO OBJECTION								
P.2	Plaintiff	Admitted 04/15/2005		LVMPD DECLARATION OF WARRANT/SUMMONS		State of Nevada	District Court Criminal/Civil 04/15/2005	Evidence Vault
Comment: ExhibitID : 99827 NO OBJECTION								
D.A	Defendant	Admitted 04/15/2005		LVMPD FORENSIC LABORATORY REPORT		Johnson, Donte	District Court Criminal/Civil 04/15/2005	Evidence Vault
Comment: ExhibitID : 99828 NO OBJECTION								
201	Defendant	Admitted 04/01/2013	Destroy 04/18/2015	Document special verdict form		Oram, Christopher R		

# 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.

DONTE JOHNSON,

Defendant(s).

Case No: C153154

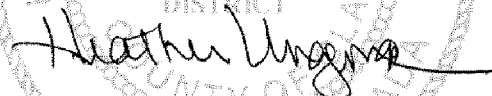
Dept No: VI

**Death Penalty**

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 27 day of February 2015.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



*Alvin D. Johnson*

CLERK OF THE COURT

Electronically Filed  
Mar 02 2015 04:01 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

District Court  
Clark County, Nevada

DONTE JOHNSON,  
Petitioner,

-VS-

STATE OF NEVADA,  
Respondent

Case No: 986153154  
Dept. No: VI

\*(DEATH PENALTY)\*

NOTICE OF APPEAL

Notice is given that Petitioner, Donte Johnson, hereby appeals to the SUPREME COURT OF THE STATE OF NEVADA from the final order dated this 2<sup>nd</sup> day of February, 2015, denying his proper persons petition for writ of habeas corpus during an Ex parte hearing on the 14<sup>th</sup> day of January, 2015.

Dated this 23<sup>rd</sup> day of February, 2015

By: *Donte Johnson*

Donte Johnson

#66858

Ely State Prison

P.O. Box 1484

Docket 67492, Docket 201506586

RECEIVED

FEB 27 2015

CLERK OF THE COURT

RECEIVED

FEB 27 2015

CLERK OF THE COURT

CERTIFICATE OF SERVICE

I hereby certify that on this 23<sup>rd</sup> day of February 2015,  
I mailed a true and correct copy of the foregoing document  
entitled NOTICE OF APPEAL to the Clark County District  
Attorney's office, and, to the Supreme Court Clerk.

*Copies addressed to:*

Supreme Court Clerk  
Supreme Court Building  
201 S. Carson Street  
Carson City, Nevada 89701

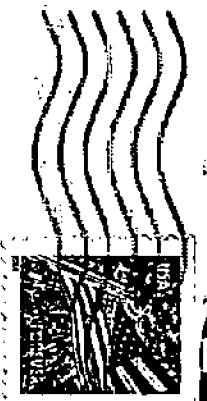
Eighth Judicial District Court  
Clerks Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101

Steven B. Wolfson  
Office of the District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155

By: Donte Johnson  
Donte Johnson #66858  
Ely State Prison  
P.O. Box 1989  
Ely, Nevada  
89301

Dante Johnson #66858  
Ely State Prison  
P.O. Box 1989  
Ely, Nevada  
89301

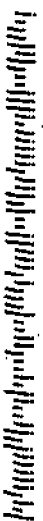
LAG VEGAS NV 890  
24 FEB 2015 PM 5 L



Legal  
Mail

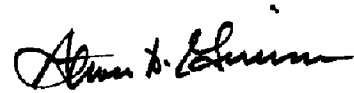
Eighth Judicial District Court  
Clerks Office  
200 Lewis Avenue  
Las Vegas, Nevada  
89161

89101630000



ELY STATE PRISON  
FEB 23 2015  
202-224-013

11-52-0



CLERK OF THE COURT

ASTA

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

STATE OF NEVADA,

Plaintiff(s),

vs.

DONTE JOHNSON,

Defendant(s),

Case No: 98C153154

Dept No: VI

**Death Penalty**

**CASE APPEAL STATEMENT**

1. Appellant(s): Donte Johnson

2. Judge: Elissa F. Cadish

3. Appellant(s): Donte Johnson

Counsel:

Donte Johnson #66858  
P.O. Box 1989  
Ely, NV 89301

4. Respondent: The State of Nevada

Counsel:

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

(702) 671-2700

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

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

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

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

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

9. Date Commenced in District Court: September 2, 1998

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

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

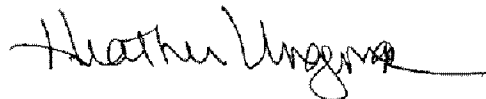
11. Previous Appeal: Yes

Supreme Court Docket Number(s): 36991, 45456, 65168

12. Child Custody or Visitation: N/A

Dated This 27 day of February 2015.

Steven D. Grierson, Clerk of the Court



---

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Donte Johnson

## The State of Nevada vs Donte Johnson

www.wws-ws.de

## CASE INFORMATION

## Statistical Closures

## Warrants

Bench Warrant - Johnson, Donte (Judicial Officer: Cadish, Elissa F. )  
10/13/1998 Quashed  
09/02/1998 Issued



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

Fine: \$0

Bond: \$0









DATE		CASE ASSIGNMENT
		<b>Current Case Assignment</b>
		Case Number 98C153154
		Court Department 6
		Date Assigned 12/28/2008
		Judicial Officer Cadish, Elissa F.
PARTY INFORMATION		
<b>Defendant</b>	<b>Johnson, Dontc</b>	<i>Lead Attorneys</i> <b>Oram, Christopher R.</b> <i>Retained</i> 7023845563(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)
DATE	EVENTS & ORDERS OF THE COURT	INDEX
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. BURGLARY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. CONSPIRE TO AID AND ABET A ROBBERY Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. CONSPIRACY TO COMMIT KIDNAPPING IN FIRST DEGREE Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. CONSPIRACY TO COMMIT MURDER Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 4. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 6. ROBBERY WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 7. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion)	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**












	8. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 9. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 11. MURDER WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. MURDER WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. MURDER WITH A DEADLY WEAPON Not Guilty	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 14. MURDER WITH A DEADLY WEAPON Not Guilty	
09/02/1998	<b>Grand Jury Indictment</b> (11:30 AM) <i>GRAND JURY INDICTMENT Court Clerk: LINDA VIGIL, Relief Clerk: DEBBIE VINSON/dv Reporter/Recorder: CATHY NELSON Heard By: Michael Douglas</i>	
09/02/1998	 <b>Indictment</b> <i>(GRAND JURY) INDICTMENT Fee \$0.00</i>	98C1531540001.tif pages
09/02/1998	<b>Hearing</b> <i>INITIAL ARRAIGNMENT</i>	98C1531540002.tif pages
09/02/1998	<b>Notice</b> <i>NOTICE GRAND JURY EXHIBITS IN THE VAULT</i>	98C1531540006.tif pages
09/03/1998	<b>Hearing</b> <i>GRAND JURY INDICTMENT</i>	98C1531540003.tif pages
09/03/1998	<b>Bench Warrant</b> <i>NO BAIL, BENCH WARRANT ISSUED</i>	98C1531540004.tif pages
09/03/1998	<b>Order</b> <i>ORDER OF INTENT TO FORFEIT</i>	98C1531540005.tif pages
09/08/1998	<b>Initial Arraignment</b> (9:00 AM) Events: 09/02/1998 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: JANICE HAMPTON Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
09/08/1998	<b>Hearing</b> <i>ARRAIGNMENT CONTINUED</i>	98C1531540007.tif pages
09/14/1998	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT GRAND JURY, SEPTEMBER 1, 1998</i>	98C1531540008.tif pages














DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

09/14/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT ARRAIGNMENT</i>	98C1531540009.tif pages
09/15/1998	 Notice of Intent to Seek Death Penalty <i>NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	98C1531540010.tif pages
09/15/1998	 Request <i>MEDIA REQUEST</i>	98C1531540011.tif pages
09/15/1998	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C1531540012.tif pages
09/15/1998	 Request <i>MEDIA REQUEST</i>	98C1531540013.tif pages
09/15/1998	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C1531540014.tif pages
09/16/1998	<b>Grand Jury Indictment (11:30 AM)</b> <i>SUPERSEDING GRAND JURY INDICTMENT Court Clerk: SUE DEATON Reporter/Recorder: JENNIFER CHURCH Heard By: James Brennan</i>	
09/16/1998	Hearing <i>SUPERSEDING GRAND JURY INDICTMENT</i>	98C1531540015.tif pages
09/16/1998	Bench Warrant <i>NO BAIL. BENCH WARRANT ISSUED</i>	98C1531540016.tif pages
09/16/1998	Order <i>ORDER OF INTENT TO FORFEIT</i>	98C1531540017.tif pages
09/16/1998	 Indictment <i>SUPERSEDING INDICTMENT</i>	98C1531540018.tif pages
09/16/1998	Notice <i>NOTICE SUPERSEDING GRAND JURY EXHIBITS IN THE VAULT</i>	98C1531540021.tif pages
09/17/1998	<b>Arraignment Continued (9:00 AM)</b> Events: 09/08/1998 Hearing <i>ARRAIGNMENT CONTINUED Relief Clerk: JANICE HAMPTON/AC Reporter/Recorder: ARLENE BLAZI Heard By: Jeffrey Sobel</i>	
09/28/1998	 Request <i>MEDIA REQUEST</i>	98C1531540022.tif pages
09/28/1998	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C1531540023.tif pages
10/05/1998	 Motion <i>DEFT'S MOTION TO SET BAIL</i>	98C1531540024.tif pages
10/05/1998	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540026.tif pages










DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

10/06/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE: GRAND JURY INDICTMENTS RETURNED IN OPEN COURT</i>	98C1531540025.tif pages
10/07/1998	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO SET BAIL</i>	98C1531540027.tif pages
10/08/1998	<b>Motion (9:00 AM)</b> Events: 10/05/1998 Motion <i>DEFT'S MOTION TO SET BAIL Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/20/1998	 Reporters Transcript <i>REPORTER'S TRANSCRIPT GRAND JURY, SEPTEMBER 15, 1998</i>	98C1531540028.tif pages
10/20/1998	 Order <i>ORDER DENYING DEFENDANTS MOTION TO SET BAIL</i>	98C1531540029.tif pages
02/10/1999	 Motion <i>DEFT'S PRO PER MOTION WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL</i>	98C1531540031.tif pages
02/19/1999	 Opposition <i>STATES OPPOSITION TO DEFENDANTS PRO PER MOTION TO WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL OUTSIDE COUNSEL</i>	98C1531540032.tif pages
02/23/1999	<b>Motion to Withdraw as Counsel (9:00 AM)</b> Events: 02/10/1999 Motion <i>DEFT'S PRO PER MOTION WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
02/25/1999	<b>Motion to Withdraw as Counsel (9:00 AM)</b> <i>DEFT'S PRO PER MOTION WITHDRAW COUNSEL AND APPOINT OUTSIDE COUNSEL Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
02/26/1999	 Notice of Intent to Seek Death Penalty <i>SUPPLEMENTAL NOTICE OF INTENT TO SEEK DEATH PENALTY PURSUANT TO AMENDED SUPREME COURT RULE 250 SUPREME COURT RULE 250</i>	98C1531540033.tif pages
03/16/1999	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540034.tif pages
03/23/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540035.tif pages
03/25/1999	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	98C1531540036.tif pages
03/29/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540037.tif pages










DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

04/01/1999	 Motion <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL</i>	98C1531540038.tif pages
04/12/1999	<b>Motion to Dismiss (9:00 AM)</b> Events: 04/01/1999 Motion <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
04/15/1999	<b>Motion to Dismiss (9:00 AM)</b> <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL Heard By: Jeffrey Sobel</i>	
04/22/1999	 Filed Under Seal <i>FILED UNDER SEALED REPORTER'S TRANSCRIPT MOTION TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL(SEALED) APPOINTMENT OF ALTERNATE COUNSEL(SEALED)</i>	98C1531540041.tif pages
04/22/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C1531540607.tif pages
04/22/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C1531540609.tif pages
04/30/1999	 Application <i>EX PARTE APPLICATION FOR ORDER REQUIRING MATERIAL WITNESS TO POST BAIL</i>	98C1531540042.tif pages
04/30/1999	 Order <i>ORDER REQUIRING MATERIAL WITNESS TO POST BAIL OR BE COMMITTED TO CUSTODY</i>	98C1531540043.tif pages
05/03/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C1531540046.tif pages
05/06/1999	 Motion <i>DEFT'S PRO PER MOTION TO PROCEED PRO PER WITH CO-COUNSEL AND INVESTIGATOR</i>	98C1531540044.tif pages
05/12/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM FOR PRODUCTION OF EXCULPATORY EVIDENCE</i>	98C1531540048.tif pages
05/13/1999	 Motion <i>DEFT'S PRO PER MOTION FOR DISCOVERY</i>	98C1531540047.tif pages
05/14/1999	 Order Filed By: Defendant Johnson, Donte <i>EX-PARTE APPLICATION AND ORDER TO PRODUCE JUVENILE RECORDS</i>	98C1531540049.tif pages
05/17/1999	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 05/06/1999 Motion <i>DEFT'S PRO PER MOTION TO PROCEED PRO PER WITH CO-COUNSEL AND INVESTIGATOR Heard By: Jeffrey Sobel</i>	





DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

05/17/1999	<b>Motion for Discovery</b> (9:00 AM) Events: 05/13/1999 Motion <i>DEFT'S PRO PER MOTION FOR DISCOVERY Heard By: Jeffrey Sobel</i>	
05/17/1999	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 5/17/99 Relief Clerk: CAROLE D'ALLOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
05/19/1999	<b>Motion</b> <i>ALL PENDING MOTIONS 5/17/99</i>	98C1531540050.tif pages
05/21/1999	 <b>Ex Parte</b> Filed By: Defendant Johnson, Donte <i>EX PARTE APPLICATION AND ORDER TO PRODUCE JUVENILE RECORDS</i>	98C1531540051.tif pages
05/21/1999	 <b>Ex Parte</b> Filed By: Defendant Johnson, Donte <i>EX PARTE APPLICATION AND ORDER TO PRODUCE EVIDENCE</i>	98C1531540052.tif pages
06/03/1999	<b>Hearing</b> <i>AT THE REQUEST OF THE COURT</i>	98C1531540053.tif pages
06/07/1999	<b>Request of Court</b> (9:00 AM) Events: 06/03/1999 Hearing <i>AT THE REQUEST OF THE COURT Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/08/1999	<b>Request of Court</b> (9:00 AM) <i>AT THE REQUEST OF THE COURT Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
06/08/1999	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>STIPULATION AND ORDER</i>	98C1531540055.tif pages
06/11/1999	 <b>Notice</b> <i>NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540056.tif pages
06/14/1999	 <b>Motion</b> <i>STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF</i>	98C1531540057.tif pages
06/16/1999	 <b>Motion</b> <i>DEFT'S MOTION TO CONTINUE TRIAL</i>	98C1531540058.tif pages
06/16/1999	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540060.tif pages
06/16/1999	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>ORDER FOR TRANSCRIPTS</i>	98C1531540061.tif pages
06/17/1999	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>STIPULATION AND ORDER</i>	98C1531540059.tif pages









DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

06/17/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C1531540063.tif pages
06/18/1999	 Application Filed By: Defendant Johnson, Donte <i>EX PARTE APPLICATION TO APPOINT DR JAMES JOHNSON AS EXPERT AND FOR FEES IN EXCESS OF STATUTORY MAXIMUM EXCESS OF STATUTORY MAXIMUM</i>	98C1531540062.tif pages
06/28/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540067.tif pages
06/29/1999	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL</i>	
06/29/1999	<b>Motion in Limine (9:00 AM)</b> Events: 06/14/1999 Motion <i>STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF</i>	
06/29/1999	<b>Motion to Continue (9:00 AM)</b> Events: 06/16/1999 Motion <i>DEFT'S MOTION TO CONTINUE TRIAL Heard By: Jeffrey Sobel</i>	
06/29/1999	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 6/29/99 Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
06/29/1999	 Motion <i>DEFT'S MOTION TO REVEAL IDENTITY OF INFORMANTS</i>	98C1531540064.tif pages
06/29/1999	 Motion <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE</i>	98C1531540065.tif pages
06/29/1999	 Motion <i>DEFT'S MOTION TO COMPEL PRODUCTION OF ANY/ALL STATEMENTS</i>	98C1531540066.tif pages
06/29/1999	Motion <i>ALL PENDING MOTIONS 6/29/99</i>	98C1531540068.tif pages
06/29/1999	Hearing <i>STATUS CHECK: TRIAL DATE</i>	98C1531540071.tif pages
06/29/1999	Hearing <i>STATUS CHECK: FILING OF ALL MOTIONS</i>	98C1531540072.tif pages
06/29/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540073.tif pages
06/29/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540074.tif pages
06/29/1999	 Receipt of Copy	98C1531540075.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**











	Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	
07/02/1999	 Opposition Filed By: Defendant Johnson, Donte <i>OPPOSITION TO MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME COMPLETE STORY OF THE CRIME</i>	98C1531540076.tif pages
07/02/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540077.tif pages
07/06/1999	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
07/08/1999	<b>Motion in Limine</b> (9:00 AM) <i>STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF</i>	
07/08/1999	<b>Status Check</b> (9:00 AM) Events: 06/29/1999 Hearing <i>STATUS CHECK: TRIAL DATE Heard By: Jeffrey Sobel</i>	
07/08/1999	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 7/8/99 Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
07/13/1999	<b>Motion</b> (9:00 AM) Events: 06/29/1999 Motion <i>DEFT'S MOTION TO REVEAL IDENTITY OF INFORMANTS</i>	
07/13/1999	<b>Motion to Compel</b> (9:00 AM) Events: 06/29/1999 Motion <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE</i>	
07/13/1999	<b>Motion to Compel</b> (9:00 AM) Events: 06/29/1999 Motion <i>DEFT'S MOTION TO COMPEL PRODUCTION OF ANY/ALL STATEMENTS Court Clerk: ROSA ARDESCH/ra Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
07/13/1999	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 7/13/99 Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
07/15/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME DEFENDANTS MOTION TO CONTINUE TRIAL THE COMPLETE STORY OF THE CRIME DEFENDANTS MOTION TO CONTINUE TRIAL</i>	98C1531540078.tif pages
07/15/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANTS MOTION TO COMEL DISCLOSURE OF EXISTENCE ANDSUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION DEFENDANTS MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT DEFENDANTS MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS DEALS PROMISES OR INDUCEMENTS SUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH</i>	98C1531540079.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<i>PROSECUTION DEFENDANTS MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT DEFENDANTS MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS DEALS PROMISES OR INDUCEMENTS</i>	
07/15/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT THE COMPLETE STORY OF THE CRIME STATUS CHECK TRIAL DATE THE COMPLETE STORY OF THE CRIME STATUS CHECK TRIAL DATE</i>	98C1531540080.tif pages
07/27/1999	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540081.tif pages
07/28/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540082.tif pages
08/13/1999	Motion <i>ALL PENDING MOTIONS 7/13/99</i>	98C1531540083.tif pages
08/13/1999	Motion <i>ALL PENDING MOTIONS 7/8/99</i>	98C1531540084.tif pages
08/19/1999	Motion <i>STATE'S MOTION TO PERMIT DNA TESTING</i>	98C1531540085.tif pages
08/19/1999	 Request <i>NOTICE OF MOTION AND MOTION TO PERMIT DNA TESTING OF THE CIGARETTE BUTT FOUND AT THE CRIME SCENE BY THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT FORENSIC LABORATORY OR BY AN INDEPENDENT LABORATORY WITH THE RESULTS OF THE TEST TO BE SUPPLIED TO BOTH THE DEFENSE AND THE PROSECUTION FOUND AT THE CRIME SCENE BY THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT FORENSIC LABORATORY OR BY AN INDEPENDENT LABORATORY WITH THE RESULTS OF THE TEST TO BE SUPPLIED TO BOTH THE DEFENSE AND THE PROSECUTION</i>	98C1531540086.tif pages
08/24/1999	 Expert Witness List <i>NOTICE OF WITNESSES</i>	98C1531540087.tif pages
08/30/1999	Motion (9:00 AM) Events: 08/19/1999 Motion <i>STATE'S MOTION TO PERMIT DNA TESTING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
08/31/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATE'S MOTION TO PERMIT DNA TESTING</i>	98C1531540088.tif pages
08/31/1999	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540089.tif pages
09/01/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540090.tif pages
09/02/1999	Motion (9:00 AM)	










DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*STATE'S MOTION TO PERMIT DNA TESTING Court Clerk: ALONA CANDITO  
Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel*












09/07/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM IN PURSUANT FOR A CHANGE OF VENUE</i>	98C1531540091.tif pages
09/09/1999	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR TRANSCRIPT</i>	98C1531540092.tif pages
09/20/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM FOR PRODUCTION OF EXCULPATORY EVIDENCE</i>	98C1531540093.tif pages
09/21/1999	 Certificate <i>CERTIFICATE FOR ATTENDANCE OF OUT-OF-STATE WITNESS CHARLA CHENIQUA SEVERS AKA KASHAWN HIVES CHARLA CHENIQUA SEVERS AKA KASHAWN HIVES</i>	98C1531540094.tif pages
09/21/1999	 Request <i>REQUEST FOR ATTENDANCE OF OUT-OF-STATE WITNESS CHARLA CHENIQUA SEVERS AKA KASHAWN HIVES AKA KASHAWN HIVES</i>	98C1531540095.tif pages
09/23/1999	Hearing <i>STATE'S REQUEST FOR HEARING RE: MATERIAL WITNESS CHARLA SEVERS</i>	98C1531540096.tif pages
09/29/1999	 Motion <i>STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS</i>	98C1531540097.tif pages
09/30/1999	<b>Request (9:00 AM)</b> Events: 09/23/1999 Hearing <i>STATE'S REQUEST FOR HEARING RE: MATERIAL WITNESS CHARLA SEVERS Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/01/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF STATE'S REQUEST FOR MATERIAL WITNESS: CHARLA SEVERS</i>	98C1531540098.tif pages
10/01/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF STATE'S MOTION TO PERMIT DNA TESTING</i>	98C1531540099.tif pages
10/06/1999	 Opposition Filed By: Defendant Johnson, Donte <i>DEFENDANTS OPPOSITION TO STATES MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS CHARLA SEVERS</i>	98C1531540100.tif pages
10/08/1999	 Request <i>AMENDED NOTICE OF MOTION AND MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS CHARLA SEVERS</i>	98C1531540103.tif pages
10/11/1999	<b>Motion (9:00 AM)</b> Events: 09/29/1999 Motion  <i>STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel,</i>	






DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<i>Jeffrey</i>	
10/11/1999	Hearing <i>CONFIRMATION OF COUNSEL (SIEGEL, JAY)</i>	98C1531540101.tif pages
10/11/1999	 Notice Filed By: Defendant Johnson, Donte <i>NOTICE OF MOTION AND MOTION TO VIDEOTAPE THE DEPOSITION OF MYSELF CHARLA SEVERS CHARLA SEVERS</i>	98C1531540102.tif pages
10/12/1999	 Opposition Filed By: Defendant Johnson, Donte <i>DEFENDANTS OPPOSITION TO WITNESS SEVERS MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS CHARLA SEVERS</i>	98C1531540106.tif pages
10/14/1999	<b>Motion for Confirmation of Counsel (8:00 AM)</b> Events: 10/11/1999 Hearing <i>CONFIRMATION OF COUNSEL (SIEGEL, JAY) Heard By: Jeffrey Sobel</i>	
10/14/1999	<b>Motion (9:00 AM)</b> <i>STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS Heard By: Jeffrey Sobel</i>	
10/14/1999	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 10/14/99 Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/14/1999	Hearing <i>DEPOSITION HEARING</i>	98C1531540104.tif pages
10/14/1999	Motion <i>ALL PENDING MOTIONS 10/14/99</i>	98C1531540105.tif pages
10/14/1999	 Order <i>STIPULATION AND ORDER</i>	98C1531540107.tif pages
10/18/1999	 Motion <i>DEFT'S MOTION IN LIMINE PRECLUDE EVIDENCE OF OTHER CRIMES</i>	98C1531540108.tif pages
10/18/1999	 Supplement <i>SUPPLEMENT MOTION TO VIDEOTAPE DEPOSITION OF CHARLA SEVERS</i>	98C1531540113.tif pages
10/18/1999	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540114.tif pages
10/18/1999	 Receipt of Copy <i>RECEIPT OF COPY</i>	98C1531540115.tif pages
10/18/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540116.tif pages
10/18/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATE'S MOTION TO VIDEOTAPE THE DEPOSITION CHARLA SEVERS</i>	98C1531540121.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**


10/18/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATE'S MOTION TO VIDEOTAPE THE DEPOSITION CHARLA SEVERS</i>	98C1531540122.tif pages
10/19/1999	 Motion <i>DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFT</i>	98C1531540109.tif pages
10/19/1999	 Motion <i>DEFT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS</i>	98C1531540110.tif pages
10/19/1999	 Motion <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS, OR</i>	98C1531540111.tif pages
10/19/1999	 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITIO</i>	98C1531540112.tif pages
10/19/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540117.tif pages
10/19/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540118.tif pages
10/19/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540119.tif pages
10/19/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540120.tif pages
10/19/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540123.tif pages
10/19/1999	 Response <i>STATE'S RESPONSE TO DEFENDANT'S OPPOSITION TO STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS</i>	98C1531540124.tif pages
10/21/1999	<b>Motion to Compel</b> (9:00 AM) <i>DEFT'S MOTION TO COMPEL PRODUCTION OF ANY/ALL STATEMENTS</i>	
10/21/1999	<b>Status Check</b> (9:00 AM) Events: 06/29/1999 Hearing <i>STATUS CHECK: FILING OF ALL MOTIONS</i>	
10/21/1999	<b>Motion</b> (9:00 AM) <i>STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**






	<i>Sobel</i>	
10/21/1999	<b>Motion in Limine (9:00 AM)</b> Events: 10/18/1999 Motion <i>DEFT'S MOTION IN LIMINE PRECLUDE EVIDENCE OF OTHER CRIMES Heard By: Jeffrey Sobel</i>	
10/21/1999	<b>Motion to Compel (9:00 AM)</b> Events: 10/19/1999 Motion <i>DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFT Heard By: Jeffrey Sobel</i>	
10/21/1999	<b>Motion (9:00 AM)</b> Events: 10/19/1999 Motion <i>DEFT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS</i>	
10/21/1999	<b>Motion to Compel (9:00 AM)</b> Events: 10/19/1999 Motion <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS, OR Heard By: Jeffrey Sobel</i>	
10/21/1999	<b>Motion in Limine (9:00 AM)</b> Events: 10/19/1999 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITION</i>	
10/21/1999	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 10/21/99 Court Clerk: CAROLE D'ALLOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/21/1999	<b>Motion (9:30 AM)</b> <i>DEFT'S MOTION TO REVEAL IDENTITY OF INFORMANTS</i>	
10/21/1999	<b>Motion to Compel (9:30 AM)</b> <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE</i>	
10/21/1999	Motion <i>ALL PENDING MOTIONS 10/21/99</i>	98C1531540125.tif pages
10/26/1999	<b>Hearing (9:30 AM)</b> Events: 10/14/1999 Hearing <i>DEPOSITION HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/26/1999	Hearing <i>DECISION: WITNESS RELEASE</i>	98C1531540126.tif pages
10/26/1999	 Request Filed by: Defendant Johnson, Donte <i>MOTION AND NOTICE OF MOTION IN LIMINE TO PRECLUDE ANY MEDIA COVERAGE OF VIDEO DEPOSITION OF CHARLA SEVERS VIDEO DEPOSITION OF CHARLA SEVERS</i>	98C1531540129.tif pages
10/27/1999	 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION</i>	98C1531540128.tif pages
10/27/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte	98C1531540131.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

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10/28/1999	<b>Decision (9:00 AM)</b> Events: 10/26/1999 Hearing <i>DECISION: WITNESS RELEASE Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
10/28/1999	Hearing <i>STATUS CHECK: WITNESS CHARLA SEVERS</i>	98C1531540130.tif pages
10/29/1999	 Order Filed By: Defendant Johnson, Donte <i>SEALED ORDER FOR RELEASE TO HOUSE ARREST OF MATERIAL WITNESS CHARLA SEVERS</i>	98C1531540132.tif pages
11/02/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM IN PURSUANT FOR A MOTION TO DISMISS INDICTMENT</i>	98C1531540133.tif pages
11/04/1999	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT ALL STATEMENTS OF THE DEFENDANT</i>	98C1531540134.tif pages
11/04/1999	 Opposition <i>OPPOSITION TO MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME WEAPONS AND AMMUNITION NOT USED IN THE CRIME</i>	98C1531540135.tif pages
11/04/1999	 Response <i>STATES RESPONSE TO DEFENDANTS MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION SUBSTANCE OF EXPECTATIONS OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION</i>	98C1531540136.tif pages
11/04/1999	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY DEALS PROMISES OR INDUCEMENTS AND REVEAL ANY DEALS PROMISES OR INDUCEMENTS</i>	98C1531540137.tif pages
11/08/1999	<b>Motion in Limine (9:00 AM)</b> Events: 10/27/1999 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
11/09/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT STATUS CHECK: FILING OF ALL MOTIONS</i>	98C1531540138.tif pages
11/09/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DECISION: WITNESS RELEASE</i>	98C1531540139.tif pages
11/09/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION WITNESS INTIMIDATION</i>	98C1531540140.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

11/09/1999	 Expert Witness List <i>NOTICE OF WITNESSES AND OF EXPERT WITNESSES PURSUANT TO NRS 174.234</i>	98C1531540141.tif pages
11/09/1999	 Filed Under Seal <i>FILED UNDER SEALED REPORTER'S TRANSCRIPT OF OCT 26 1999 VIDEO DEPOSITION OF CHARLA SEVERS CHARLA SEVERS</i>	98C1531540363.tif pages
11/15/1999	Motion <i>DEFT'S REPLY TO OPPOSITION TO MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER</i>	98C1531540142.tif pages
11/15/1999	 Reply Filed by: Defendant Johnson, Donte <i>REPLY TO OPPOSITION TO MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME</i>	98C1531540143.tif pages
11/15/1999	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT FOR REQUESTED MOTION TO BE FILED BY COUNSELS</i>	98C1531540144.tif pages
11/17/1999	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	98C1531540145.tif pages
11/18/1999	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITIO</i>	
11/18/1999	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard By: Jeffrey Sobel</i>	
11/18/1999	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 11/18/99 Court Clerk: ALONA CANDITO/ac Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
11/18/1999	<b>Motion (9:30 AM)</b> <i>DEFT'S MOTION TO REVEAL IDENTITY OF INFORMANTS</i>	
11/18/1999	<b>Motion to Compel (9:30 AM)</b> <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE</i>	
11/18/1999	<b>Motion to Compel (9:30 AM)</b> <i>DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFT Heard By: Jeffrey Sobel</i>	
11/18/1999	<b>Motion (9:30 AM)</b> <i>DEFT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS,DEALS</i>	
11/18/1999	<b>Motion to Compel (9:30 AM)</b> <i>DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS, OR Heard By: Jeffrey Sobel</i>	
11/18/1999	<b>Motion (9:30 AM)</b> Events: 11/15/1999 Motion <i>DEFT'S REPLY TO OPPOSITION TO MOTION IN LIMINE TO PRECLUDE EVIDENCE</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**











	<i>OF OTHER</i>	
11/18/1999	Motion <i>ALL PENDING MOTIONS 11/18/99</i>	<i>98C1531540146.tif pages</i>
11/18/1999	Motion <i>ADDITIONAL TRIAL MOTIONS VJ 12/20/99</i>	<i>98C1531540147.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION IN LIMINE RE: CO-DEFT'S SENTENCES</i>	<i>98C1531540148.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN</i>	<i>98C1531540149.tif pages</i>
11/29/1999	Motion <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE</i>	<i>98C1531540150.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE</i>	<i>98C1531540151.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE</i>	<i>98C1531540152.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS</i>	<i>98C1531540153.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES</i>	<i>98C1531540154.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS</i>	<i>98C1531540155.tif pages</i>
11/29/1999	Motion <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING MANNER</i>	<i>98C1531540156.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO</i>	<i>98C1531540157.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS/OBJECTIONS</i>	<i>98C1531540158.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE</i>	<i>98C1531540159.tif pages</i>
11/29/1999	 Motion <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS</i>	<i>98C1531540160.tif pages</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

11/29/1999	 Motion <i>DEFT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS</i>	98C1531540161.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY</i>	98C1531540162.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE INTRODUCTION OF VICTIM IMPACT EVIDENCE</i>	98C1531540163.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	98C1531540164.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY</i>	98C1531540165.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION TO BIFURCATE PENALTY PHASE</i>	98C1531540166.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE</i>	98C1531540167.tif pages
11/29/1999	 Request Filed by: Defendant Johnson, Donte <i>MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY BECAUSE THE STATE IS SEEKING THE DEATH PENALTY</i>	98C1531540168.tif pages
11/29/1999	Request Filed by: Defendant Johnson, Donte <i>MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE GUILT PHASE GUILT PHASE</i>	98C1531540169.tif pages
11/29/1999	Request Filed by: Defendant Johnson, Donte <i>MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER</i>	98C1531540170.tif pages
11/29/1999	 Request Filed by: Defendant Johnson, Donte <i>MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT</i>	98C1531540171.tif pages
11/29/1999	Request Filed by: Defendant Johnson, Donte <i>MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS OBJECTIONS REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE OTHER APPLICATIONS AND</i>	98C1531540172.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**











*ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE*

11/29/1999	Request Filed by: Defendant Johnson, Donte <i>MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT</i>	98C1531540173.tif pages
11/29/1999	Request Filed by: Defendant Johnson, Donte <i>DEFENDANTS MOTION TO DISMISS STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL</i>	98C1531540174.tif pages
11/29/1999	Request Filed by: Defendant Johnson, Donte <i>MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS</i>	98C1531540175.tif pages
11/29/1999	 Motion <i>DEFT'S MOTION FOR CHANGE OF VENUE</i>	98C1531540176.tif pages
11/30/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540177.tif pages
12/02/1999	 Opposition Filed By: Defendant Johnson, Donte <i>SUPPLEMENTAL OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER FUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME OF OTHER FUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME</i>	98C1531540178.tif pages
12/02/1999	 Order Filed By: Defendant Johnson, Donte <i>ORDER APPOINTING COUNSEL FOR MATERIAL WITNESS CHARLA SEVERS</i>	98C1531540181.tif pages
12/02/1999	 Order Filed By: Defendant Johnson, Donte <i>ORDER</i>	98C1531540182.tif pages
12/03/1999	 Motion <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00</i>	98C1531540179.tif pages
12/06/1999	 Reporters Transcript <i>REPORTER'S TRANSCRIPT</i>	98C1531540180.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR PERMISSION TO FILE OTHER MOTIONS</i>	98C1531540183.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO BIFURCATE PENALTY PHASE</i>	98C1531540184.tif pages
12/06/1999	 Opposition	98C1531540185.tif pages












DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*OPPOSITION TO DEFENDANTS MOTION FOR INSPECTION OF POLICE OFFICERS  
PERSONNEL FILES PERSONNEL FILES*





12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR DISCLOSURE OF ANY POSSIBLE BASIS FOR DISQUALIFICATION OF DISTRICT ATTORNEY DISQUALIFICATION OF DISTRICT ATTORNEY</i>	98C1531540186.tif pages
12/06/1999	 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>	98C1531540187.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS CO-CONSPIRATORS STATEMENTS</i>	98C1531540188.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS</i>	98C1531540189.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR JOHNSON GUILTY OF CAPITAL MURDER</i>	98C1531540190.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT</i>	98C1531540191.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE PENALTY PHASE</i>	98C1531540192.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT</i>	98C1531540193.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE GUILT PHASE THE FIRST PHASE AS THE GUILT PHASE</i>	98C1531540194.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS OBJECTIONS REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE OBJECTIONS REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE</i>	98C1531540195.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT PROSECUTION MISCONDUCT IN ARGUMENT</i>	98C1531540196.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE VICTIM IMPACT EVIDENCE</i>	98C1531540197.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO DISMISS STATES NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL SEEK DEATH PENALTY BECAUSE NEVADAS DEATH PENALTY STATUTE IS UNCONSTITUTIONAL</i>	98C1531540198.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS PERTAINING TO THE IMPACT OF THE DEFENDANTS EXECUTION UPON VICTIMS FAMILY MEMBERS</i>	98C1531540199.tif pages
12/06/1999	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION IN LIMINE REGARDING CO-DEFENDANTS SENTENCES SENTENCES</i>	98C1531540200.tif pages
12/06/1999	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES FOR EXERCISING PEREMPTORY CHALLENGES</i>	98C1531540201.tif pages
12/06/1999	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540202.tif pages
12/07/1999	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR CHANGE OF VENUE</i>	98C1531540203.tif pages
12/08/1999	 Expert Witness List Filed By: Defendant Johnson, Donte <i>NOTICE OF WITNESSES</i>	98C1531540205.tif pages
12/09/1999	Hearing <i>AT THE REQUEST OF THE COURT</i>	98C1531540204.tif pages
12/14/1999	 Affidavit in Support Filed By: Defendant Johnson, Donte <i>AFFIDAVIT OF JOSEPH S SCISCENTO IN SUPPORT OF THE MOTION TO CONTINUE</i>	98C1531540206.tif pages
12/16/1999	<b>Request of Court (8:00 AM)</b> Events: 12/09/1999 Hearing <i>AT THE REQUEST OF THE COURT Court Clerk: ALONA CANDITO/ac Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Sobel, Jeffrey</i>	
12/16/1999	 Opposition	98C1531540209.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**






*OPPOSITION TO MOTION TO CONTINUE TRIAL*

12/16/1999	 <b>Request</b> Filed by: Defendant Johnson, Donte <i>MOTION TO CONTINUE TRIAL</i>	98C1531540210.tif pages
12/20/1999	<b>Request of Court (8:30 AM)</b> <i>AT THE REQUEST OF THE COURT Court Clerk: ALONA CANDITO</i> <i>Reporter/Recorder: JERI ANDERSON Heard By: Jeffrey Sobel</i>	
12/20/1999	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF DECEMBER 16, 1999 AT REQUEST OF COURT RE:</i> <i>MOTIONS</i>	98C1531540208.tif pages
12/22/1999	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>STIPULATION AND ORDER</i>	98C1531540211.tif pages
12/22/1999	 <b>Memorandum</b> Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540212.tif pages
12/27/1999	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS</i> <i>WEAPONS/AMMUNITION</i>	
12/27/1999	<b>CANCELED Motion (9:00 AM)</b> Events: 11/18/1999 Motion <i>Vacated</i>	
12/27/1999	<b>Motion in Limine (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION IN LIMINE RE: CO-DEFT'S SENTENCES Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion in Limine (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION</i> <i>MISCONDUCT IN Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS</i> <i>CASE Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY</i> <i>PHASE Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion in Limine (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST</i> <i>PHASE AS THE Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS Heard By: Jeffrey</i> <i>Sobel</i>	







DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL</i> <i>POTENTIAL JURORS</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion for Discovery (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING</i> <i>MANNER</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING</i> <i>TO</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL</i> <i>MOTIONS/OBJECTIONS</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO</i> <i>EXCLUDE</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS</i> <i>STATEMENTS</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion to Exclude (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT</i> <i>ATTORNEY</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion in Limine (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION IN LIMINE TO PRECLUDE INTRODUCTION OF VICTIM IMPACT</i> <i>EVIDENCE</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion to Dismiss (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH</i> <i>PENALTY</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR</i> <i>EXERCISING PEREMPTORY</i> <i>Heard By: Jeffrey Sobel</i>
12/27/1999	<b>Motion to Bifurcate (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION TO BIFURCATE PENALTY PHASE</i> <i>Heard By: Jeffrey Sobel</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

12/27/1999	<b>Motion (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion for Change of Venue (9:00 AM)</b> Events: 11/29/1999 Motion <i>DEFT'S MOTION FOR CHANGE OF VENUE Heard By: Jeffrey Sobel</i>	
12/27/1999	<b>Motion to Suppress (9:00 AM)</b> Events: 12/03/1999 Motion <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00 Heard By: Jeffrey Sobel</i>	
12/29/1999	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT RE AT REQUEST OF COURT</i>	98C1531540215.tif pages
12/29/1999	 <b>Memorandum</b> Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540216.tif pages
01/04/2000	<b>CANCELED Calendar Call (9:00 AM)</b> <i>Vacated</i>	
01/04/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard By: Jeffrey Sobel</i>	
01/04/2000	<b>Status Check (9:00 AM)</b> Events: 10/28/1999 Hearing <i>STATUS CHECK: WITNESS CHARLA SEVERS</i>	
01/06/2000	<b>Motion to Suppress (9:00 AM)</b> <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00 Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Sobel, Jeffrey</i>	
01/10/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard By: Jeffrey Sobel</i>	
01/10/2000	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: WITNESS CHARLA SEVERS</i>	
01/10/2000	<b>CANCELED Jury Trial (10:00 AM)</b> <i>Vacated</i>	
01/11/2000	 <b>Motion</b> <i>MATERIAL WITNESS CHARLA SEVERS' MOTION FOR OWN RECOGNIZANCE RELEASE</i>	98C1531540218.tif pages
01/11/2000	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540219.tif pages
01/12/2000	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540221.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**


01/13/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT RE: DEFENDANT'S MOTIONS</i>	98C1531540220.tif pages
01/13/2000	 Order <i>ORDER GRANTING PERMISSION OF MEDIA ENTRY</i>	98C1531540222.tif pages
01/14/2000	Memorandum <i>GUILTY PLEA MEMORANDUM/AGREEMENT</i>	98C1531540225.tif pages
01/18/2000	<b>Motion (9:00 AM)</b> Events: 01/11/2000 Motion <i>MATERIAL WITNESS CHARLA SEVERS' MOTION FOR OWN RECOGNIZANCE RELEASE Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
01/18/2000	Hearing <i>STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS</i>	98C1531540223.tif pages
01/21/2000	 Opposition <i>STATES OPPOSITION TO MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED</i>	98C1531540224.tif pages
01/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT MATERIAL WITNESS CHARLA SEVERS MOTION FOR OWN RECOGNIZANCE RELEASE RECOGNIZANCE RELEASE</i>	98C1531540226.tif pages
02/02/2000	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540227.tif pages
02/16/2000	 Reply Filed by: Defendant Johnson, Donte <i>REPLY TO STATES OPPOSITION TO MOTION TO SUPPRESS</i>	98C1531540228.tif pages
02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITION</i>	
02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Status Check (9:00 AM)</b> <i>STATUS CHECK: WITNESS CHARLA SEVERS</i>	
02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE RE: CO-DEFT'S SENTENCES Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*PHASE Heard By: Jeffrey Sobel*

02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENUE OF ALL POTENTIAL JURORS Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion for Discovery (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING MANNER Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS/OBJECTIONS Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion to Exclude (9:00 AM)</b> <i>DEFT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE INTRODUCTION OF VICTIM IMPACT EVIDENCE Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion to Dismiss (9:00 AM)</b> <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion to Bifurcate (9:00 AM)</b> <i>DEFT'S MOTION TO BIFURCATE PENALTY PHASE Heard By: Jeffrey Sobel</i>
02/17/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE Heard By: Jeffrey Sobel</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

02/17/2000	<b>Motion for Change of Venue (9:00 AM)</b> <i>DEFT'S MOTION FOR CHANGE OF VENUE Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Motion to Suppress (9:00 AM)</b> <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00 Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 02/17/00 Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Jeffrey Sobel</i>	
02/17/2000	<b>Motion</b> <i>ALL PENDING MOTIONS 02/17/00</i>	98C1531540229.tif pages
02/24/2000	 <b>Memorandum</b> Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT FOR REQUEST OF MOTION TO BE FILED</i>	98C1531540230.tif pages
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITION</i>	
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE RE: CO-DEFT'S SENTENCES Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW/CARE IN THIS CASE Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS Heard By: Jeffrey Sobel</i>	
03/02/2000	<b>Motion for Discovery (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING</i>	



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*MANNER Heard By: Jeffrey Sobel*

03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS/OBJECTIONS Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion to Exclude (9:00 AM)</b> <i>DEFT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion in Limine (9:00 AM)</b> <i>DEFT'S MOTION IN LIMINE TO PRECLUDE INTRODUCTION OF VICTIM IMPACT EVIDENCE Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion to Dismiss (9:00 AM)</b> <i>DEFT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion to Bifurcate (9:00 AM)</b> <i>DEFT'S MOTION TO BIFURCATE PENALTY PHASE Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFT'S MOTION FOR JURY QUESTIONNAIRE Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion for Change of Venue (9:00 AM)</b> <i>DEFT'S MOTION FOR CHANGE OF VENUE Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion to Suppress (9:00 AM)</b> <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00 Heard By: Jeffrey Sobel</i>
03/02/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 3/2/00 Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFENDANT'S MOTION IN LIMINE TO PREVENT MOTION Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion (9:00 AM)</b> <i>DEFENDANT'S PRO PER MOTION TO DISQUALIFY MOTION Heard By: Jeffrey Sobel</i>
03/02/2000	<b>Motion</b>

*98C1531540231.tif pages*








DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*ALL PENDING MOTIONS 3/2/00*






03/02/2000	Motion <i>DEFENDANT'S PRO PER MOTION TO DISQUALIFY MOTION</i>	98C1531540234.tif pages
03/06/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT ALL DEFENDANTS PENDING MOTIONS STATUS CHECK WITNESS CHARLA SEVERS WITNESS CHARLA SEVERS</i>	98C1531540232.tif pages
03/09/2000	Motion <i>DEFENDANT'S MOTION IN LIMINE TO PREVENT MOTION</i>	98C1531540233.tif pages
03/16/2000	 Points and Authorities <i>SUPPLEMENTAL POINTS AND AUTHORITIES IN OPPOSITION TO MOTION TO SUPPRESS</i>	98C1531540235.tif pages
03/16/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT ALL DEFENDANT'S PENDING MOTIONS</i>	98C1531540236.tif pages
03/30/2000	 Reply Filed by: Defendant Johnson, Donte <i>REPLY TO STATES SUPPLEMENTAL OPPOSITION TO MOTION TO SUPPRESS</i>	98C1531540237.tif pages
03/31/2000	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540238.tif pages
04/04/2000	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540239.tif pages
04/10/2000	 Order Filed By: Defendant Johnson, Donte <i>STIPULATION AND ORDER</i>	98C1531540240.tif pages
04/11/2000	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM TO THE COURT</i>	98C1531540241.tif pages
04/17/2000	 Certificate Filed By: Defendant Johnson, Donte <i>CERTIFICATE OF MAILING OF EXHIBITS</i>	98C1531540243.tif pages
04/18/2000	<b>Minute Order (9:00 AM)</b> <i>MINUTE ORDER RE: DECISION: MOTION TO SUPPRESS Court Clerk: ALONA CANDITO Heard By: Jeffrey Sobel</i>	
04/18/2000	 Decision <i>DECISION AND ORDER</i>	98C1531540242.tif pages
04/18/2000	Hearing <i>MINUTE ORDER RE: DECISION: MOTION TO SUPPRESS</i>	98C1531540245.tif pages
04/24/2000	<b>Status Check (9:00 AM)</b> Events: 01/18/2000 Hearing <i>STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS Court Clerk: ALONA</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**








*CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey*

04/26/2000	<b>Motion</b> <i>DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILES/RECORDS/INFORMATION</i>	98C1531540244.tif pages
04/26/2000	 <b>Request</b> Filed by: Defendant Johnson, Donte <i>MOTION AND NOTICE OF MOTION FOR DISCOVERY OF PROSECUTION FILES RECORDS AND INFORMATION NECESSARY TO A FAIR TRIAL AND INFORMATION NECESSARY TO A FAIR TRIAL</i>	98C1531540246.tif pages
04/26/2000	 <b>Addendum</b> <i>ADDENDUM TO NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540247.tif pages
04/27/2000	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540248.tif pages
05/02/2000	 <b>Opposition</b> <i>SUPPLEMENTAL OPPOSITION TO DEFENDANTS MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME</i>	98C1531540249.tif pages
05/08/2000	<b>Motion for Discovery (9:00 AM)</b> Events: 04/26/2000 Motion <i>DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILES/RECORDS/INFORMATION Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
05/08/2000	 <b>Order</b> <i>ORDER FOR PRODUCTION OF INMATE SIKIA SMITH BAC #63405</i>	98C1531540252.tif pages
05/09/2000	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS SEVERS</i>	98C1531540250.tif pages
05/09/2000	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR DISCOVERY OF PROSECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL PROSECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL</i>	98C1531540251.tif pages
05/09/2000	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS STATUS CHECK MATERIAL WITNESS CHARLA SEVERS CHARLA SEVERS</i>	98C1531540608.tif pages
05/12/2000	 <b>Order</b> <i>ORDER FOR PRODUCTION OF INMATE</i>	98C1531540253.tif pages
05/15/2000	 <b>Notice</b> Filed By: Defendant Johnson, Donte <i>NOTICE OF DEFENDANTS EXPERT WITNESSES</i>	98C1531540254.tif pages
		98C1531540255.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

05/17/2000	 Supplement <i>SUPPLEMENTAL NOTICE OF EXPERT WITNESSES</i>	
05/18/2000	<b>Motion for Discovery</b> (9:00 AM) <i>DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILES/RECORDS/INFORMATION Court Clerk: CAROLE D'ALOLA Reporter/Recorder: DEBRA VAN BLAIR/COM Heard By: Jeffrey Sobel</i>	
05/19/2000	 Order <i>STIPULATION AND ORDER</i>	98C1531540257.tif pages
05/19/2000	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	98C1531540258.tif pages
05/23/2000	<b>Motion in Limine</b> (9:00 AM) <i>DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS/AMMUNITION</i>	
05/23/2000	<b>Motion in Limine</b> (9:00 AM) <i>DEFT'S MOTION IN LIMINE RE: CO-DEFT'S SENTENCES Heard By: Jeffrey Sobel</i>	
05/23/2000	<b>Motion</b> (9:00 AM) <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS Court Clerk: ALONA CANDITO Relief Clerk: JUDY NORMAN/jn Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
05/23/2000	<b>Motion to Suppress</b> (9:00 AM) <i>DEFT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED VO 4/18/00 Heard By: Jeffrey Sobel</i>	
05/23/2000	<b>Calendar Call</b> (9:00 AM) <i>CALENDAR CALL</i>	
05/23/2000	<b>Status Check</b> (9:00 AM) <i>STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS Heard By: Jeffrey Sobel</i>	
05/23/2000	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 5/23/00 Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
05/23/2000	<b>Motion</b> <i>ALL PENDING MOTIONS 5/23/00</i>	98C1531540256.tif pages
05/30/2000	<b>Calendar Call</b> (9:00 AM) <i>CALENDAR CALL</i>	
05/30/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR DISCOVERY OF PROSECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL PRESECUTION FILES, RECORDS, AND INFORMATION NECESSARY FOR A FAIR TRIAL</i>	98C1531540259.tif pages
05/31/2000	 Order <i>Filed By: Defendant Johnson, Donte ORDER TO PRODUCE JUVENILE RECORDS</i>	98C1531540262.tif pages
06/01/2000	<b>Motion</b> (9:00 AM) <i>DEFT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS Court Clerk: ALONA CANDITO Relief Clerk: JUDY NORMAN/jn</i>	


DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<i>Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
06/01/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 23, 2000</i>	98C1531540260.tif pages
06/02/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS AND AMMUNITION NOT USED IN THE CRIME OTHER GUNS AND AMMUNITION NOT USED IN THE CRIME</i>	98C1531540264.tif pages
06/05/2000	<b>Jury Trial (10:00 AM)</b> <i>TRIAL BY JURY Court Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/05/2000	Jury List <i>CRIMINAL JURY LIST D1 D1 D1</i>	98C1531540263.tif pages
06/06/2000	<b>Jury Trial (8:00 AM)</b> <i>TRIAL BY JURY Court Clerk: CAROLE D'ALOIA/CD Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/06/2000	 Expert Witness List <i>JURY LIST</i>	98C1531540266.tif pages
06/06/2000	 Amended Jury List <i>AMENDED CRIMINAL JURY LIST</i>	98C1531540267.tif pages
06/07/2000	<b>Jury Trial (9:15 AM)</b> <i>TRIAL BY JURY Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/07/2000	Amended Jury List <i>AMENDED CRIMINAL JURY LIST D1 D1 D1</i>	98C1531540265.tif pages
06/07/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 6, 2000 JURY TRIAL-DAY 2; VOLUME II</i>	98C1531540291.tif pages
06/08/2000	<b>Jury Trial (9:00 AM)</b> <i>TRIAL BY JURY Court Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/08/2000	 Amended Jury List <i>AMENDED CRIMINAL JURY LIST</i>	98C1531540268.tif pages
06/08/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 7, 2000 JURY TRIAL-DAY 3; VOLUME III</i>	98C1531540292.tif pages
06/09/2000	<b>Jury Trial (9:00 AM)</b> <i>TRIAL BY JURY Court Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
06/09/2000	Hearing <i>PENALTY HEARING</i>	98C1531540270.tif pages
06/09/2000	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C1531540272.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

06/09/2000	 Verdict <i>VERDICT</i>	98C1531540273.tif pages
06/12/2000	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR CONTACT VISIT</i>	98C1531540271.tif pages
06/12/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 5, 2000 JURY TRIAL-DAY 1 VOLUME 1</i>	98C1531540290.tif pages
06/12/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 8, 2000 JURY TRIAL- DAY 4; VOLUME IV</i>	98C1531540293.tif pages
06/12/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 9, 2000 JURY TRIAL- DAY 5 VERDICT VOLUME V</i>	98C1531540294.tif pages
06/13/2000	<b>Penalty Hearing (9:15 AM)</b> Events: 06/09/2000 Hearing <i>PENALTY HEARING Relief Clerk: GEORGETTE BYRD/GB Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
06/14/2000	<b>Penalty Hearing (9:00 AM)</b> <i>PENALTY HEARING Court Clerk: CAROLE D'ALOIA Reporter/Recorder: DEBRA VAN BLAIRICOM Heard By: Sobel, Jeffrey</i>	
06/14/2000	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540274.tif pages
06/14/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 13, 2000 JURY TRIAL-PENALTY PHASE- DAY 1- A.M. SE</i>	98C1531540295.tif pages
06/14/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JUNE 13, 2000 JURY TRIAL- PENALTY PHASE DAY 1 PM</i>	98C1531540296.tif pages
06/14/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS JURY TRIAL PENALTY PHASE DAY 1 VOLUME 1</i>	98C1531540610.tif pages
06/15/2000	<b>Penalty Hearing (8:00 AM)</b> <i>PENALTY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Sobel, Jeffrey</i>	
06/16/2000	<b>Penalty Hearing (8:00 AM)</b> <i>PENALTY HEARING Court Clerk: ALONA CANDITO Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Jeffrey Sobel</i>	
06/16/2000	Hearing <i>STATUS CHECK: THREE JUDGE PANEL</i>	98C1531540275.tif pages
06/16/2000	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C1531540277.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

06/19/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT 06/14/00 VOLUME III</i>	<i>98C1531540297.tif pages</i>
06/20/2000	<b>Status Check (9:00 AM)</b> Events: 06/16/2000 Hearing <i>STATUS CHECK: THREE JUDGE PANEL Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
06/20/2000	Hearing <i>THREE JUDGE PANEL / PENALTY HEARING</i>	<i>98C1531540278.tif pages</i>
06/20/2000	 Request Filed by: Defendant Johnson, Donte <i>EX PARTE MOTION TO WITHDRAWAL AS ATTORNEY OF RECORD FOR MATERIAL WITNESS CHARLA SEVERS WITNESS CHARLA SEVERS</i>	<i>98C1531540279.tif pages</i>
06/20/2000	 Ex Parte Order Filed By: Defendant Johnson, Donte <i>EX PARTE ORDER ALLOWING WITHDRAWAL OF ATTORNEY OF RECORD FOR MATERIAL WITNESS CHARLA SEVERS WITNESS CHARLA SEVERS</i>	<i>98C1531540280.tif pages</i>
06/20/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT 06/16/00 VOLUME IV</i>	<i>98C1531540298.tif pages</i>
06/21/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK: THREE JUDGE PANEL</i>	<i>98C1531540281.tif pages</i>
06/21/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS DEFENDANTS MOTION FOR A NEW TRIAL.</i>	<i>98C1531540611.tif pages</i>
06/22/2000	 Order Filed By: Defendant Johnson, Donte <i>ORDER</i>	<i>98C1531540282.tif pages</i>
06/22/2000	 Verification Filed by: Defendant Johnson, Donte <i>PAGE VERIFICATION SHEET</i>	<i>98C1531540283.tif pages</i>
06/23/2000	 Motion <i>DEFT'S MOTION FOR NEW TRIAL</i>	<i>98C1531540284.tif pages</i>
06/23/2000	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	<i>98C1531540285.tif pages</i>
06/28/2000	 Ex Parte Filed By: Defendant Johnson, Donte <i>EX PARTE MOTION TO ALLOW FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY ON COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS</i>	<i>98C1531540287.tif pages</i>
06/28/2000	 Ex Parte Order Filed By: Defendant Johnson, Donte	<i>98C1531540288.tif pages</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**










*EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY ON COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS COURT APPOINTED CASE FOR MATERIAL WITNESS CHARLA SEVERS*

06/30/2000	 <b>Response</b> <i>STATES RESPONSE TO MOTION FOR NEW TRIAL</i>	98C1531540289.tif pages
07/06/2000	<b>Motion (9:00 AM)</b> Events: 06/23/2000 Motion <i>DEFT'S MOTION FOR NEW TRIAL Court Clerk: CAROLE D'ALOIA/CD Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Sobel, Jeffrey</i>	
07/10/2000	<b>Motion</b> <i>DEFT'S MTN FOR IMPOSITION (VJ 7/13/00) WITHOUT THE POSSIBILITY OF PAROLE</i>	98C1531540299.tif pages
07/10/2000	 <b>Request</b> Filed by: Defendant Johnson, Donte <i>MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE FOR IN THE ALTERNATIVE MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL PROCEDURE OR IN THE ALTERNATIVE MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL PROCEDURE</i>	98C1531540300.tif pages
07/10/2000	 <b>Reply</b> Filed by: Defendant Johnson, Donte <i>REPLY TO RESPONSE TO MOTION FOR NEW TRIAL</i>	98C1531540301.tif pages
07/10/2000	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540302.tif pages
07/12/2000	 <b>Memorandum</b> <i>MEMORANDUM REGARDING THE THREE JUDGE PANEL</i>	98C1531540304.tif pages
07/13/2000	<b>Motion (8:30 AM)</b> <i>DEFT'S MOTION FOR NEW TRIAL Court Clerk: CONNIE KALSKI/CK Relief Clerk: CAROLE D'ALOIA Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
07/13/2000	<b>Motion</b> <i>DECISION: DEFT'S MTN FOR IMPOSITION OF MOTION</i>	98C1531540303.tif pages
07/14/2000	 <b>Motion</b> <i>STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILT PHASE</i>	98C1531540305.tif pages
07/14/2000	 <b>Request</b> <i>NOTICE OF MOTION AND STATES MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILT PHASE OF THE DONTÉ JOHNSON TRIAL ESTABLISHED DURING THE GUILT PHASE OF THE DONTÉ JOHNSON TRIAL</i>	98C1531540307.tif pages
07/17/2000	 <b>Opposition</b> <i>STATES OPPOSITION FOR IMPOSITION OF LIFE WITHOUT AND OPPOSITION TO EMPANEL JURY AND OR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THE THREE JUDGE PANEL PROCEDURE JURY AND OR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THE THREE</i>	98C1531540306.tif pages



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*JUDGE PANEL PROCEDURE*








07/18/2000	 Memorandum Filed By: Defendant Johnson, Donte <i>MEMORANDUM IN SUPPORT OF GRANTING STAY</i>	98C1531540309.tif pages
07/18/2000	 Reply Filed by: Defendant Johnson, Donte <i>REPLY TO STATES OPPOSITION REGARDING THREE-JUDGE PANEL</i>	98C1531540310.tif pages
07/19/2000	 Memorandum <i>MEMORANDUM REGARDING A STAY OF THE PENALTY PROCEEDINGS</i>	98C1531540308.tif pages
07/20/2000	<b>Motion (9:00 AM)</b> Events: 07/13/2000 Motion <i>DECISION: DEFT'S MTN FOR IMPOSITION OF MOTION Heard By: Jeffrey Sobel</i>	
07/20/2000	<b>Motion in Limine (9:00 AM)</b> Events: 07/14/2000 Motion <i>STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILT PHASE Heard By: Jeffrey Sobel</i>	
07/20/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 7/20/00 Court Clerk: ALONA CANDITO Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
07/20/2000	 Order Filed By: Defendant Johnson, Donte <i>ORDER</i>	98C1531540312.tif pages
07/20/2000	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540313.tif pages
07/20/2000	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540314.tif pages
07/20/2000	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR CONTACT VISIT</i>	98C1531540315.tif pages
07/21/2000	<b>Motion</b> <i>ALL PENDING MOTIONS 7/20/00</i>	98C1531540311.tif pages
07/21/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFENDANT'S MOTION FOR A NEW TRIAL</i>	98C1531540316.tif pages
07/21/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DECISION</i>	98C1531540317.tif pages
07/24/2000	<b>Hearing (8:00 AM)</b> Events: 06/20/2000 Hearing <i>THREE JUDGE PANEL / PENALTY HEARING Court Clerk: CAROLE D'ALOIA Reporter/Recorder: CARRIE HANSEN Heard By: Sobel, Jeffrey</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

07/24/2000	CANCELED Motion (9:30 AM) Events: 07/10/2000 Motion <i>Vacated</i>	
07/25/2000	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JULY 24, 2000 THREE JUDGE PANEL- PENALTY PHASE- DAY 1;</i>	98C1531540318.tif pages
07/26/2000	<b>Hearing</b> (8:00 AM) <i>THREE JUDGE PANEL / PENALTY HEARING Court Clerk: CAROLE D'ALOIA Reporter/Recorder: CARRIE HANSEN Heard By: Jeffrey Sobel</i>	
07/26/2000	Conversion Case Event Type <i>SENTENCING VR 9/26</i>	98C1531540320.tif pages
07/26/2000	 Verdict <i>VERDICT (COUNT XI)</i>	98C1531540322.tif pages
07/26/2000	 Verdict <i>VERDICT (COUNT XII)</i>	98C1531540323.tif pages
07/26/2000	 Verdict <i>VERDICT (COUNT XIII)</i>	98C1531540324.tif pages
07/26/2000	 Verdict <i>VERDICT (COUNT XIV)</i>	98C1531540325.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XI)</i>	98C1531540326.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XII)</i>	98C1531540327.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XIII)</i>	98C1531540328.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XIV)</i>	98C1531540329.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XI)</i>	98C1531540330.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XII)</i>	98C1531540331.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XIII)</i>	98C1531540332.tif pages
07/26/2000	 Verdict <i>SPECIAL VERDICT (COUNT XIV)</i>	98C1531540333.tif pages
07/28/2000	 Reporters Transcript	98C1531540334.tif pages


DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

REPORTER'S TRANSCRIPT OF JULY 26, 2000 THREE JUDGE PANEL - PENALTY  
PHASE- DAY 2

08/24/2000	 <b>Ex Parte Order</b> Filed by: Defendant Johnson, Donte <i>AMENDED EX PARTE ORDER ALLOWING WITHDRAWAL OF ATTORNEY OF RECORD FOR MATERIAL WITNESS CHARLA SEVERS MATERIAL WITNESS CHARLA SEVERS</i>	98C1531540335.tif pages
09/05/2000	 <b>Conversion Case Event Type</b> <i>DEFT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE VJ 10/03/00</i>	98C1531540336.tif pages
09/05/2000	 <b>Request</b> Filed by: Defendant Johnson, Donte <i>MOTION TO SET ASIDE DEATH SENTENCE OR IN THE ALTERNATIVE MOTION TO SETTLE RECORD RECORD</i>	98C1531540337.tif pages
09/06/2000	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540338.tif pages
09/07/2000	<b>Sentencing (9:00 AM)</b> Events: 07/26/2000 Conversion Case Event Type <i>SENTENCING VR 9/26</i>	
09/07/2000	<b>Motion to Set Aside (9:00 AM)</b> Events: 09/05/2000 Conversion Case Event Type <i>DEFT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE VJ 10/03/00</i>	
09/07/2000	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 9/7/00 Court Clerk: CAROLE D'ALOIA/CD Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel</i>	
09/07/2000	<b>Motion</b> <i>ALL PENDING MOTIONS 9/7/00</i>	98C1531540339.tif pages
09/15/2000	 <b>Response</b> <i>STATES RESPONSE TO DEFENDANTS MOTION TO SET ASIDE DEATH SENTENCE OR IN THE THE ALTERNATIVE MOTION TO SETTLE RECORD THE ALTERNATIVE MOTION TO SETTLE RECORD</i>	98C1531540341.tif pages
09/26/2000	<b>Conversion Case Event Type</b> <i>SENTENCING</i>	98C1531540342.tif pages
09/29/2000	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	98C1531540343.tif pages
10/02/2000	 <b>Reply</b> Filed by: Defendant Johnson, Donte <i>REPLY TO STATES RESPONSE TO MOTION TO SET ASIDE DEATH SENTENCE OR IN THE ALTERNATIVE MOTION TO SETTLE RECORD ALTERNATIVE MOTION TO SETTLE RECORD</i>	98C1531540344.tif pages
10/03/2000	<b>Sentencing (9:00 AM)</b> Events: 09/26/2000 Conversion Case Event Type <i>SENTENCING Court Clerk: CAROLE D'ALOIA Relief Clerk: GEORGETTE BYRD/GB</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*Reporter/Recorder: SHIRLEE PRAWALSKY Heard By: Jeffrey Sobel*

10/03/2000	 Judgment <i>JUDGMENT OF CONVICTION</i>	98C1531540345.tif pages
10/03/2000	 Warrant <i>WARRANT OF EXECUTION</i>	98C1531540346.tif pages
10/03/2000	 Order <i>ORDER OF EXECUTION</i>	98C1531540347.tif pages
10/03/2000	 Conversion Case Event Type <i>NOTICE TO TRANSPORT FOR EXECUTION</i>	98C1531540348.tif pages
10/03/2000	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>	98C1531540351.tif pages
10/03/2000	Judgment <i>JUDGMENT OF RESTITUTION (XI)</i>	98C1531540352.tif pages
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. BURGLARY, WITH A DEADLY WEAPON Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. CONSPIRE TO AID AND ABET A ROBBERY Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. CONSPIRACY TO COMMIT KIDNAPPING IN FIRST DEGREE Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. CONSPIRACY TO COMMIT MURDER. Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. ROBBERY WITH A DEADLY WEAPON Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. ROBBERY WITH A DEADLY WEAPON Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. ROBBERY WITH A DEADLY WEAPON Guilty	
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. ROBBERY WITH A DEADLY WEAPON Guilty
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 7. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Guilty
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 8. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Guilty
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 9. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Guilty
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON Guilty
10/03/2000	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/03/2000	<b>Sentence</b> (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: ADMINISTRATION FEE Amount: \$25.00
10/03/2000	<b>Sentence</b> (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: Consecutive w/Charge Item: 0001 and Sentence#: 0001
10/03/2000	<b>Sentence</b> (Judicial Officer: User, Conversion) 3. ROBBERY 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: 0002 and Sentence#: 0001

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

Converted Disposition:  
Sentence# 0002:  
Minimum 40 Months to Maximum 180 Months  
Placement: NSP  
Cons/Conc: Consecutive  
w/Charge Item: 0005  
and Sentence#: 0001

10/03/2000

**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: Consecutive  
w/Charge Item: 0005  
and Sentence#: 0001

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

10/03/2000

**Sentence** (Judicial Officer: User, Conversion)  
5. ROBBERY 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: 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

10/03/2000

**Sentence** (Judicial Officer: User, Conversion)  
6. ROBBERY 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: 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

10/03/2000

**Sentence** (Judicial Officer: User, Conversion)  
7. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON  
Adult Adjudication

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

Converted Disposition:  
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0008  
and Sentence#: 0001  
Converted Disposition:  
Sentence# 0002: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0009  
and Sentence#: 0001

10/03/2000 **Sentence** (Judicial Officer: User, Conversion)  
8. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON  
Adult Adjudication  
Converted Disposition:  
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0009  
and Sentence#: 0001  
Converted Disposition:  
Sentence# 0002: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0010  
and Sentence#: 0001

10/03/2000 **Sentence** (Judicial Officer: User, Conversion)  
9. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON  
Adult Adjudication  
Converted Disposition:  
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0010  
and Sentence#: 0001  
Converted Disposition:  
Sentence# 0002: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0011  
and Sentence#: 0001

10/03/2000 **Sentence** (Judicial Officer: User, Conversion)  
10. KIDNAPPING IN FIRST DEGREE WITH A DEADLY WEAPON  
Adult Adjudication  
Converted Disposition:  
Sentence# 0001: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0011  
and Sentence#: 0001  
Converted Disposition:  
Sentence# 0002: LIFE WITHOUT POSSIBILITY OF PAROLE  
Cons/Conc: Consecutive  
w/Charge Item: 0012  
and Sentence#: 0001

10/05/2000  Ex Parte  
*EX PARTE MOTION FOR RELEASE OF EVIDENCE*

*98C1531540349.tif pages*







10/05/2000  Order  
*ORDER FOR RELEASE OF EVIDENCE*

*98C1531540350.tif pages*

10/09/2000  Judgment  
*JUDGMENT OF CONVICTION*










*98C1531540353.tif pages*

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

10/10/2000	<b>Sentencing (9:00 AM)</b> <i>SENTENCING VR 9/26</i>	
10/12/2000	<b>Sentencing (9:00 AM)</b> <i>SENTENCING VR 9/26</i>	
10/12/2000	<b>Motion to Set Aside (9:00 AM)</b> <i>DEPT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE VJ 10/03/00</i>	
10/13/2000	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF SENTENCING</i>	<i>98C1531540354.tif pages</i>
10/18/2000	 <b>Receipt</b> <i>RECEIPT OF EXHIBITS</i>	<i>98C1531540355.tif pages</i>
10/26/2000	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>ORDER FOR STAY OF EXECUTION</i>	<i>98C1531540356.tif pages</i>
11/08/2000	 <b>Notice of Appeal</b> Filed By: Defendant Johnson, Donte <i>NOTICE OF APPEAL</i>	<i>98C1531540357.tif pages</i>
11/08/2000	 <b>Statement</b> Filed by: Defendant Johnson, Donte <i>CASE APPEAL STATEMENT</i>	<i>98C1531540358.tif pages</i>
01/17/2003	<b>Judgment</b> Filed By: Defendant Johnson, Donte <i>CLERK'S CERT (AFFIRMED/VACATED/REMANDED)</i>	<i>98C1531540367.tif pages</i>
01/17/2003	 <b>NV Supreme Court Clerks Certificate/Judgment - Affirmed</b> <i>NEVADA SUPREME COURT CLERKS CERTIFICATE/ JUDGMENT - AFFIRMED IN PART/VACATED IN PART AND REMANDED PART AND REMANDED</i>	<i>98C1531540368.tif pages</i>
01/27/2003	<b>Hearing</b> <i>STATE'S REQUEST PER SUPREME COURT ORDER</i>	<i>98C1531540369.tif pages</i>
01/29/2003	 <b>Order</b> <i>ORDER FOR PRODUCTION OF INMATE</i>	<i>98C1531540370.tif pages</i>
02/19/2003	<b>Request (9:00 AM)</b> Events: 01/27/2003 Hearing <i>STATE'S REQUEST PER SUPREME COURT ORDER Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley-Bennett Heard By: Gates, Lee A</i>	
02/21/2003	<b>Request (9:00 AM)</b> <i>STATE'S REQUEST PER SUPREME COURT ORDER Relief Clerk: Alan Castle Reporter/Recorder: Sonia Riley-Bennett Heard By: Lee Gates</i>	
02/21/2003	<b>Hearing</b> <i>PENALTY HEARING</i>	<i>98C1531540372.tif pages</i>
04/21/2003	 <b>Order</b> <i>MEDIA REQUEST TO PERMIT CAMERA ACCESS TO PROCEEDINGS AND ORDER GRANTING</i>	<i>98C1531540373.tif pages</i>













DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**







06/17/2003	 <b>Order</b> <i>ORDER FOR TRANSCRIPT</i>	98C1531540374.tif pages
06/18/2003	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540375.tif pages
06/20/2003	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT STATES REQUEST PER SUPREME COURT ORDER ORDER OF REMAND</i>	98C1531540376.tif pages
07/03/2003	Hearing <i>STATUS CHECK:</i>	98C1531540377.tif pages
07/07/2003	<b>Status Check (9:00 AM)</b> Events: 07/03/2003 Hearing <i>STATUS CHECK: Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
07/07/2003	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540378.tif pages
08/08/2003	 <b>Motion</b> <i>DEFT'S MTN FOR AUTOMATIC IMPOSITION OF LIFE W/OUT POSSIBILITY OF PAROLE/100</i>	98C1531540379.tif pages
08/12/2003	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540380.tif pages
08/15/2003	 <b>Opposition</b> <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR THE AUTOMATIC IMPOSITION OF LIFE JUDICIAL DISCRETION WITHOUT THE POSSIBILITY OF PAROLE OR IN THE ALTERNATIVE FOR EXERCISE OF JUDICIAL DISCRETION WITHOUT THE POSSIBILITY OF PAROLE OR IN THE ALTERNATIVE FOR EXERCISE OF</i>	98C1531540381.tif pages
08/18/2003	<b>Motion (9:00 AM)</b> Events: 08/08/2003 Motion <i>DEFT'S MTN FOR AUTOMATIC IMPOSITION OF LIFE W/OUT POSSIBILITY OF PAROLE/100 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
08/25/2003	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540382.tif pages
08/25/2003	 <b>Reply</b> Filed by: Defendant Johnson, Donte <i>REPLY TO STATES OPPOSITION TO DEFENDANTS MOTION FOR AUTOMATIC IMPOSITION OF LIFE WITHOUT POSSIBILITY OF PAROLE IMPOSITION OF LIFE WITHOUT POSSIBILITY OF PAROLE</i>	98C1531540383.tif pages
09/03/2003	<b>Motion (9:00 AM)</b> <i>DEFT'S MTN FOR AUTOMATIC IMPOSITION OF LIFE W/OUT POSSIBILITY OF</i>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*PAROLE/100 Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates*

09/03/2003	 Request Filed by: Defendant Johnson, Donte <i>MOTION TO CONTINUE PENALTY HEARING</i>	98C1531540386.tif pages
09/17/2003	<b>CANCELED Calendar Call (9:00 AM)</b> <i>Vacated</i>	
09/19/2003	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFT'S MOTION FOR THE AUTOMATIC IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE OR IN THE ALTERNATIVE MOTION FOR EXERCISE OF JUDICIAL DISCRETION WITHOUT THE POSSIBILITY OF PAROLE OR IN THE ALTERNATIVE MOTION FOR EXERCISE OF JUDICIAL DISCRETION</i>	98C1531540387.tif pages
09/23/2003	<b>CANCELED Penalty Hearing (10:00 AM)</b> Events: 02/21/2003 Hearing <i>Vacated</i>	
03/18/2004	 Notice <i>AMENDED NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540389.tif pages
03/18/2004	 Notice of Intent to Seek Death Penalty <i>AMENDED NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	98C1531540390.tif pages
03/19/2004	 Motion <i>STATE'S MTN ADMIT FORMER TESTIMONY/103</i>	98C1531540388.tif pages
03/24/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540391.tif pages
03/26/2004	 Expert Witness List <i>NOTICE OF WITNESSES</i>	98C1531540392.tif pages
03/30/2004	Hearing <i>STATUS CHECK: TRIAL</i>	98C1531540393.tif pages
04/01/2004	 Motion <i>DEFT'S MTN TO CONTINUE PENALTY HEARING/105</i>	98C1531540394.tif pages
04/02/2004	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540395.tif pages
04/05/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540396.tif pages
04/06/2004	<b>Motion (9:00 AM)</b> Events: 03/19/2004 Motion <i>STATE'S MTN ADMIT FORMER TESTIMONY/103 Heard By: Lee Gates</i>	
04/07/2004		98C1531540397.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**












	 Notice <i>SECOND AMENDED NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	
04/08/2004	 Request <i>NOTICE OF MOTION AND MOTION TO AMEND JUDGMENT OF CONVICTION</i>	98C1531540398.tif pages
04/08/2004	 Request <i>NOTICE OF MOTION AND MOTION FOR PROCEDURAL DIRECTION FROM THE COURT</i>	98C1531540399.tif pages
04/12/2004	<b>Motion (9:00 AM)</b> <i>STATE'S MTN ADMIT FORMER TESTIMONY/103 Heard By: Lee Gates</i>	
04/12/2004	<b>Status Check (9:00 AM)</b> Events: 03/30/2004 Hearing <i>STATUS CHECK: TRIAL Heard By: Lee Gates</i>	
04/12/2004	<b>Motion to Continue (9:00 AM)</b> Events: 04/01/2004 Motion <i>DEFT'S MTN TO CONTINUE PENALTY HEARING/105 Heard By: Lee Gates</i>	
04/12/2004	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 4-12-04 Court Clerk: Sharon Coffman Reporter/Recorder: Stacy Briggs Heard By: Lee Gates</i>	
04/12/2004	Conversion Case Event Type <i>ARGUMENT: TO ADMIT EVIDENCE OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540402.tif pages
04/12/2004	Motion <i>ALL PENDING MOTIONS 4-12-04</i>	98C1531540403.tif pages
04/19/2004	<b>CANCELED Calendar Call (9:00 AM)</b> <i>Vacated</i>	
04/20/2004	Judgment <i>AMENDED JUDGMENT</i>	98C1531540404.tif pages
04/20/2004	 Opposition Filed By: Defendant Johnson, Donte <i>DEFENDANTS OPPOSITION TO THE STATES SECOND AMENDED NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540405.tif pages
04/20/2004	 Amended Judgment of Conviction <i>AMENDED JUDGMENT OF CONVICTION</i>	98C1531540406.tif pages
04/21/2004	<b>Hearing (9:00 AM)</b> Events: 04/12/2004 Conversion Case Event Type <i>ARGUMENT: TO ADMIT EVIDENCE OF AGGRAVATING CIRCUMSTANCES Court Clerk: Sharon Coffman Reporter/Recorder: Shawna Craig Heard By: Gates, Lee A</i>	
04/26/2004	 Reply <i>STATES REPLY TO DEFENDANTS OPPOSITION TO THE STATES NOTICE OF EVIDENCE IN SUPPORT OF AGGRAVATING CIRCUMSTANCES SUPPORT OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540411.tif pages
04/27/2004	<b>CANCELED Jury Trial (10:00 AM)</b>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**







*Vacated*

04/27/2004	 Motion <i>DEFT'S MTN ALLOW THE DEFENSE TO ARGUE LAST/110 (SEE MINUTES FROM 5/3/04)</i>	98C1531540407.tif pages
04/27/2004	 Motion <i>DEFT'S MTN TO BIFURCATE /111 (SEE MINUTES FROM 5/3/04)</i>	98C1531540408.tif pages
04/27/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540413.tif pages
04/27/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540414.tif pages
04/27/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540415.tif pages
04/27/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540416.tif pages
04/28/2004	<b>Hearing</b> (1:00 PM) <i>ARGUMENT: TO ADMIT EVIDENCE OF AGGRAVATING CIRCUMSTANCES Court Clerk: Sharon Coffman Reporter/Recorder: Cheryl Gardner Heard By: Gates, Lee A</i>	
04/28/2004	 Motion <i>DEFT'S MTN FOR JURY QUESTIONNAIRE/112 (SEE MINUTES FROM 5/3/04)</i>	98C1531540409.tif pages
04/28/2004	 Motion <i>DEFT'S MTN IN LIMINE RE: REFERRING TO VICTIMS/113 (SEE MINUTES FROM 5/3/04)</i>	98C1531540410.tif pages
04/28/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540417.tif pages
04/28/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540421.tif pages
04/29/2004	 Motion <i>DEFT'S AMENDED MTN FOR JURY QUESTION/114 (SEE MINUTES FROM 5/3/04)</i>	98C1531540412.tif pages
04/29/2004	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO BIFURCATE PENALTY PHASE</i>	98C1531540422.tif pages
04/29/2004	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540423.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**











04/29/2004	 Opposition <i>OPPOSITION TO DEFENDANTS MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE PENALTY PHASE</i>	98C1531540424.tif pages
04/29/2004	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	98C1531540425.tif pages
04/30/2004	 Order Filed By: Defendant Johnson, Donte <i>STIPULATION AND ORDER FOR RELEASE OF EXHIBITS</i>	98C1531540426.tif pages
05/03/2004	<b>Hearing</b> (1:00 PM) <i>ARGUMENT: TO ADMIT EVIDENCE OF AGGRAVATING CIRCUMSTANCES Relief Clerk: April Watkins Reporter/Recorder: Jane Michaels Heard By: Lee Gates</i>	
05/03/2004	Hearing <i>EVIDENTIARY HEARING</i>	98C1531540418.tif pages
05/03/2004	Hearing <i>PENALTY HEARING SETTING</i>	98C1531540419.tif pages
05/03/2004	Hearing <i>DECISION: UNDER ADVISEMENT MOTIONS</i>	98C1531540420.tif pages
05/03/2004	 Receipt <i>RECEIPT</i>	98C1531540427.tif pages
05/03/2004	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR PRODUCTION OF RECORDS</i>	98C1531540428.tif pages
05/04/2004	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540429.tif pages
05/04/2004	 Response <i>STATES RESPONSE TO DEFENDANT MOTION IN LIMINE REGARDING REFERRING TO VICTIMS A BOYS A BOYS</i>	98C1531540430.tif pages
05/04/2004	 Response <i>STATES RESPONSE TO DEFENDANTS AMENDED MOTION FOR JURY QUESTIONNAIRE</i>	98C1531540431.tif pages
05/04/2004	 Expert Witness List Filed By: Defendant Johnson, Donte <i>NOTICE OF WITNESSES</i>	98C1531540432.tif pages
05/05/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540434.tif pages
05/05/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540435.tif pages
05/05/2004	 Conversion Case Event Type	98C1531540436.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**













	Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	
05/05/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540437.tif pages
05/05/2004	 Expert Witness List Filed By: Defendant Johnson, Donte <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540438.tif pages
05/05/2004	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540439.tif pages
05/05/2004	 Reporters Transcript <i>REPORTER'S TRANSCRIPT ARGUMENT TO ADMIT EVIDENCE OF AGGRAVATING CIRCUMSTANCES</i>	98C1531540440.tif pages
05/07/2004	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF ARGUMENTS</i>	98C1531540441.tif pages
05/10/2004	<del>CANCELED</del> <b>Calendar Call</b> (9:00 AM) <i>Vacated</i>	
05/10/2004	<del>CANCELED</del> <b>Motion</b> (9:00 AM) Events: 04/27/2004 Motion <i>Vacated</i>	
05/10/2004	<del>CANCELED</del> <b>Motion to Bifurcate</b> (9:00 AM) Events: 04/27/2004 Motion <i>Vacated</i>	
05/10/2004	<del>CANCELED</del> <b>Motion</b> (9:00 AM) Events: 04/28/2004 Motion <i>Vacated</i>	
05/10/2004	<del>CANCELED</del> <b>Motion in Limine</b> (9:00 AM) Events: 04/28/2004 Motion <i>Vacated</i>	
05/10/2004	<del>CANCELED</del> <b>Motion</b> (9:00 AM) Events: 04/29/2004 Motion <i>Vacated</i>	
05/12/2004	 Order <i>ORDER FOR TRANSCRIPT</i>	98C1531540442.tif pages
05/17/2004	<b>Evidentiary Hearing</b> (1:30 PM) Events: 05/03/2004 Hearing <i>EVIDENTIARY HEARING Heard By: Lee Gates</i>	
05/17/2004	<b>Conversion Hearing Type</b> (1:30 PM) Events: 05/03/2004 Hearing <i>PENALTY HEARING SETTING</i>	
05/17/2004	<b>Decision</b> (1:30 PM) Events: 05/03/2004 Hearing	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*DECISION: UNDER ADVISEMENT MOTIONS*










05/17/2004	<b>All Pending Motions</b> (1:30 PM) <i>ALL PENDING MOTIONS Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
05/17/2004	 <b>Expert Witness List</b> Filed By: Defendant Johnson, Donte <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540446.tif pages
05/18/2004	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
05/18/2004	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF EVIDENTIARY HEARING</i>	98C1531540449.tif pages
05/19/2004	<b>Hearing</b> <i>HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS</i>	98C1531540445.tif pages
05/19/2004	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	98C1531540450.tif pages
05/20/2004	<b>Motion</b> <i>ALL PENDING MOTIONS</i>	98C1531540447.tif pages
05/20/2004	 <b>Order</b> <i>ORDER FOR TRANSCRIPT OF PROCEEDINGS</i>	98C1531540451.tif pages
06/09/2004	 <b>Order</b> <i>ORDER</i>	98C1531540452.tif pages
07/08/2004	 <b>Reporters Transcript</b> <i>REPORTER'S EXCERPTED TRANSCRIPT TESTIMONY OF TERMAINE ANTHONY LYTLE</i>	98C1531540453.tif pages
08/05/2004	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540454.tif pages
08/09/2004	<b>Hearing</b> (1:00 PM) Events: 05/19/2004 Hearing <i>HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
10/11/2004	<b>CANCELED Calendar Call</b> (9:00 AM) <i>Vacated</i>	
10/11/2004	 <b>Order</b> <i>ORDER FOR TRANSCRIPT OF PROCEEDINGS</i>	98C1531540457.tif pages
10/11/2004	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT DEFTS MOTION FOR AUTOMATIC IMPOSITION OF LIFE WITHOUT POSSIBILITY OF PAROLE POSSIBILITY OF PAROLE</i>	98C1531540458.tif pages
10/11/2004	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT STATUS CHECK</i>	98C1531540459.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**












10/19/2004	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
02/10/2005	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>ORDER OF APPOINTMENT</i>	98C1531540460.tif pages
02/15/2005	<b>Hearing</b> (1:00 PM) <i>HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS Heard By: Lee Gates</i>	
03/08/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540462.tif pages
03/18/2005	 <b>Motion</b> <i>DEFT'S MTN TO STRIKE AGGRAVATOR FOUR OF NTC OF INTENT TO SEEK DEATH PENALTY /124</i>	98C1531540463.tif pages
03/18/2005	 <b>Motion</b> <i>DEFT'S MTN TO DISMISS RULE 250, NTC OF INTENT TO SEEK DEATH PENALTY /125</i>	98C1531540464.tif pages
03/18/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540465.tif pages
03/18/2005	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540466.tif pages
03/18/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540467.tif pages
03/18/2005	 <b>Receipt of Copy</b> Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540468.tif pages
03/21/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540469.tif pages
03/21/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540470.tif pages
03/21/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540471.tif pages
03/22/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF STATUS CHECK</i>	98C1531540472.tif pages













DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

03/22/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF HEARING MOTION TO EXCLUDE PRIOR BAD ACTS</i>	98C1531540473.tif pages
03/23/2005	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR TRANSCRIPTS</i>	98C1531540474.tif pages
03/24/2005	 Expert Witness List Filed By: Defendant Johnson, Donte <i>NOTICE OF DEFENDANTS EXPERT WITNESSES</i>	98C1531540475.tif pages
03/31/2005	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	98C1531540476.tif pages
03/31/2005	 Conversion Case Event Type <i>ORDER TO TRANSPORT</i>	98C1531540477.tif pages
03/31/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO DISMISS RULE 250 NOTICE OF INTENT TO SEEK THE DEATH PENALTY TO SEEK THE DEATH PENALTY</i>	98C1531540478.tif pages
04/04/2005	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
04/04/2005	<b>Hearing (9:30 AM)</b> <i>HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS Relief Clerk: Tina Hurd Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
04/04/2005	<b>Motion to Strike (1:00 PM)</b> Events: 03/18/2005 Motion <i>DEFT'S MTN TO STRIKE AGGRAVATOR FOUR OF NTC OF INTENT TO SEEK DEATH PENALTY /124</i>	
04/04/2005	<b>Motion to Dismiss (1:00 PM)</b> Events: 03/18/2005 Motion <i>DEFT'S MTN TO DISMISS RULE 250, NTC OF INTENT TO SEEK DEATH PENALTY /125</i>	
04/04/2005	 Request <i>STATES MOTION TO DISQUALIFY THE HONORABLE LEE GATES</i>	98C1531540481.tif pages
04/05/2005	 Affidavit Filed By: Defendant Johnson, Donte <i>AFFIDAVIT</i>	98C1531540482.tif pages
04/06/2005	Motion <i>ALL PENDING MOTIONS</i>	98C1531540479.tif pages
04/06/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFTS MOTION TO STRIKE AGGRAVATOR FOR NOTICE OF INTENT TO SEEK DEATH PENALTY DEFTS MOTION TO DISMISS RULE 250 NOTICE OF INTENT TO SEEK DEATH PENALTY HEARING MOTION TO EXCLUDE PRIOR BAD ACTS TO SEEK DEATH PENALTY DEFTS MOTION TO DISMISS RULE 250 NOTICE OF INTENT TO SEEK DEATH PENALTY HEARING MOTION TO EXCLUDE PRIOR BAD ACTS</i>	98C1531540483.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**











04/07/2005	<b>Minute Order (9:00 AM)</b> <i>MINUTE ORD RE: STATE'S MTN TO DISQUALIFY DEFT'S MTN TO STRIKE/DEFT'S MTN TO DISM</i> <i>Relief Clerk: April Watkins Heard By: Lee Gates</i>	
04/07/2005	<b>Hearing</b> <i>MINUTE ORD RE: STATE'S MTN TO DISQUALIFY DEFT'S MTN TO STRIKE/DEFT'S MTN TO DISM</i>	98C1531540480.tif pages
04/07/2005	 <b>Order</b> <i>ORDER FOR TRANSCRIPTS</i>	98C1531540484.tif pages
04/08/2005	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>ORDER STRIKING AFFIDAVIT AND DENYING STATES MOTION TO DISQUALIFY THE HONORABLE LEE GATES HONORABLE LEE GATES</i>	98C1531540485.tif pages
04/11/2005	 <b>Affidavit</b> Filed By: Defendant Johnson, Donte <i>AMENDED AFFIDAVIT</i>	98C1531540486.tif pages
04/11/2005	 <b>Reporters Transcript</b> <i>REPORTER'S AMENDED TRANSCRIPT DEFTS MOTI ON TO STRIKE AGGRAVATOR FOR NOTICE OF INTENT TO SEEK DEATH PENALTY DEFTS MOTION TO DISMISS RULE 250 NOTICE OF INTENT TO SEEK DEATH PENALTY HEARING MOTION TO EXCLUDE PRIOR BAD ACTS INTENT TO SEEK DEATH PENALTY DEFTS MOTION TO DISMISS RULE 250 NOTICE OF INTENT TO SEEK DEATH PENALTY HEARING MOTION TO EXCLUDE PRIOR BAD ACTS</i>	98C1531540487.tif pages
04/12/2005	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
04/12/2005	 <b>Expert Witness List</b> <i>NOTICE OF WITNESSES</i>	98C1531540488.tif pages
04/12/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT CALENDAR CALL</i>	98C1531540489.tif pages
04/12/2005	 <b>Order</b> Filed By: Defendant Johnson, Donte <i>NUNC PRO TUNC ORDER</i>	98C1531540496.tif pages
04/12/2005	 <b>Request</b> Filed by: Defendant Johnson, Donte <i>MOTION TO RECONSIDER REQUEST TO BIFURCATE PENALTY PHASE</i>	98C1531540500.tif pages
04/13/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540492.tif pages
04/13/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540493.tif pages
04/13/2005	 <b>Conversion Case Event Type</b> Party: Defendant Johnson, Donte	98C1531540494.tif pages

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<i>ORDER TO TRANSPORT</i>	
04/13/2005	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540495.tif pages
04/13/2005	 Expert Witness List Filed By: Defendant Johnson, Donte <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540497.tif pages
04/13/2005	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540498.tif pages
04/13/2005	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>ORDER TO TRANSPORT</i>	98C1531540499.tif pages
04/14/2005	 Order <i>ORDER FOR TRANSCRIPTS</i>	98C1531540502.tif pages
04/15/2005	<b>Hearing (9:30 AM)</b> <i>HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS Relief Clerk: Tina Hurd Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
04/15/2005	<b>Motion to Strike (9:30 AM)</b> <i>DEFT'S MTN TO STRIKE AGGRAVATOR FOUR OF NTC OF INTENT TO SEEK DEATH PENALTY /124</i>	
04/15/2005	<b>Motion to Dismiss (9:30 AM)</b> <i>DEFT'S MTN TO DISMISS RULE 250, NTC OF INTENT TO SEEK DEATH PENALTY /125</i>	
04/15/2005	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION TO RECONSIDER REQUEST TO BIFURCATE PANALTY PHASE PANALTY PHASE</i>	98C1531540503.tif pages
04/15/2005	 Expert Witness List Filed By: Defendant Johnson, Donte <i>SECOND SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540504.tif pages
04/15/2005	 Notice of Intent to Seek Death Penalty <i>AMENDED SUPPLEMENTAL NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	98C1531540505.tif pages
04/18/2005	<b>Decision (9:00 AM)</b> <i>DECISION: MOTION TO BIFURCATE PENALTY PHASE...MOTION TO SUPPRESS EVIDENCE RE Court Clerk: Sharon Coffman Heard By: Lee Gates</i>	
04/18/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT HEARING MOTION TO EXCLUDE PRIOR BAD ACTS</i>	98C1531540506.tif pages
04/18/2005	 Order <i>ORDER FOR TRANSCRIPT OF PROCEEDINGS</i>	98C1531540507.tif pages
04/19/2005	<b>Jury Trial (10:00 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Lisa Makowski (A.M.)</i>	

**DEPARTMENT 6**  
**CASE SUMMARY**  
**CASE No. 98C153154**

*Sonia Riley (P.M.) Heard By: Gates, Lee A*

04/19/2005	<b>Hearing</b> <i>DECISION: MOTION TO BIFURCATE PENALTY PHASE...MOTION TO SUPPRESS EVIDENCE RE</i>	98C1531540490.tif pages
04/19/2005	 <b>Expert Witness List</b> <i>Filed By: Defendant Johnson, Donte</i> <i>THIRD SUPPLEMENTAL NOTICE OF WITNESSES</i>	98C1531540509.tif pages
04/20/2005	<b>Jury Trial (10:00 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Lisa Makowski A.M.</i> <i>Sonia Riley 3:00 P.M. Heard By: Gates, Lee A</i>	
04/20/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT TRANSCRIPT OF JURY TRIAL - VOL I A.M. APRIL 19, 2005</i>	98C1531540501.tif pages
04/20/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT COVER PAGE OF TRANSCRIPT OF HEARING MOTION TO EXCLUDE PRIOR BAD ACTS (ATTACHED TRANSCRIPT IS TRIAL BY JURY VOLUME I PM ON 04-19-05) EXCLUDE PRIOR BAD ACTS (ATTACHED TRANSCRIPT IS TRIAL BY JURY VOLUME I PM ON 04-19-05)</i>	98C1531540508.tif pages
04/21/2005	<b>Jury Trial (9:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Kristine Johnson A.M.</i> <i>Sonia Riley P.M. Heard By: Gates, Lee A</i>	
04/21/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT JURY TRIAL VOLUME I AM</i>	98C1531540510.tif pages
04/21/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540511.tif pages
04/21/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT TRIAL BY JURY VOLUME II PM</i>	98C1531540512.tif pages
04/21/2005	 <b>Reporters Transcript</b> <i>REPORTER'S AMENDED COVER PAGE OF TRANSCRIPT HEARING</i>	98C1531540513.tif pages
04/21/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540514.tif pages
04/22/2005	<b>Jury Trial (10:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley A.M./Kristine Moore P.M. Heard By: Gates, Lee A</i>	
04/22/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT TRIAL BY JURY VOLUME III PM</i>	98C1531540515.tif pages
04/22/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT PENALTY PHASE VOLUME III-A</i>	98C1531540516.tif pages
04/25/2005	<b>Jury Trial (10:00 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Kristine Moore A.M./Sonia Riley P.M. Heard By: Gates, Lee A</i>	


DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

04/25/2005	 <b>Jury List</b> <i>DISTRICT COURT JURY LIST</i>	98C1531540517.tif pages
04/25/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME IV - PM</i>	98C1531540518.tif pages
04/25/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540519.tif pages
04/25/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT VOLUME IV-B PENALTY PHASE</i>	98C1531540520.tif pages
04/26/2005	<b>Jury Trial (11:00 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Kristine Moore A.M./ Sonia Riley P.M. Heard By: Gates, Lee A</i>	
04/26/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME V PM</i>	98C1531540522.tif pages
04/26/2005	 <b>Reporters Transcript</b> <i>REPORTER'S AMENDED COVER PAGE TRANSCRIPT OF TRIAL BY JURY VOLUME IV-A.M.</i>	98C1531540523.tif pages
04/26/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT VOLUME V-A PENALTY PHASE</i>	98C1531540524.tif pages
04/26/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540525.tif pages
04/27/2005	<b>Jury Trial (10:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Kristine Moore A.M./Sonia Riley P.M. Heard By: Gates, Lee A</i>	
04/27/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540526.tif pages
04/27/2005	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME VI PM</i>	98C1531540527.tif pages
04/27/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540528.tif pages
04/27/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540529.tif pages
04/27/2005	 <b>Order</b> <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540530.tif pages
04/28/2005	<b>Jury Trial (9:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley A.M./Kristine Moore P.M. Heard By: Gates, Lee A</i>	
04/28/2005		98C1531540532.tif pages














DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME VII - PM</i>	
04/28/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF VOLUME VI-A PENALTY PHASE</i>	98C1531540533.tif pages
04/28/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT VOLUME VII-A PENALTY PHASE</i>	98C1531540535.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540549.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540551.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540556.tif pages
04/28/2005	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	98C1531540560.tif pages
04/28/2005	Judgment <i>VERDICT</i>	98C1531540563.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540582.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540583.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540584.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540585.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540587.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540589.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540591.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540593.tif pages
04/28/2005	 Verdict <i>SPECIAL VERDICT</i>	98C1531540594.tif pages
04/29/2005	<b>Jury Trial (9:00 AM)</b>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**



	<i>TRIAL BY JURY Court Clerk: April Watkins Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
04/29/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PENALTY PHASE VOLUME VIII-C</i>	<i>98C1531540537.tif pages</i>
04/29/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	<i>98C1531540538.tif pages</i>
04/29/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	<i>98C1531540539.tif pages</i>
05/02/2005	<b>Jury Trial (9:00 AM)</b> <i>TRIAL BY JURY Court Clerk: April Watkins Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
05/02/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME IX</i>	<i>98C1531540540.tif pages</i>
05/02/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	<i>98C1531540541.tif pages</i>
05/03/2005	<b>Jury Trial (1:30 PM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
05/03/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME X</i>	<i>98C1531540545.tif pages</i>
05/03/2005	 Conversion Case Event Type Party: Defendant Johnson, Donte <i>INCIDENT REPORT</i>	<i>98C1531540565.tif pages</i>
05/04/2005	<b>Jury Trial (8:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
05/04/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF TRIAL BY JURY VOLUME XI</i>	<i>98C1531540546.tif pages</i>
05/05/2005	<b>Jury Trial (8:30 AM)</b> <i>TRIAL BY JURY Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
05/05/2005	Conversion Case Event Type <i>SENTENCING</i>	<i>98C1531540531.tif pages</i>
05/05/2005	 Verdict <i>VERDICT</i>	<i>98C1531540550.tif pages</i>
05/05/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT TRIAL BY JURY VOLUME XII</i>	<i>98C1531540554.tif pages</i>
05/05/2005	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	<i>98C1531540557.tif pages</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

05/05/2005	 Verdict <i>VERDICT</i>	98C1531540581.tif pages
05/05/2005	 Verdict <i>VERDICT</i>	98C1531540586.tif pages
05/05/2005	 Verdict <i>VERDICT</i>	98C1531540588.tif pages
05/06/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT TRIAL BY JURY EXHIBITS VOLUME X</i>	98C1531540548.tif pages
05/06/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540552.tif pages
05/06/2005	 Reporters Transcript <i>REPORTER'S AMENDED TRANSCRIPT TRIAL BY JURY DELIBERATIONS VOLUME XII</i>	98C1531540555.tif pages
05/06/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT TRIAL BY JURY VOLUME XIII</i>	98C1531540558.tif pages
05/09/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540553.tif pages
05/09/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540559.tif pages
05/12/2005	<b>Sentencing (9:00 AM)</b> Events: 05/05/2005 Conversion Case Event Type <i>SENTENCING Relief Clerk: Elaine York/ey Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	
05/13/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT SENTENCING</i>	98C1531540561.tif pages
05/13/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540562.tif pages
06/06/2005	<b>Sentencing (9:00 AM)</b> <i>SENTENCING Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
06/06/2005	Hearing <i>EVIDENTIARY HEARING</i>	98C1531540566.tif pages
06/06/2005	 Order <i>ORDER OF EXECUTION</i>	98C1531540567.tif pages
06/06/2005	 Warrant <i>WARRANT OF EXECUTION</i>	98C1531540568.tif pages
06/06/2005		98C1531540569.tif pages













DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	 Judgment <i>JUDGMENT OF CONVICTION</i>	
06/06/2005	 Order Filed By: Defendant Johnson, Donte <i>ORDER TO STAY EXECUTION</i>	<i>98C1531540571.tif pages</i>
06/06/2005	Judgment <i>JUDGMENT</i>	<i>98C1531540580.tif pages</i>
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion) 11. MURDER WITH A DEADLY WEAPON Guilty	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion)	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion) 12. MURDER WITH A DEADLY WEAPON Guilty	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion)	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion) 13. MURDER WITH A DEADLY WEAPON Guilty	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion)	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion) 14. MURDER WITH A DEADLY WEAPON Guilty	
06/06/2005	<b>Disposition</b> (Judicial Officer: User, Conversion)	
06/06/2005	<b>Sentence</b> (Judicial Officer: User, Conversion) 11. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: DEATH PENALTY Converted Disposition: Sentence# 0002: RESTITUTION Amount: \$33605.95 Converted Disposition: Sentence# 0003: SENTENCE VACATED Converted Disposition: Sentence# 0004: DEATH PENALTY	
06/06/2005	<b>Sentence</b> (Judicial Officer: User, Conversion) 12. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: DEATH PENALTY Converted Disposition: Sentence# 0002: SENTENCE VACATED Converted Disposition: Sentence# 0003: DEATH PENALTY	
06/06/2005	<b>Sentence</b> (Judicial Officer: User, Conversion) 13. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition:	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**


Sentence# 0001: DEATH PENALTY  
Converted Disposition:  
Sentence# 0002: SENTENCE VACATED  
Converted Disposition:  
Sentence# 0003: DEATH PENALTY

06/06/2005	<b>Sentence</b> (Judicial Officer: User, Conversion) 14. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: DEATH PENALTY Converted Disposition: Sentence# 0002: SENTENCE VACATED Converted Disposition: Sentence# 0003: DEATH PENALTY	
06/07/2005	 Conversion Case Event Type <i>NOTICE TO TRANSPORT FOR EXECUTION</i>	98C1531540570.tif pages
06/08/2005	 Receipt of Copy Filed by: Defendant Johnson, Donte <i>RECEIPT OF COPY</i>	98C1531540572.tif pages
06/08/2005	 Filed Under Seal Filed By: Defendant Johnson, Donte <i>FILED UNDER SEAL ORDER</i>	98C1531540573.tif pages
06/08/2005	 Order Filed By: Defendant Johnson, Donte <i>ORDER TO FILE UNDER SEAL</i>	98C1531540574.tif pages
06/08/2005	 Order Filed By: Defendant Johnson, Donte <i>ORDER TO FILE UNDER SEAL</i>	98C1531540575.tif pages
06/08/2005	 Filed Under Seal Filed By: Defendant Johnson, Donte <i>FILED UNDER SEAL MOTION</i>	98C1531540576.tif pages
06/10/2005	 Order <i>ORDER FOR TRANSCRIPT OF PROCEEDINGS</i>	98C1531540577.tif pages
06/13/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT SENTENCING</i>	98C1531540578.tif pages
06/14/2005	<b>Evidentiary Hearing</b> (10:00 AM) Events: 06/06/2005 Hearing <i>EVIDENTIARY HEARING Court Clerk: Sharon Coffman Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
06/15/2005	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF EVIDENTIARY HEARING</i>	98C1531540579.tif pages
06/17/2005	 Order <i>ORDER TO PREPARE TRANSCRIPT</i>	98C1531540592.tif pages






DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

06/20/2005	<b>Minute Order (0:00 AM)</b> <i>MINUTE ORDER RE: NON-APPEARING JURORS Court Clerk: Sharon Coffman Heard By: Lee Gates</i>	
06/21/2005	Hearing <i>MINUTE ORDER RE: NON-APPEARING JURORS</i>	98C1531540595.tif pages
06/22/2005	 Supplement Filed by: Defendant Johnson, Donte <i>POST EVIDENTIARY HEARING SUPPLEMENTAL POINTS AND AUTHORITIES</i>	98C1531540596.tif pages
06/23/2005	 Order Filed By: Defendant Johnson, Donte <i>ORDER FOR EXCESS FEES</i>	98C1531540597.tif pages
06/23/2005	 Ex Parte Order Filed By: Defendant Johnson, Donte <i>EX PARTE ORDER GRANTING EX PARTE APPLICATION FOR FINAL COMPENSATION</i>	98C1531540598.tif pages
06/30/2005	 Statement Filed by: Defendant Johnson, Donte <i>CASE APPEAL STATEMENT</i>	98C1531540600.tif pages
06/30/2005	 Notice of Appeal Filed By: Defendant Johnson, Donte <i>NOTICE OF APPEAL</i>	98C1531540601.tif pages
07/01/2005	Notice of Appeal <i>APPEAL TO THE SUPREME COURT</i>	98C1531540603.tif pages
08/31/2005	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	98C1531540606.tif pages
01/29/2008	 Judgment <i>CLERK'S CERTIFICATE/AFFIRMED</i>	98C1531540614.tif pages
02/13/2008	 Petition Filed by: Defendant Johnson, Donte <i>PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION AND MOTION FOR APPOINTMENT OF COUNSEL OF COUNSEL</i>	98C1531540615.tif pages
02/15/2008	Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>	98C1531540617.tif pages
02/15/2008	 Order for Petition for Writ of Habeas Corpus <i>ORDER FOR PETITION FOR A WRIT OF HABEAS CORPUS</i>	98C1531540618.tif pages
04/29/2008	 Response <i>RESPONSE TO MOTION FOR APPOINTMENT OF COUNSEL AND PRO PER PETITION FOR WRIT OF HABEAS CORPUS OF HABEAS CORPUS</i>	98C1531540620.tif pages
04/30/2008	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> Events: 02/15/2008 Petition <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Katherine Strenber Reporter/Recorder: Sonia Riley Heard By: Gates, Lee A</i>	







DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

04/30/2008	Hearing <i>CONFIRMATION OF COUNSEL (C. ORAM)</i>	98C1531540619.tif pages
05/07/2008	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>PTN FOR WRIT OF HABEAS CORPUS</i>	
05/07/2008	<b>Motion for Confirmation of Counsel (9:00 AM)</b> Events: 04/30/2008 Hearing <i>CONFIRMATION OF COUNSEL (C. ORAM) Heard By: Lee Gates</i>	
05/07/2008	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (05/07/08) Court Clerk: Katherine Streuber Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
05/07/2008	Motion <i>ALL PENDING MOTIONS (05/07/08)</i>	98C1531540621.tif pages
05/07/2008	Hearing <i>STATUS CHECK: RECEIPT OF FILE</i>	98C1531540622.tif pages
06/04/2008	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>PTN FOR WRIT OF HABEAS CORPUS</i>	
06/04/2008	<b>Status Check (9:00 AM)</b> Events: 05/07/2008 Hearing <i>STATUS CHECK: RECEIPT OF FILE</i>	
06/04/2008	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (06/04/08) Court Clerk: Katherine Streuber Reporter/Recorder: Yvette Lester Heard By: Jennifer Togliatti</i>	
06/04/2008	Motion <i>ALL PENDING MOTIONS (06/04/08)</i>	98C1531540623.tif pages
06/04/2008	Hearing <i>STATUS CHECK: SETTING BRIEFING SCHEDULE</i>	98C1531540624.tif pages
07/10/2008	 Order Filed By: Defendant Johnson, Donte <i>ORDER OF APPOINTMENT</i>	98C1531540625.tif pages
10/08/2008	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>PTN FOR WRIT OF HABEAS CORPUS</i>	
10/08/2008	<b>Status Check (9:00 AM)</b> Events: 06/04/2008 Hearing <i>STATUS CHECK: SETTING BRIEFING SCHEDULE</i>	
10/08/2008	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS (10/08/08) Court Clerk: Katherine Streuber Reporter/Recorder: Sonia Riley Heard By: Lee Gates</i>	
10/08/2008	Motion <i>ALL PENDING MOTIONS (10/08/08)</i>	98C1531540626.tif pages
10/08/2008	Hearing <i>STATUS CHECK: SUPPLEMENTAL</i>	98C1531540627.tif pages
01/07/2009	<b>Petition for Writ of Habeas Corpus (8:30 AM)</b>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<i>PTN FOR WRIT OF HABEAS CORPUS</i>	
01/07/2009	<b>Status Check (8:30 AM)</b> Events: 10/08/2008 Hearing <i>STATUS CHECK: SUPPLEMENTAL Heard By: ELISSA CADISH</i>	
01/07/2009	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 1-7-09 Court Clerk: Keith Reed Reporter/Recorder: cheryl Carpenter Heard By: ELISSA CADISH</i>	
01/07/2009	<b>Motion</b> <i>ALL PENDING MOTIONS 1-7-09</i>	98C1531540629.tif pages
01/08/2009	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - PETITION FOR WRIT OF HABEAS CORPUS AND STATUS CHECK - SUPPLEMENTAL AND STATUS CHECK - SUPPLEMENTAL</i>	98C1531540630.tif pages
07/01/2009	 <b>Motion</b> <i>DEFT'S MTN TO PLACE ON CAL TO RESET BRIEFING SCHEDULE /141</i>	98C1531540631.tif pages
07/13/2009	<b>Petition for Writ of Habeas Corpus (8:30 AM)</b> <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Katherine Streuber Reporter/Recorder: Sonia Riley</i>	
07/13/2009	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: SUPPLEMENTAL Heard By: ELISSA CADISH</i>	
07/13/2009	<b>Motion (8:30 AM)</b> Events: 07/01/2009 Motion <i>DEFT'S MTN TO PLACE ON CAL TO RESET BRIEFING SCHEDULE /141 Heard By: ELISSA CADISH</i>	
07/13/2009	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS (7/13/09) Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Cheryl Carpenter Heard By: ELISSA CADISH</i>	
07/13/2009	<b>Motion</b> <i>ALL PENDING MOTIONS (7/13/09)</i>	98C1531540632.tif pages
07/13/2009	<b>Conversion Case Event Type</b> <i>HEARING: ARGUMENT VJ 5-12-10</i>	98C1531540633.tif pages
07/27/2009	 <b>Reporters Transcript</b> <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFTS MTN TO PLACE ON CALENDAR TO CHECK - SUPPLEMENTAL - HEARD 07-13-09 RESET BRIEFING SCHEDULE AND PETITION FOR WRIT OF HABEAS CORPUS AND STATUS CHECK - SUPPLEMENTAL - HEARD 07-13-09 RESET BRIEFING SCHEDULE AND PETITION FOR WRIT OF HABEAS CORPUS AND STATUS</i>	98C1531540634.tif pages
10/12/2009	 <b>Motion</b> <i>DEFT'S MTN TO EXTEND TIME FOR FILING SECOND SUPPLEMENTAL BRIEF FOR WRIT/144</i>	98C1531540635.tif pages
10/12/2009	 <b>Brief</b> Filed By: Defendant Johnson, Donte <i>SUPPLEMENTAL BRIEF IN SUPPORT OF DEFTS WRIT OF HABEAS CORPUS</i>	98C1531540636.tif pages
10/19/2009	<b>Motion (8:30 AM)</b>	

**DEPARTMENT 6**  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<p>Events: 10/12/2009 Motion  <i>DEFT'S MTN TO EXTEND TIME FOR FILING SECOND SUPPLEMENTAL BRIEF FOR WRIT/144 Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i></p>	
10/19/2009	<p>Hearing  <i>STATUS CHECK: BRIEFING/FURTHER PROCEEDINGS</i></p>	98C1531540637.tif pages
10/20/2009	<p> Reporters Transcript  <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - DEFTS MTN TO PLACE ON CALENDAR TO DEFTS WRIT OF HABEAS CORPUS AND TO PERMIT AN INVESTIGATOR AND EXPERT EXTEND THE TIME FOR THE FILING OF A SECOND SUPPLEMENTAL BRIEF IN SUPPORT OF DEFT'S WRIT OF HABEAS CORPUS AND TO PERMIT AN INVESTIGATOR AND EXPERT EXTEND THE TIME FOR THE FILING OF A SECOND SUPPLEMENTAL BRIEF IN SUPPORT OF</i></p>	98C1531540638.tif pages
01/12/2010	<p> Order            Filed By: Defendant Johnson, Donte  <i>ORDER FOR APPOINTMENT OF INVESTIGATOR AND FOR PAYMENT OF FEES INCURRED HEREIN</i></p>	98C1531540639.tif pages
01/12/2010	<p> Request            Filed by: Defendant Johnson, Donte  <i>EX PARTE MOTION FOR APPOINTMENT OF INVESTIGATOR AND FOR PAYMENT OF FEES INCURRED HEREIN INCURRED HEREIN</i></p>	98C1531540640.tif pages
01/20/2010	<p><b>Status Check (8:30 AM)</b>            Events: 10/19/2009 Hearing  <i>STATUS CHECK: BRIEFING/FURTHER PROCEEDINGS Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i></p>	
01/22/2010	<p> Reporters Transcript  <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - STATUS CHECK - BRIEFING FURTHER PROCEEDINGS - HEARD 01-20-10 PROCEEDINGS - HEARD 01-20-10</i></p>	98C1531540641.tif pages
01/25/2010	<p><b>Status Check (8:30 AM)</b>  <i>STATUS CHECK: SUPPLEMENTAL Heard By: ELISSA CADISH</i></p>	
01/25/2010	<p><b>Hearing (8:30 AM)</b>            Events: 07/13/2009 Conversion Case Event Type  <i>HEARING: ARGUMENT VJ 5-12-10</i></p>	
04/21/2010	<p> Motion  <i>MTN TO EXTEND TIME TO FILE SUPPLEMENTAL BRIEF</i></p>	98C1531540642.tif pages
05/12/2010	<p><b>Motion (8:30 AM)</b>            Events: 04/21/2010 Motion  <i>MTN TO EXTEND TIME TO FILE SUPPLEMENTAL BRIEF Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i></p>	
05/12/2010	<p>Hearing  <i>ARGUMENT HEARING</i></p>	98C1531540643.tif pages
05/14/2010	<p> Reporters Transcript  <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - MOTION TO EXTEND TIME TO FILE SUPPLEMENTAL BRIEF - HEARD 05-12-10 SUPPLEMENTAL BRIEF - HEARD 05-12-10</i></p>	98C1531540644.tif pages
06/09/2010	<p><b>Hearing (8:30 AM) (Judicial Officer: Cadish, Elissa F.)</b></p>	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

06/09/2010, 06/29/2011

*HEARING: ARGUMENT VJ 5-12-10*

98C1531540645.tif pages

07/14/2010



**Brief**

Filed By: Defendant Johnson, Donte

*SECOND SUPPLEMENTAL BRIEF IN SUPPORT OF DEF'S WRIT OF HABEAS CORPUS*

10/20/2010



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

10/20/2010, 06/06/2011, 06/29/2011

Events: 05/12/2010 Hearing

*Hearing: Petition for Writ of Habeas Corpus*

10/20/2010



**Transcript of Proceedings**

Party: Plaintiff State of Nevada

*Transcript of Proceedings Hearing - Oct. 20, 2010*

01/28/2011



**Response**

Filed by: Plaintiff State of Nevada

*State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Defendant's Supplemental Brief and Second Supplemental Brief in Support of Defendant's Writ of Habeas Corpus (Post-Conviction)*

03/28/2011



**Motion**

Filed By: Defendant Johnson, Donte

*Motion to Place on Calendar to Extend The Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus*

04/11/2011



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

Events: 03/28/2011 Motion

*Motion to Place on Calendar to Extend The Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus*

04/12/2011



**Transcript of Proceedings**

*Transcript of Proceedings - Monday, April 11, 2011 - Defendant's Motion to Place on Calendar to Extend the Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus*

05/23/2011



**Motion**

Filed By: Defendant Johnson, Donte

*Motion to Place on Calendar to Extend the Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus*

06/01/2011



**Reply**

Filed by: Attorney Oram, Christopher R.

*Reply to the State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction), Defendant's Supplemental Brief, and Second Supplemental Brief in Support of Defendant's Writ of Habeas Corpus(Post-Conviction)*

06/06/2011



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

06/06/2011, 06/29/2011, 07/20/2011, 12/01/2011

*ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS(ALL ISSUES RAISED IN THE PETITION AND SUPPLEMENT)*

06/06/2011














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

06/06/2011, 06/29/2011

Events: 05/23/2011 Motion

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**


















*Motion to Place on Calendar to Extend the Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus*

06/06/2011	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
06/07/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Proceedings - Defendant's Motion to Place on Calendar to Extend the Time to File a Reply Brief in Support of Defendant's Writ of Habeas Corpus - Heard 06/29/2011</i>
06/29/2011	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>6/29/11</i>
07/06/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Defendant's Motion to Place on Calendar to Extend the Time to File Reply Brief in Support of Defendant's Writ of Habeas Corpus/Hearing and Argument: Defendant's Petition for Writ of Habeas Corpus - Heard 06/29/2011</i>
07/20/2011	<b>Decision</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>DECISION: PROCEDURAL BAR</i>
07/20/2011	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
07/21/2011	 Transcript of Proceedings <i>Transcript of Proceedings - Decision: Procedural Bar and Argument: Petition for Writ of Habeas Corpus - Wednesday, July 20, 2011</i>
08/22/2011	 Brief Filed By: Defendant Johnson, Donte <i>Reply Brief On Mr. Johnson's Initial Trial Issues</i>
09/16/2011	 Stipulation and Order Filed by: Defendant Johnson, Donte
12/07/2011	 Transcript of Proceedings <i>Transcript of Proceedings - Argument: Petition for Writ of Habeas Corpus (All Issues Raised in the Petition and Supplement) - Thursday, December 1, 2011</i>
01/11/2012	 Recorders Transcript of Hearing <i>Transcript of Proceedings - Status Check: Evidentiary Hearing and Petition for Writ of Habeas Corpus</i>
01/11/2012	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>01/11/2012, 01/18/2012, 03/21/2012</b> <i>STATUS CHECK: EVIDENTIARY HEARING...PETITION FOR WRIT OF HABEAS CORPUS</i>
01/19/2012	 Recorders Transcript of Hearing <i>Transcript of Proceedings - Status Check: Evidentiary Hearing and Petition for Writ of Habeas Corpus - Wednesday, January 18, 2012</i>
03/21/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Status Check: Evidentiary Hearing Petition for Writ</i>
















DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

*of Habeas Corpus - March 21, 2012*

















06/13/2012	 <b>Status Check (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.) <b>06/13/2012, 07/11/2012</b>
06/20/2012	 Subpoena <i>Alzora Jackson</i>
06/20/2012	 Subpoena <i>Dayvid Figler</i>
06/20/2012	 Subpoena <i>Honorable Judge Joseph Sciscento</i>
06/20/2012	 Subpoena <i>Brett Whipple</i>
07/12/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceeding: Status Check Evidentiary Hearing</i>
07/17/2012	 Subpoena
07/17/2012	 Subpoena
07/17/2012	 Subpoena
07/17/2012	 Subpoena
10/01/2012	 <b>Status Check (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)
10/01/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceeding: Status Check Evidentiary Hearing</i>
10/02/2012	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate</i>
10/08/2012	 Subpoena Filed by: Defendant Johnson, Donte <i>Subpoena</i>
10/08/2012	 Subpoena Filed by: Defendant Johnson, Donte <i>Subpoena</i>
10/08/2012	 Subpoena Filed by: Defendant Johnson, Donte <i>Subpoena</i>
10/08/2012	 Subpoena

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

Filed by: Defendant Johnson, Donte  
*Subpoena*

10/17/2012	 Motion Filed By: Defendant Johnson, Donte <i>Motion to Place on Calender to Reschedule Evidentiary Hearing</i>
10/29/2012	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate Donte Johnson, BAC #66858</i>
10/29/2012	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Motion to Place on Calender to Reschedule Evidentiary Hearing</i>
10/29/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings: Defendant's Motion to Place on Calendar to Reschedule Evidentiary Hearing, October 29, 2012</i>
11/07/2012	<b>CANCELED Status Check</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
11/15/2012	<b>CANCELED Evidentiary Hearing</b> (1:30 PM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i> <i>EVIDENTIARY HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS</i>
03/25/2013	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Brennan, James)
04/04/2013	 <b>Evidentiary Hearing</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>04/04/2013, 04/11/2013, 06/21/2013</b>
04/04/2013	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Hearing: Status Check, march 25, 2013</i>
04/05/2013	 Supplemental <i>Supplemental Exhibits</i>
04/11/2013	 Recorders Transcript of Hearing <i>Recorder's Transcript of Evidentiary Hearing, April 4, 2013</i>
04/11/2013	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing: Evidentiary Hearing, April 11, 2013</i>
04/15/2013	 Motion Filed By: Defendant Johnson, Donte <i>Motion to Place on Calendar to Reschedule Evidentiary Hearing</i>
04/16/2013	 Notice of Change of Hearing
04/29/2013	 <b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Motion to Place on Calendar to Reschedule Evidentiary Hearing</i>
04/29/2013	

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Proceedings: Defendant's Motion to Place on Calendar to Reschedule Evidentiary Hearing, April 29, 2013</i>
05/15/2013	 <b>Waiver</b> Filed by: Defendant Johnson, Donte <i>Waiver of Appearance</i>
06/26/2013	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Proceedings: Evidentiary Hearing, June 21, 2013</i>
09/18/2013	 <b>Status Check (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.) <b>09/18/2013, 01/13/2014</b> <i>Status Check: Ruling</i>
09/18/2013	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Hearing: Status Check: Ruling, September 18, 2013</i>
01/15/2014	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Hearing: Status Check Monday, January 13, 2014</i>
02/13/2014	 <b>Minute Order (3:00 AM)</b> (Judicial Officer: Cadish, Elissa F.)
03/06/2014	 <b>Case Appeal Statement</b> Filed By: Plaintiff State of Nevada <i>Case Appeal Statement</i>
03/06/2014	 <b>Notice of Appeal (criminal)</b> Party: Defendant Johnson, Donte <i>Notice of Appeal</i>
03/17/2014	 <b>Findings of Fact, Conclusions of Law and Order</b> Filed By: Plaintiff State of Nevada
03/21/2014	 <b>Notice of Entry</b> Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
03/31/2014	 <b>Criminal Order to Statistically Close Case</b> <i>Criminal Order to Statistically Close Case</i>
10/08/2014	 <b>Petition for Writ of Habeas Corpus</b> Filed by: Defendant Johnson, Donte <i>Petition for Writ of Habeas Corpus (PostConviction) *Death Penalty*</i>
10/15/2014	 <b>Order for Petition for Writ of Habeas Corpus</b>
11/03/2014	 <b>Motion</b> Filed By: Defendant Johnson, Donte <i>Motion to Endorse Mr. Johnson's Pro Per Documents</i>
11/17/2014	 <b>Motion (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE No. 98C153154**

	<b>11/17/2014, 01/14/2015</b> <i>Motion to Endorse Mr. Johnson's Pro Per Documents</i>	
11/17/2014	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Hearing: Defendant's motion to Endorse Mr. Johnson's Pro Per Documents, November 17, 2014</i>	
12/15/2014	 <b>Response</b> Filed by: Plaintiff State of Nevada <i>State's Response to Second Petition for Writ of Habeas Corpus (Post-Conviction)</i>	
01/14/2015	<b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.) Events: 10/15/2014 Order for Petition for Writ of Habeas Corpus	
01/14/2015	 <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Cadish, Elissa F.)	
01/14/2015	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript of Hearing: Defendant's Motion to Endorse Mr. Johnson's Pro Per Documents and Petition for Writ of Habeas Corpus</i>	
02/04/2015	 <b>Findings of Fact, Conclusions of Law and Order</b> Filed By: Plaintiff State of Nevada	
02/09/2015	 <b>Notice of Entry</b> Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	
02/27/2015	 <b>Notice of Appeal (criminal)</b> Party: Defendant Johnson, Donte <i>Notice of Appeal</i>	
02/27/2015	 <b>Case Appeal Statement</b> Filed By: Defendant Johnson, Donte <i>Case Appeal Statement</i>	
DATE	FINANCIAL INFORMATION	

<b>Defendant</b> Johnson, Donte	
Total Charges	1,103.00
Total Payments and Credits	1,078.00
<b>Balance Due as of 2/27/2015</b>	<b>25.00</b>

  
CLERK OF THE COURT

1 **FFCL**  
2 **STEVEN B. WOLFSON**  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 **STEVEN S. OWENS**  
6 Chief Deputy District Attorney  
7 Nevada Bar #004352  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -VS-

CASE NO: 98C153154

12 DONTÉ JOHNSON,  
13 #1586283

DEPT NO: VI

14 Defendant.

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

17 DATE OF HEARING: 01/14/15  
18 TIME OF HEARING: 8:30 AM

19 THIS CAUSE having come on for hearing before the Honorable ELISSA F.  
20 CADISH, District Judge, on the 14<sup>th</sup> day of January, 2015, the Petitioner not being present,  
21 PROCEEDING IN FORMA PAUPERUS, the Respondent being represented by STEVEN B.  
22 WOLFSON, Clark County District Attorney, by and through STEVEN S. OWENS, Chief  
23 Deputy District Attorney, and the Court having considered the matter, including briefs,  
24 transcripts, arguments of counsel, and documents on file herein, now therefore, the Court  
25 makes the following findings of fact and conclusions of law:

26 **FINDINGS OF FACT**

27 In 2000, Mr. Johnson was found guilty by the jury, but the jury was unable to reach a  
28 unanimous verdict on the appropriate penalty in the penalty phase. Thereafter, a three-judge  
panel held a penalty hearing and imposed the death penalty on Mr. Johnson for all four

1 murders. On appeal, the Nevada Supreme Court noted the overwhelming evidence of Mr.  
2 Johnson's guilt and affirmed his convictions by the jury. However, under the United States  
3 Supreme Court's decision in Ring v. Arizona, the Court reversed the imposition of death by  
4 the three-judge panel and remanded the case for a new penalty phase before a new jury. In  
5 2005, the jury imposed a sentence of death for all four murders. . On appeal, the Nevada  
6 Supreme Court affirmed the death sentences and Remittitur issued on January 28, 2008.  
7 Johnson v. State, 122 Nev. 1344, 148 P.3d 767 (2006).

8       Thereafter, Johnson timely filed a first post-conviction petition for writ of habeas  
9 corpus on February 13, 2008, and counsel, Chris Oram, was appointed. After extensive  
10 briefing and evidentiary hearings, the petition was denied with findings of fact and  
11 conclusions of law filed on March 17, 2014. The appeal from the denial of that petition is  
12 pending before the Nevada Supreme Court in Case # SC 65168.

13       Meanwhile, presently before the Court is Johnson's proper person Petition for Writ of  
14 Habeas Corpus filed on October 8, 2014, State's Response, and Defendant's Reply. The  
15 Court hereby denies Defendant's Petition for Writ of Habeas Corpus with its request for  
16 appointment of counsel.

17       The petition Mr. Johnson has filed is based on a purported declaration by Sikia Smith  
18 who was a co-Defendant in this case reporting to recant statement that Smith had made to the  
19 police back during the police investigation. However, Mr. Smith did not testify against the  
20 Defendant in his trial. His statements were not used in Mr. Johnson's trial. The petition is  
21 untimely and successive and no good cause has been shown for those procedural defaults.  
22 NRS 34.726; NRS 34.810. The declaration from Smith does not provide good cause in light  
23 of the lack of relationship of Smith's purported statements to Mr. Johnson's trial.

24       Additionally, the State has asserted laches as a defense pursuant to NRS 34.800,  
25 which has not been rebutted by Mr. Johnson. He attempts to assert a claim of actual  
26 innocence. However, the Smith declaration does not show actual innocence of Mr. Johnson  
27 in this case, particularly given that that evidence was not used to convict Mr. Johnson. And  
28

1 there is no independent underlying constitutional claim shown by Mr. Johnson were there to  
2 be an excuse of the procedural default.

3 **ORDER**

4 WHEREFORE, the petition and the request for appointment of counsel are denied.

5 DATED this 7 day of January, 2015.

6  
7   
DISTRICT JUDGE

8  
9 STEVEN B. WOLFSON  
10 Clark County District Attorney  
Nevada Bar #001565

11 BY 

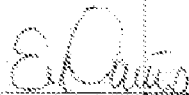
12 STEVEN S. OWENS  
13 Chief Deputy District Attorney  
Nevada Bar #004352  
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1 CERTIFICATE OF SERVICE

2 I certify that on January 15, 2015, I mailed a copy of the foregoing proposed Findings  
3 of Fact, Conclusions of Law, and Order to:

4  
5 DONTÉ JOHNSON, #66858  
6 Ely State Prison  
7 4569 North State Rt.  
8 P.O. Box 1989  
9 Ely, Nevada 89301

10  
11 BY

  
Employee for the District Attorney's Office

12  
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23 SSX/ed





# OFFICE OF THE DISTRICT ATTORNEY

## CRIMINAL APPEALS UNIT

STEVEN B. WOLFSON  
*District Attorney*

CHRISTOPHER J. LALLI  
*Assistant District Attorney*

TERESA LOWRY  
*Assistant District Attorney*

MARY-ANNE MILLER  
*County Counsel*

STEVEN S. OWENS  
*Chief Deputy District Attorney*

January 15, 2015

Donte Johnson, 66858  
Ely State Prison  
4569 North State Rt.  
P.O. Box 1989  
Ely, Nevada 89301

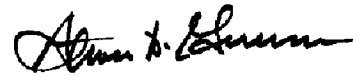
RE: Findings of Fact, Conclusions of Law and Order

Mr. Johnson:

The enclosed Findings will be submitted to the Judge on January 26, 2015.

Sincerely,

Steven S. Owens  
Chief Deputy District Attorney



CLERK OF THE COURT

NEO

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

DONTE JOHNSON,

Petitioner,

Case No: 98C153154

vs.

Dept No: VI

THE STATE OF NEVADA,

Respondent,

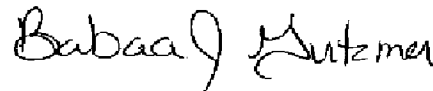
**DEATH PENALTY**

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

**PLEASE TAKE NOTICE** that on February 4, 2015, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on February 9, 2015.

STEVEN D. GRIERSON, CLERK OF THE COURT



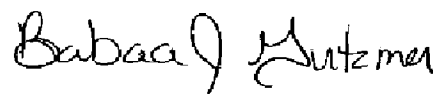
Barbara J. Gutzmer, Deputy Clerk

CERTIFICATE OF MAILING

I hereby certify that on this 9 day of February 2015, I placed a copy of this Notice of Entry in:

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

☒ The United States mail addressed as follows:  
Donte Johnson # 66858                      Christopher R Oram, Esq.  
P.O. Box 1989                                  520 S. Fourth St., 2<sup>nd</sup> Floor  
Ely, NV 89301                                  Las Vegas, NV 89101



Barbara J. Gutzmer, Deputy Clerk

  
CLERK OF THE COURT

1 **FFCL**  
2 **STEVEN B. WOLFSON**  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 **STEVEN S. OWENS**  
6 Chief Deputy District Attorney  
7 Nevada Bar #004352  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -VS-

CASE NO: 98C153154

12 DONTÉ JOHNSON,  
13 #1586283

DEPT NO: VI

14 Defendant.

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

17 DATE OF HEARING: 01/14/15  
18 TIME OF HEARING: 8:30 AM

19 THIS CAUSE having come on for hearing before the Honorable ELISSA F.  
20 CADISH, District Judge, on the 14<sup>th</sup> day of January, 2015, the Petitioner not being present,  
21 PROCEEDING IN FORMA PAUPERUS, the Respondent being represented by STEVEN B.  
22 WOLFSON, Clark County District Attorney, by and through STEVEN S. OWENS, Chief  
23 Deputy District Attorney, and the Court having considered the matter, including briefs,  
24 transcripts, arguments of counsel, and documents on file herein, now therefore, the Court  
25 makes the following findings of fact and conclusions of law:

26 **FINDINGS OF FACT**

27 In 2000, Mr. Johnson was found guilty by the jury, but the jury was unable to reach a  
28 unanimous verdict on the appropriate penalty in the penalty phase. Thereafter, a three-judge  
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3 Supreme Court's decision in Ring v. Arizona, the Court reversed the imposition of death by  
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7 Johnson v. State, 122 Nev. 1344, 148 P.3d 767 (2006).

8       Thereafter, Johnson timely filed a first post-conviction petition for writ of habeas  
9 corpus on February 13, 2008, and counsel, Chris Oram, was appointed. After extensive  
10 briefing and evidentiary hearings, the petition was denied with findings of fact and  
11 conclusions of law filed on March 17, 2014. The appeal from the denial of that petition is  
12 pending before the Nevada Supreme Court in Case # SC 65168.

13       Meanwhile, presently before the Court is Johnson's proper person Petition for Writ of  
14 Habeas Corpus filed on October 8, 2014, State's Response, and Defendant's Reply. The  
15 Court hereby denies Defendant's Petition for Writ of Habeas Corpus with its request for  
16 appointment of counsel.

17       The petition Mr. Johnson has filed is based on a purported declaration by Sikia Smith  
18 who was a co-Defendant in this case reporting to recant statement that Smith had made to the  
19 police back during the police investigation. However, Mr. Smith did not testify against the  
20 Defendant in his trial. His statements were not used in Mr. Johnson's trial. The petition is  
21 untimely and successive and no good cause has been shown for those procedural defaults.  
22 NRS 34.726; NRS 34.810. The declaration from Smith does not provide good cause in light  
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24       Additionally, the State has asserted laches as a defense pursuant to NRS 34.800,  
25 which has not been rebutted by Mr. Johnson. He attempts to assert a claim of actual  
26 innocence. However, the Smith declaration does not show actual innocence of Mr. Johnson  
27 in this case, particularly given that that evidence was not used to convict Mr. Johnson. And  
28

1 there is no independent underlying constitutional claim shown by Mr. Johnson were there to  
2 be an excuse of the procedural default.

3 **ORDER**

4 WHEREFORE, the petition and the request for appointment of counsel are denied.

5 DATED this 7 day of January, 2015.

6  
7   
DISTRICT JUDGE

8  
9 STEVEN B. WOLFSON  
10 Clark County District Attorney  
Nevada Bar #001565

11 BY 


12 STEVEN S. OWENS  
13 Chief Deputy District Attorney  
Nevada Bar #004352  
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1 CERTIFICATE OF SERVICE

2 I certify that on January 15, 2015, I mailed a copy of the foregoing proposed Findings  
3 of Fact, Conclusions of Law, and Order to:

4  
5 DONTE JOHNSON, #66858  
6 Ely State Prison  
7 4569 North State Rt.  
8 P.O. Box 1989  
9 Ely, Nevada 89301

10  
11 BY



Employee for the District Attorney's Office

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**OFFICE OF THE DISTRICT ATTORNEY**  
**CRIMINAL APPEALS UNIT**

**STEVEN B. WOLFSON**  
*District Attorney*

**CHRISTOPHER J. LALLI**  
*Assistant District Attorney*

**TERESA LOWRY**  
*Assistant District Attorney*

**MARY-ANNE MILLER**  
*County Counsel*

**STEVEN S. OWENS**  
*Chief Deputy District Attorney*

January 15, 2015

Donte Johnson, 66858  
Ely State Prison  
4569 North State Rd.  
P.O. Box 1989  
Ely, Nevada 89301

RE: Findings of Fact, Conclusions of Law and Order

Mr. Johnson:

The enclosed Findings will be submitted to the Judge on January 26, 2015.

Sincerely,

Steven S. Owens  
Chief Deputy District Attorney

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 02, 1998

98C153154

The State of Nevada vs Donte Johnson

September 02, 1998

11:30 AM

Grand Jury Indictment

**GRAND JURY  
INDICTMENT  
Court Clerk: LINDA  
VIGIL Relief Clerk:  
DEBBIE VINSON/dv  
Reporter/Recorder:  
CATHY NELSON  
Heard By: Michael  
Douglas**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

**JOURNAL ENTRIES**

- Keith Yoerger, Foreperson stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 97BGJ184X to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C153154, Department V. Ms. Adair advised deft. JOHNSON is in custody at Clark County Detention Center and requested a NO BAIL BENCH WARRANT ISSUE, SO ORDERED. Exhibits 1-31 lodged with Clerk of the Court, exhibits 32,33,34 returned to LVMPD E. Guenther. COURT ORDERED ARRAIGNMENT DATE SET.

B/W (CUSTODY)

9/8/98 9:00 AM INITIAL ARRAIGNMENT



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 08, 1998**

---

98C153154

The State of Nevada vs Donte Johnson

---

**September 08, 1998****9:00 AM****Initial Arraignment****INITIAL  
ARRAIGNMENT  
Court Clerk: JANICE  
HAMPTON  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Guymon, Gary L.  
Johnson, Donte  
McMahon, Lee E.Attorney  
Defendant  
Attorney**JOURNAL ENTRIES**

- Ms. McMahon advised the Court she is representing the Deft. Upon Court's inquiry, Mr. Guymon advised the State will file a notice of intent to seek the death penalty. Before the canvassing Ms. McMahon stated this is a grand jury indictment and requested a continuance to receive the transcript. Mr. Guymon advised the transcript should be ready next Tuesday. COURT ORDERED, matter CONTINUED to Thursday.

**CUSTODY****9-17-98 9:00 AM ARRAIGNMENT CONTINUED**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 1998

98C153154

The State of Nevada vs Donte Johnson

September 16, 1998

11:30 AM

Grand Jury Indictment

**SUPERSEDING  
GRAND JURY  
INDICTMENT  
Court Clerk: SUE  
DEATON  
Reporter/Recorder:  
JENNIFER CHURCH  
Heard By: James  
Brennan**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

**JOURNAL ENTRIES**

- Keith Yoerger, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 97BGJ184X to the Court. COURT ORDERED, the SUPERSEDING Indictment may be filed and is assigned Case Number C153154, which was previously tracked to Department V. State requested a NO BAIL BENCH WARRANT ISSUE; COURT SO ORDERED. Exhibit(s) 1 through 30 were previously lodged with the Clerk of District Court. Exhibit(s) 31 through 34 were returned to Las Vegas Metropolitan Police Department, E. Guenther. Exhibit(s) 35 through 41 are to be lodged with Clerk of District Court. State advised Deft has an Arraignment Continued scheduled in Department V tomorrow, September 16, 1998, at 9:00 A.M. and they would ask that the date stand; COURT SO ORDERED.  
B.W. (CUSTODY)

**98C153154**

9-17-98, 9:00 A.M., ARRAIGNMENT CONTINUED (DEPT. V)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 17, 1998

98C153154

The State of Nevada vs Donte Johnson

September 17, 1998

9:00 AM

Arraignment Continued

**ARRAIGNMENT  
CONTINUED Relief  
Clerk: JANICE  
HAMPTON/AC  
Reporter/Recorder:  
ARLENE BLAZI  
Heard By: Jeffrey  
Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

McMahon, Lee E.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Ms. McMahon advised Court Mr. LaPorta will be co-counsel on this case. Ms. McMahon stated that it is her understanding the transcript with the exception of one witness will be available today. Ms. McMahon requested 21 days from the file stamp date for the filing of a writ. SO ORDERED. Mr. Guymon advised Court and counsel that the State will be seeking the death penalty and the Notice to Seek Death Penalty will be filed within one week. DEFENDANT JOHNSON ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY DAY RULE. COURT ORDERED, MATTER SET FOR TRIAL.

CUSTODY

6/29/99 9:00 AM CALENDAR CALL

**98C153154**

7/5/99 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 08, 1998**

98C153154

The State of Nevada vs Donte Johnson

**October 08, 1998****9:00 AM****Motion**

**DEFT'S MOTION  
TO SET BAIL Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

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

Guymon, Gary L.

Johnson, Donte

LaPorta, Peter R.

Special Public Defender

Attorney

Defendant

Attorney

Attorney

**JOURNAL ENTRIES**

- Court stated it has read the Motion. COURT ORDERED, MOTION FOR BAIL IS DENIED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 23, 1999**

98C153154

The State of Nevada vs Donte Johnson

**February 23, 1999****9:00 AM****Motion to Withdraw as  
Counsel**

**DEFT'S PRO PER  
MOTION  
WITHDRAW  
COUNSEL AND  
APPOINT OUTSIDE  
COUNSEL Relief  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

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

Daskas, Robert J.  
Johnson, Donte

Attorney  
Defendant

**JOURNAL ENTRIES**

- Court advised Mr. Kohn was out sick and requested a continuance. COURT ORDERED, matter  
CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 25, 1999**

98C153154

The State of Nevada vs Donte Johnson

**February 25, 1999**

**9:00 AM**

**Motion to Withdraw as  
Counsel**

**DEFT'S PRO PER  
MOTION  
WITHDRAW  
COUNSEL AND  
APPOINT OUTSIDE  
COUNSEL Relief  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Daskas, Robert J.  
Johnson, Donte  
PUBDEF

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- Mr. Kohn appeared on behalf of Mr. LaPorta. Upon Court's inquiry, Defendant stated he is no longer asking for another attorney. COURT ORDERED, motion DENIED calendar call and trial dates STAND.  
CUSTODY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 1999

98C153154

The State of Nevada vs Donte Johnson

April 12, 1999

9:00 AM

Motion to Dismiss

DEFT'S PRO PER  
MTN TO DISMISS  
COUNSEL AND  
APPOINTMENT OF  
ALTERNATE  
COUNSEL Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
LaPorta, Peter R.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Court advised parties that if the State does not have an objection, the Court will hear this matter without the D.A. in a closed courtroom. Court stated that it does not see a great harm in this. CONFERENCE AT BENCH. Mr. Guymon requested that all pre-trial motions be filed three weeks prior to trial. Court directed counsel to file pre-trial motions no later than three weeks prior to the

**98C153154**

trial date. COURT ORDERED, MATTER CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 17, 1999**

98C153154

The State of Nevada vs Donte Johnson

**May 17, 1999**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS 5/17/99**

**Relief Clerk:**

**CAROLE D'ALOIA**

**Reporter/Recorder:**

**SHIRLEE**

**PRAWALSKY Heard**

**By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Daskas, Robert J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

LaPorta, Peter R.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

**- DEFENDANT'S MOTION TO PROCEED PRO PER WITH CO-COUNSEL AND INVESTIGATOR...  
DEFENDANT'S PRO PER MOTION FOR DISCOVERY**

Court asked Defendant if he wanted to withdraw his motion to discharge Mr. LaPorta and Defendant stated yes. Court stated it did read Defendant's motion and Defendant does have a right to represent himself when certain questions are answered and also with the condition that the request is made in a timely manner so as not to upset the trial setting. COURT ORDERED, matters OFF CALENDAR and trial date STANDS.

**CUSTODY**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 07, 1999**

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98C153154

The State of Nevada vs Donte Johnson

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**June 07, 1999****9:00 AM****Request of Court**

**AT THE REQUEST  
OF THE COURT  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

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

Figler, Dayvid J.

Attorney

Johnson, Donte

Defendant

Special Public Defender

Attorney

**JOURNAL ENTRIES**

**- JUDGE SOBEL NOT PRESENT THIS DATE; MATTER CONTINUED.  
CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 08, 1999**

98C153154

The State of Nevada vs Donte Johnson

June 08, 1999

9:00 AM

Request of Court

**AT THE REQUEST  
OF THE COURT  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- STIPULATION AND ORDER FILED IN OPEN COURT WHICH TAKES CARE OF THIS MATTER.  
COURT ORDERED, MATTER TAKEN OFF CALENDAR.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 1999

98C153154

The State of Nevada vs Donte Johnson

June 29, 1999

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 6/29/99  
Relief Clerk:  
CAROLE D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Johnson, Donte	Defendant
	LaPorta, Peter R.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY OF THE CRIME"...DEFENDANT'S MOTION TO CONTINUE TRIAL...CALENDAR CALL  
Mr. Daskas stated he is ready for trial. Statements by Court and counsel regarding confidential informant, new murder allegation and physical evidence in vehicle. Mr. Figler advised Court they cannot give effective assistance of counsel with the current trial date. COURT ORDERED, MOTION TO CONTINUE TRIAL GRANTED, TRIAL DATE VACATED AND RESET and matter set for STATUS CHECK.

COURT ORDERED, ANY AND ALL MOTIONS ARE TO BE FILED NO LATER THAN 10/18/99 and set matter for STATUS CHECK and instructed counsel to get courtesy copies to court prior to 10/21/99 date.

Statements by Court and counsel regarding State's Motion in Limine and MATTER CONTINUED TO STATUS CHECK DATE.

CUSTODY

7/8/99 9:00 AM STATUS CHECK: TRIAL DATE/STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY OF THE CRIME"

10/21/99 9:00 AM STATUS CHECK: FILING OF ALL MOTIONS PRIOR TO TRIAL

1/4/00 9:00 AM CALENDAR CALL

1/10/99 10:00 AM JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 1999

98C153154

The State of Nevada vs Donte Johnson

July 08, 1999

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 7/8/99

Relief Clerk:

CAROLE D'ALOIA

Reporter/Recorder:

SHIRLEE

PRAWALSKY Heard

By: Jeffrey Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

LaPorta, Peter R.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY OF THE CRIME"...STATUS CHECK: TRIAL DATE

Court stated one reason matter is on calendar today is to see if trial date works and Mr. Figler advised Court previously he moved his other trial. COURT ORDERED, CALENDAR CALL AND TRIAL DATE STANDS.

Regarding State's motion, Mr. LaPorta advised they have already filed an opposition. Upon Court's inquiry, Mr. Guymon stated they would like 10 days to reply, and COURT SO ORDERED. COURT FURTHER ORDERED, STATE'S MOTION IN LIMINE AND MOTIONS SET FOR 7/13/99

CONTINUED TO 10/21/99 STATUS CHECK DATE. Lengthy discussion between Court and Mr. Guymon regarding the firmness of the trial date set.

CUSTODY

10/21/99 9:00 AM ALL PENDING MOTIONS

CLERK'S NOTE: STATE'S MOTION IN LIMINE TO PERMIT THE STATE TO PRESENT "THE COMPLETE STORY OF THE CRIME" WAS CONTINUED TO 10/21/99. 8/13/99 CD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 13, 1999**

98C153154

The State of Nevada vs Donte Johnson

**July 13, 1999**

**9:00 AM**

**Motion to Compel**

**DEFT'S MOTION  
TO COMPEL  
PRODUCTION OF  
ANY/ALL  
STATEMENTS  
Court Clerk: ROSA  
ARDESCH/ra Relief  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Johnson, Donte

Defendant

LaPorta, Peter R.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATION OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION....DEFT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFT.....DEFT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS PROMISES OR INDUCEMENTS

**98C153154**

Matter on in error. COURT ORDERED all motions CONTINUED to the Status Check date.  
CUSTODY

10/21/99 9:00 AM STATUS CHECK: FILING OF ALL MOTIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 13, 1999**

98C153154

The State of Nevada vs Donte Johnson

**July 13, 1999**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS 7/13/99**

**Relief Clerk:**

**CAROLE D'ALOIA**

**Reporter/Recorder:**

**SHIRLEE**

**PRAWALSKY Heard**

**By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Johnson, Donte

Defendant

LaPorta, Peter R.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS, PROMISES OR INDUCEMENTS

Court stated that on 7/8/99 this date was to have been vacated and, ORDERED, MATTER OFF CALENDAR. Court advised Mr. LaPorta if a problem should arise before the 10/21/99 date, matter can be placed back on calendar.

CUSTODY

**98C153154**

CLERK'S NOTE: CONTINUANCE DATES FOR ALL ABOVE MOTIONS WERE ENTERED ON  
7/13/99. 8/13/99 CD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 30, 1999

98C153154

The State of Nevada vs Donte Johnson

August 30, 1999

9:00 AM

Motion

**STATE'S MOTION  
TO PERMIT DNA  
TESTING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	PUBDEF	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Mr. Kohn advised Court he thinks there will be an objection to the State's motion and requested this matter be put over a few days. Mr. Guymon advised Court he spoke with Mr. Figler. COURT ORDERED, MATTER CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 02, 1999

98C153154

The State of Nevada vs Donte Johnson

September 02, 1999

9:00 AM

Motion

**STATE'S MOTION  
TO PERMIT DNA  
TESTING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Figler advised Court he discussed this matter with Mr. Kohn and at issue is an item of evidence retrieved from the scene, but the sample is not enough to have multiple testing done. Mr. Figler advised Court the name of the lab needs to be worked out. COURT ORDERED, MATTER TAKEN OFF CALENDAR; IF THERE IS A PROBLEM, COUNSEL CAN PLACE THIS BACK ON CALENDAR.  
CUSTODY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 30, 1999**

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98C153154

The State of Nevada vs Donte Johnson

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**September 30, 1999****9:00 AM****Request**

**STATE'S REQUEST  
FOR HEARING RE:  
MATERIAL WITNES  
S CHARLA SEVERS  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

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

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Witness, Charla Severs present, in custody. COURT ORDERED, MATTER TAKEN OFF  
CALENDAR until bail is posted.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 1999

98C153154

The State of Nevada vs Donte Johnson

October 11, 1999

9:00 AM

Motion

**STATE'S MOTION  
TO VIDEOTAPE  
THE  
DEPOSITION OF  
CHARLA SEVERS  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Guymon, Gary L.	Attorney
Sciscento, Joseph S.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- MOTION TO VIDEOTAPE CHARLA SEVERS FILED IN OPEN COURT. Statements by Court and counsel regarding the Motion. Mr. Guymon advised Court there is a material witness warrant. Court directed counsel to have pleadings submitted prior to 10/21/99. Mr. Sciscento requested this witness be appointed counsel to advise her of her rights. COURT ORDERED, CHIP SIEGEL APPOINTED to discuss with the witness her rights, the deposition and the witness' request to be released from custody. FURTHER, MATTER CONTINUED.

**98C153154**

CUSTODY

10/14/99 8:00 AM CONFIRMATION OF COUNSEL (SIEGEL)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 14, 1999**

98C153154

The State of Nevada vs Donte Johnson

**October 14, 1999****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 10/14/99  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

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

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Siegel, Jay L.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS . . .  
CONFIRMATION OF COUNSEL (SIEGEL)

Upon Court's inquiry, Mr. Siegel advised Court he can confirm as counsel for the witness, SEVERS. Mr. Siegel advised Court he has reviewed the pleadings and requested a videotape deposition be taken. Mr. Sciscento advised Court this witness may be an accomplice to the murder. Mr. Guymon advised Court this witness is not an accomplice. Mr. Siegel requested the witness, SEVERS be given

immunity. Court directed the State to file a reply that addresses the issues. Mr. Guymon stated this witness will not be prosecuted as an accomplice and will not be prosecuted for perjury; but the State cannot give immunity if there is no criminal conduct. Court directed the State to prepare something in writing for Mr. Siegel. Court directed pleadings be filed by 10/19/99 by close of business with a courtesy copy to the Court. Court advised parties that it is inclined to allow the deposition. Upon Court's inquiry, Mr. Guymon advised Court the State would like the deposition as soon as possible. COURT ORDERED, MATTER CONTINUED FOR A DECISION AND DEPOSITION DATE SET.  
CUSTODY

10/21/99 9:00 A.M. DECISION

10/26/99 9:30 A.M. DEPOSITION OF CHARLA SEVERS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 21, 1999

98C153154

The State of Nevada vs Donte Johnson

October 21, 1999

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 10/21/99  
Court Clerk:  
CAROLE D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Siegel, Jay L.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- STATUS CHECK: FILING OF ALL MOTIONS...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS, PROMISES, OR INDUCEMENTS...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF DEFENDANT...STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS...DEFENDANT'S MOTION IN

LIMINE TO PRECLUDE EVIDENCE OF OTHER CRIMES...DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS...DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT... DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE/SUBSTANCE OF EXPECTATIONS...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS, AMMUNITION COURT ORDERED, STATE'S MOTION TO VIDEOTAPE THE DEPOSITION OF CHARLA SEVERS AND DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHERS CRIMES GRANTED. COURT FURTHER ORDERED, DEPOSITION SET FOR 10/26/99 AT 9:30 AM.

Discussion between Court and counsel regarding the deposition.

AS TO ALL OTHER MOTIONS, Court stated they have not hit the file yet and, asked counsel if they would like a briefing schedule set, advising them that they will not be based on argument, but the written Points and Authorities. COURT ORDERED, STATE TO ANSWER BY 11/4/99; MR. SCISCENTO TO REPLY BY 11/12/99 and motions CONTINUED FOR DECISION ON 11/18/99 AT 9:30 AM. Mr. Sciento requested additional time to file motions as he has just recently been assigned to this case and COURT GRANTED THIS REQUEST STATING MOTIONS NEED TO BE FILED BY 11/18/99 and a hearing date will be set at that time.

FOLLOWING CONFERENCE AT BENCH, Court instructed counsel to have Defendant here on 10/26/99 at 9:30 AM, DRESSED.

CUSTODY

10/26/99 9:30 AM DEPOSITION OF CHARLA SEVERS

11/18/99 9:30 AM ALL PENDING MOTIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 26, 1999

98C153154

The State of Nevada vs Donte Johnson

October 26, 1999

9:30 AM

Hearing

**DEPOSITION  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Siegel, Jay L.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Statements by Court regarding the deposition. Counsel stipulated that there is no objection to videotaping this, as long as the Defendant is not shown in jail clothes. Mr. Sciscento advised Court he just finished a Motion to Exclude Media Coverage From this Deposition. Mr. Sciscento renewed Motion Against Deposition. COURT ORDERED, MOTION DENIED. Mr. Figler requested to reserve the right to strike any testimony from today's deposition. CONFERENCE AT BENCH. COURT ORDERED, MOTION IN LIMINE TO PRECLUDE MEDIA COVERAGE OF VIDEO DEPOSITION



OF CHARLA SEVERS IS DENIED. Mr. Figler requested the Court put a freeze on the transcript and videotape. SO ORDERED. Mr. Guymon advised Court he will not show this videotape to any of the witnesses. Statement by Mr. Siegel regarding the custody status of Charla Severs. Court invoked the exclusionary rule.

Witness, Charla Severs sworn and testified and evidence marked and admitted, per worksheet. Mr. Figler moved to renew his Motion to Strike the Videotape and for the testimony be stricken. COURT ORDERED, MOTION DENIED.

Court does not find that there is sufficient reason to believe that the witness, Charla Severs is an accomplice and the issue now becomes what is the State going to do with this witness. Court admonished witness that it is important that she is present at trial. Upon Court's inquiry, witness advised Court she will be present for trial. Court directed Mr. Siegel to put in writing his best plan and include the witnesses safety and the Court will make a decision. Mr. Gardner requested that ten days prior to trial the witness be available. COURT ORDERED, MATTER CONTINUED.

CUSTODY

10/28/99 9:00 A.M. DECISION: WITNESS RELEASE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 28, 1999

98C153154

The State of Nevada vs Donte Johnson

October 28, 1999

9:00 AM

Decision

**DECISION:**  
**WITNESS RELEASE**  
**Court Clerk: ALONA**  
**CANDITO**  
**Reporter/Recorder:**  
**SHIRLEE**  
**PRAWALSKY Heard**  
**By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Johnson, Donte	Defendant
	Siegel, Jay L.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- CONFERENCE AT BENCH. Statements by Court regarding the release of witness, Charla Severs. Court noted that the conditions of the release were discussed at the bench. Court directed Mr. Siegel to prepare an order. FURTHER, TRIAL DATE STANDS.  
 CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 1999

98C153154

The State of Nevada vs Donte Johnson

November 08, 1999

9:00 AM

Motion in Limine

DEFT'S MOTION IN  
LIMINE TO  
PRECLUDE  
EVIDENCE OF  
WITNESS  
INTIMIDATION  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

Sweikert, Steven

Attorney

**JOURNAL ENTRIES**

- Mr. Sciscento requested this Motion be continued to 11/18/99. Mr. Sciscento advised Court he may need more time to file motions. COURT ORDERED, MATTER CONTINUED.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 18, 1999

98C153154

The State of Nevada vs Donte Johnson

November 18, 1999

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 11/18/99  
Court Clerk: ALONA  
CANDITO/ac Relief  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

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

Daskas, Robert J.	Attorney
Figler, Dayvid J.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION .  
 . . DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMATION OF INFORMANTS  
 AND REVEAL ANY BENEFITS, DEALS, PROMISES OR INDUCEMENTS . . . DEFENDANT'S  
 MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR  
 ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH  
 PROSECUTION . . . DEFENDANT'S MOTION TO COMPEL THE PRODUCTION OF ANY AND

ALL STATEMENTS OF THE DEFENDANT . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . DEFENDANT'S MOTION TO REVEAL THE IDENTITY OF INFORMANTS AND REVEAL ANY BENEFITS, DEALS, PROMISES OR INDUCEMENTS . . . DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS, OR ACTUAL RECEIPT OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION . . . DEFENDANT'S REPLY TO OPPOSITION TO MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER WEAPONS

COURT ORDERED, AS TO THE DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION, IS DENIED IN PART AND GRANTED IN PART. Court noted that this is granted only in the sense that there is a continuing obligation to provide new evidence. AS TO THE MOTION TO COMPEL DISCLOSURE OF EXISTENCE OF BENEFITS OR PREFERENTIAL TREATMENT FOR COOPERATION WITH PROSECUTION, The State has agreed to provide and attach the transcript which reveals aducements of four or five witnesses and has a continued duty to disclose anything new; Motion is Denied if the State has given all that exists up to this point.

AS TO THE MOTION TO COMPEL THE PRODUCTION OF ANY AND ALL STATEMENTS OF THE DEFENDANT: The State has given Defense counse full access of their file. Upon Court's inquiry, Mr. Daskas advised Court he has copied the detectives file. COURT ORDERED, MOTION GRANTED; Mr. Sciscento advised Court he will set up a time to meet with Mr. Daskas.

AS TO THE MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME: Statements by Court and counsel regarding Motion and foundation. Court directed the supplemental opposition be filed by 12/2/99; reply to be filed by 12/16/99 and matter CONTINUED. Mr. Sciscento requested an Evidentiary Hearing be set. COURT ORDERED, MATTER CONTINUED; Court noted the the issue of a Evidentiary Hearing will be decided on the Calendar Call and the hearing will be heard prior to the trial, if necessary.

Mr. Sciscento requested one week to file a motion that might be dispositive of this case. Court directed Mr. Sciscento to file motion by 11/25/99; State to reply by 12/9/99; Mr. Sciscento to respond by 12/23/99 and matter CONTINUED. Mr. Daskas advised Court the State will have a Motion to Allow Evidence also. COURT ORDERED, MATTER CONTINUED.

CUSTODY

12/27/99 9:00 A.M. ADDITIONAL TRIAL MOTIONS

1/4/00 9:00 A.M. DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 16, 1999**

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98C153154

The State of Nevada vs Donte Johnson

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**December 16, 1999****8:00 AM****Request of Court**

**AT THE REQUEST  
OF THE COURT  
Court Clerk: ALONA  
CANDITO/ac Relief  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
DEBRA VAN  
BLARICOM Heard  
By: Sobel, Jeffrey**

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

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

Turner, Robert B.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, MOTION TO CONTINUE IS CONTINUED TO 12/20/99.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 1999

98C153154

The State of Nevada vs Donte Johnson

December 20, 1999

8:30 AM

Request of Court

**AT THE REQUEST  
OF THE COURT  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
JERI ANDERSON  
Heard By: Jeffrey  
Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Statements by Court and Counsel regarding the Defendant's Motion for a Continuance. Mr. Figler advised Court he cannot give effective assistance of counsel with the current trial date. Statements by Court and counsel. Mr. Figler advised Court the defense would like to retest the ballistics, the D.N.A. and the fingerprint results. Statements by Mr. Sciscento regarding Dr. Mortellaro as Defendant JOHNSON may have lost confidence in the doctor. Mr. Sciscento advised Court there is another doctor who does extensive testing and it could take about three months for a report. Statements by Court. Court directed the Defense to contact the lab and secure an affidavit from the new expert.

COURT ORDERED, THE DEFENSE'S MOTION TO CONTINUE IS GRANTED; TRIAL DATE VACATED AND RESET. Statements by Court and counsel regarding the Motions currently set for 12/27/99. Mr. Daskas advised Court the State has filed responses in 22 of the 23 motions. Court directed the Defense file a reply to the motions by 1/31/00. FURTHER, MATTER CONTINUED FOR A STATUS CHECK AND DECISION ON THE MOTIONS. Court noted that the final date for motions to be filed will be 2/17/00. Mr. Daskas advised Court there is a Motion to Suppress which might require an evidentiary hearing. COURT ORDERED, MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED IS SET FOR 1/6/00 at 10:45 A.M.

1/6/00 10:45 A.M. DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED

2/17/00 9:00 A.M. ALL PRE-TRIAL MOTIONS

5/30/00 9:00 A.M. CALENDAR CALL

6/8/00 10:00 A.M. JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 06, 2000

98C153154

The State of Nevada vs Donte Johnson

January 06, 2000

9:00 AM

Motion to Suppress

DEFT'S MOTION  
TO SUPPRESS  
EVIDENCE  
ILLEGALLY SEIZED  
VO 4/18/00 Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA VAN  
BLARICOM Heard  
By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Siegel, Jay L.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES****- EVIDENTIARY HEARING**

Mr. Sciscento invoked the exclusionary rule. SO ORDERED. Witnesses sworn and testified and evidence marked and admitted, per worksheet. Court further ORDERED, CHARLA SEVERS to be

present at the Calendar Call. Mr. Sciscento moved to suppress the Defendant's statement. Court directed Mr. Sciscento to include this request in his reply to the District Attorney's Points and Authorities. CONFERENCE AT BENCH. Court directed the State to file their response by 1/18/00; Defense to reply by 2/1/00 and MATTER CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2000

98C153154

The State of Nevada vs Donte Johnson

January 18, 2000

9:00 AM

Motion

**MATERIAL  
WITNESS CHARLA  
SEVERS' MOTION  
FOR OWN  
RECOGNIZANCE  
RELEASE Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
Johnson, Donte  
Siegel, Jay L.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- Witness, Charla Severs present. Mr. Daskas requested if the witness is released from house arrest, that she be directed to check in weekly and requested a Status Check be set thirty days prior to trial. COURT ORDERED, MOTION GRANTED, conditioned upon Charla Severs stay in contact with the District Attorney and report in at least once a week. FURTHER, MATTER CONTINUED FOR A STATUS CHECK.

4/24/00 9:00 A.M. STATUS CHECK: MATERIAL WITNESS CHARLA SEVERS



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 17, 2000**

98C153154

The State of Nevada vs Donte Johnson

**February 17, 2000**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS 02/17/00  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA VAN  
BLARICOM Heard  
By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Johnson, Donte	Defendant
	Porterfield Jr, Owen W.	Attorney
	Siegel, Jay L.	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED . . . DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE . . . DEFENDANT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS. . . DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON GUILTY OF CAPITAL MURDER . . . DEFENDANT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION UPON VICTIM'S FAMILY MEMBERS . . . DEFENDANT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE . .

. DEFENDANT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT . . . DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS . . . DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY . . . DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES . . . DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE . . . DEFENDANT'S MOTION FOR CHANGE OF VENUE . . . DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL . . . DEFENDANT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . DEFENDANT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT . . . DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE" . . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES . . . DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY . . . DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT . . . DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE . . . DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION . . . DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED. . . STATUS CHECK: WITNESS CHARLA SEVERS

Court advised parties it will need additional time to study this matter. COURT ORDERED, MATTER CONTINUED.

CONTINUED TO: 3/2/00 9:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 02, 2000

98C153154

The State of Nevada vs Donte Johnson

March 02, 2000

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 3/2/00  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED . . . DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE . . . DEFENDANT'S MOTION FOR PERMISSION TO FILE OTHER MOTIONS . . . DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON GUILTY OF CAPITAL MURDER . . . DEFENDANT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION UPON VICTIM'S FAMILY MEMBERS . . . DEFENDANT'S MOTION TO

AUTHENTICATE AND FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE . . . DEFENDANT'S MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT . . . DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS . . . DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY . . . DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES . . . DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE . . . DEFENDANT'S MOTION FOR CHANGE OF VENUE . . . DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL . . . DEFENDANT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . DEFENDANT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT . . . DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE" . . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANT SENTENCES . . . DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY . . . DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT . . . DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE . . . DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION . . . DEFENDANT'S MOTION IN LIMINE TO PREVENT THE STATE FROM TELLING COMPLETE STORY . . . DEFENDANT'S PRO PER MOTION TO DISQUALIFY THIS COURT

Court directed the State to file their answers to the Motions continued to 5/23/00 by 3/16/00. COURT ORDERED, THE MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED IS CONTINUED TO 5/23/00.

COURT ORDERED, DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE IS DENIED.

AS TO THE DEFENDANT'S MOTION TO FILE OTHER MOTIONS, COURT STATED THAT IT WILL CONSIDER OTHER MOTIONS ON THE MERTIS.

AS TO THE DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND MR. JOHNSON GUILTY OF CAPITAL MURDER, COURT ORDERED, MOTION DENIED; Court stated that it will handle this according to established law and Court directed counsel to file a memorandum of law at the time of trial.

AS TO DEFENDANT'S MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE PERTAINING TO THE IMPACT OF THE DEFENDANT'S EXECUTION UPON VICTIM'S FAMILY MEMBERS, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION TO AUTHENTICATE AND FEDERALIZE ALL MOTIONS,



OBJECTIONS, REQUESTS AND OTHER APPLICATIONS AND ISSUES RAISED IN THE PROCEEDINGS IN THE ABOVE ENTITLED CASE: Statements by Court and Mr. Figler. Court directed Mr. Figler to do what he thinks he has to to protect the record. Court stated that it will not rule on this motion and motion is taken OFF CALENDAR.

AS TO THE MOTION TO PROHIBIT THE USE OF PREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT, COURT ORDERED, MOTION DENIED.

AS TO THE MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS STATEMENTS, Court directed Mr. Daskas to file a supplement indicating what statement he expects to get in by 3/30/00; Mr. Figler to file an answer by 4/13/00; State to reply by 4/20/00 and matter continued to the Calendar Call.

AS TO THE DEFENDANT'S MOTION FOR DISCLOSURE OF ANY DISQUALIFICATION OF DISTRICT ATTORNEY, COURT ORDERED, MOTION IS DENIED.

AS TO THE DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES, COURT ORDERED, MOTION DENIED.

AS TO THE DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE, COURT ORDERED, MOTION FOR JURY QUESTIONNAIRE IS GRANTED with the understanding this Court will strictly limit anything in addition to the questionnaire. Court directed counsel to submit an agreed upon questionnaire to the Court by 5/17/00.

AS TO THE DEFENDANT'S MOTION FOR CHANGE OF VENUE, COURT ORDERED, MOTION DENIED.

AS TO THE DEFENDANT'S MOTION TO DISMISS STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY BECAUSE NEVADA'S DEATH PENALTY STATUTE IS UNCONSTITUTIONAL, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION FOR INSPECTION OF POLICE OFFICERS' PERSONNEL FILES, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME, Court directed the State to file brief supplemental points and authorities and matter CONTINUED to 5/23/00.

AS TO DEFENDANT'S MOTION IN LIMINE FOR ORDER PROHIBITING PROSECUTION MISCONDUCT IN ARGUMENT, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE FIRST PHASE AS THE "GUILT PHASE", COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES, Court directed Mr. Figler file a reply with federal authority by 3/30/00 and matter continued to 5/23/00 for Decision.

AS TO DEFENDANT'S MOTION TO APPLY HEIGHTENED STANDARD OF REVIEW AND CARE IN THIS CASE BECAUSE THE STATE IS SEEKING THE DEATH PENALTY, COURT ORDERED, MOTION DENIED.

AS TO DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT, Court directed the State to provide this information to Defense

counsel, if it exists.

AS TO DEFENDANT'S MOTION TO EXCLUDE AUTOPSY PHOTOGRAPHS, COURT ORDERED, MOTION IS DENIED AT THIS TIME; Court will consider photographs individually at trial.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF VICTIM IMPACT EVIDENCE, COURT ORDERED, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION TO BIFURCATE PENALTY PHASE, MOTION IS DENIED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION, COURT ORDERED, MOTION GRANTED.

AS TO DEFENDANT'S MOTION IN LIMINE TO PREVENT THE STATE FROM TELLING COMPLETE STORY IS DENIED.

AS TO DEFENDANT'S PRO PER MOTION TO DISQUALIFY THIS COURT, COURT ORDERED, MOTION IS DENIED WITHOUT PREJUDICE to the Special Public Defender's Office refiling, if they wish to pursue this matter pursuant to the District Court rules.

Mr. Guymon requested all exhibits from the co-offender's cases be brought into this case number. SO ORDERED.

Court directed counsel to physically meet and agree upon jury instructions prior to trial. Court advised parties the trial schedule.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 18, 2000**

98C153154

The State of Nevada vs Donte Johnson

**April 18, 2000**

**9:00 AM**

**Minute Order**

**MINUTE ORDER  
RE: DECISION:  
MOTION TO  
SUPPRESS Court  
Clerk: ALONA  
CANDITO Heard  
By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

**- MINUTE ORDER:**

Pursuant to the Decision and Order filed 4/18/00, the Defendant's Motion to Suppress Evidence Seized by Police in a Warrantless Search is DENIED.  
Therefore, the 5/23/00 date is VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 24, 2000**

98C153154

The State of Nevada vs Donte Johnson

**April 24, 2000****9:00 AM****Status Check**

**STATUS CHECK:**  
**MATERIAL**  
**WITNESS CHARLA**  
**SEVERS Court**  
**Clerk: ALONA**  
**CANDITO**  
**Reporter/Recorder:**  
**SHIRLEE**  
**PRAWALSKY Heard**  
**By: Sobel, Jeffrey**

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

Daskas, Robert J.  
 Siegel, Jay L.

Attorney  
 Attorney

**JOURNAL ENTRIES**

- Mr. Daskas advised Court Charla Severs is present in Court and has been checking in. Court directed Mr. Daskas to submit a copy of the jury questionnaire on 5/19/00 by noon to the Court. FURTHER, Matter continued.  
 CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 08, 2000

98C153154

The State of Nevada vs Donte Johnson

May 08, 2000

9:00 AM

Motion for Discovery

DEFT'S MOTION  
FOR DISCOVERY  
OF  
PROSECUTION  
FILES/RECORDS/IN  
FORMATION Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Ms. Daskas advised Court he spoke with Mr. Sciscento and the State does not oppose items 1,2,3 or 5, but is concerned with item 4. Statements by counsel. Mr. Sciscento requested Las Vegas and federal agency records regarding drug sales involving the victims. Statements regarding possible Brady material. Court directed the State to file an opposition addressing the Brady issue by 5/15/00 and MATTER CONTINUED.

**98C153154**

**CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 18, 2000**

98C153154

The State of Nevada vs Donte Johnson

**May 18, 2000****9:00 AM****Motion for Discovery**

**DEFT'S MOTION  
FOR DISCOVERY  
OF  
PROSECUTION  
FILES/RECORDS/IN  
FORMATION Court  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
DEBRA VAN  
BLAIRICOM Heard  
By: Jeffrey Sobel**

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

Daskas, Robert J.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Daskas advised he spoke to Mr. Sciscento and matter has been resolved, therefore, motion is moot. COURT ORDERED, matter OFF CALENDAR; FUTURE DATES STAND. CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 23, 2000

98C153154

The State of Nevada vs Donte Johnson

May 23, 2000

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 5/23/00  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- .TATUS CHECK: MATERIA0010000000000000000000S . . . DEFENDANT'S MOTION TO PRECLUDE EVIDENCE OF ALLEGED CO-CONSPIRATORS' STATEMENTS . . . DEFENDANT'S MOTION IN LIMINE REGARDING CO-DEFENDANTS' SENTENCES . . . DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME . . . CALENDAR CALL

Mr. Guymon advised Court the witness, Charla Severs has been checking in with his office. Ms. Sciscento advised Court counsel have agreed that they will not use the co-conspirators' statements or co-defendant's sentences. COURT ORDERED, MOTIONS OFF CALENDAR.

Statements by Court and counsel regarding regarding the guns. Mr. Sciscento advised Court an



evidentiary hearing may be necessary. COURT ORDERED, MATTER CONTINUED.

Statements by Court and counsel regarding the jury questionnaire.

CUSTODY

6/1/00 9:00 A.M. DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER  
GUNS, WEAPONS AND AMMUNITION NOT USED IN THE CRIME

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 01, 2000**

98C153154

The State of Nevada vs Donte Johnson

**June 01, 2000****9:00 AM****Motion**

**DEFT'S MOTION  
TO PRECLUDE  
EVIDENCE OF  
ALLEGED CO-  
CONSPIRATORS  
STATEMENTS  
Court Clerk: ALONA  
CANDITO Relief  
Clerk: JUDY  
NORMAN/jn  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

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

Daskas, Robert J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- The Court stated he had read the pleadings, had the same concerns as earlier and inquired as to how this played out in the co-defendants trials. Following arguments by counsel, COURT ORDERED, MOTION DENIED; counsel to meet in chambers 6/5 at 9:15. Mr. Guyman advised most of the

PRINT DATE: 02/27/2015

Page 59 of 186

Minutes Date: September 02, 1998

evidence given to the defense had not been returned. The Court stated he wanted it Friday so the Clerks could begin marking the evidence. Mr. Sciscento advised he should be receiving the evidence back today.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 05, 2000

98C153154

The State of Nevada vs Donte Johnson

June 05, 2000

10:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk:

CAROLE D'ALOIA

Reporter/Recorder:

SHIRLEE

PRAWALSKY Heard

By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Jury panel assembled. Introductions by counsel. Jury panel sworn and twelve jurors seated for voir dire. Court admonished jury and took morning recess from 10:50 AM to 11:00 AM. Jury panel reassembled, voir dire continues. Court admonished jury and took lunch recess from 11:55 AM to 1:05 PM. Jury panel reassembled and voir dire continues. Court admonished jury and took afternoon recess with jurors being told to report back at 3:00 PM. OUTSIDE THE PRESENCE OF THE JURY, Court stated Mr. Sciscento and Mr. Figler indicated, at the bench, that they have a challenge for cause, which Court indicated it would overrule. Mr. Figler and Mr. Sciscento stated their objections for the record. Jury panel reassembled, voir dire continues. Jury of 12 and 2

**98C153154**

alternates selected and sworn. Jury admonished and recessed for the evening.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 06, 2000

98C153154

The State of Nevada vs Donte Johnson

June 06, 2000

8:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk:

CAROLE

D'ALOIA/CD

Reporter/Recorder:

SHIRLEE

PRAWALSKY Heard

By: Sobel, Jeffrey

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler and Mr. Sciscento stated their contemporaneous objections for the record. Statements by Court and Mr. Figler regarding Morgan. Upon Court's inquiry, Mr. Daskas stated his contemporaneous Batson challenge for the record. COURT OVERRULED THIS CHALLENGE. Court recessed from 9:35 to 9:45 A.M. Jury reassembled and Court reconvened. Reading of indictment by Clerk. Opening statement by Mr. Guymon. Jury admonished and recessed from 11:10 AM to 11:25 AM. Jury reassembled. Opening statement by Mr. Sciscento. Testimony and exhibits per worksheet. Jury admonished and recessed for lunch from 1:05

PM to 2:05 PM. Jury reassembled and testimony and exhibits continued per worksheet. Jury admonished and recessed from 4:00 PM to 4:15 PM. Jury reassembled and testimony and exhibits continued per worksheet. Jury admonished and recessed for the evening. OUTSIDE THE PRESENCE OF THE JURY, COURT DENIED STATE'S MOTION FOR DISCOVERY as it relates to Defense witnesses for the penalty hearing. FURTHER, COURT ORDERED, STATE'S MOTION FOR CONTINUANCE DENIED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 2000

98C153154

The State of Nevada vs Donte Johnson

June 07, 2000

9:15 AM

Jury Trial

**TRIAL BY JURY**  
**Court Clerk: ALONA**  
**CANDITO**  
**Reporter/Recorder:**  
**SHIRLEE**  
**PRAWALSKY Heard**  
**By: Sobel, Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed from 10:35 AM to 10:40 AM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for lunch from 11:55 AM to 1:05 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for afternoon break from 2:50 PM to 3:00 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and rescess for another afternoon break from 4:20 PM to 4:30 PM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for the evening at 5:25 PM.



**98C153154**

**CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 08, 2000

98C153154

The State of Nevada vs Donte Johnson

June 08, 2000

9:00 AM

Jury Trial

**TRIAL BY JURY****Court Clerk:****CAROLE D'ALOIA****Reporter/Recorder:****SHIRLEE****PRAWALSKY Heard****By: Sobel, Jeffrey****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed from 11:25 AM to 11:40 AM. Jury reassembled and testimony and exhibits continue per worksheet. Jury admonished and recessed for lunch from 1:00 PM to 2:10 PM. OUTSIDE THE PRESENCE OF THE JURY, Court stated for the record that there were contemporaneous objections to several of the exhibits that came in yesterday and Court has OVERRULED THOSE OBJECTIONS. COURT FURTHER STATED THERE WAS A MOTION FOR CHANGE OF VENUE WHICH IS DENIED, AS COURT FINDS NO BASIS WHATSOEVER FOR A CHANGE OF VENUE. Mr. Sciscento stated for the record Defendant's concerns that this case was rushed along. Court advised Defendant

of his constitutional right to testify. Jury instructions settled on the record. State rests. Upon Court's inquiry, Mr. Sciscento advised they would not be calling any witnesses and the Defense rests. Jury instructions read. Closing argument by Mr. Daskas. Jury admonished and recessed from 4:00 PM to 4:15 PM. OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler stated his objections in regard to State using two 42 inch screens during their closing argument. Mr. Figler also made a motion for mistrial and COURT DENIED HIS MOTION. Jury reassembled. Closing argument by Mr. Sciscento. Rebuttal argument by Mr. Guymon. Bailiff sworn and Court instructed jury to deliberate, giving them the option to deliberate into the evening or come back at 8:00 AM in the morning. Jury advised they will come back tomorrow at 8:00 AM.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 09, 2000

98C153154

The State of Nevada vs Donte Johnson

June 09, 2000

9:00 AM

Jury Trial

TRIAL BY JURY

Court Clerk:

CAROLE D'ALOIA

Reporter/Recorder:

SHIRLEE

PRAWALSKY Heard

By: Jeffrey Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Jury reassembled at 8:00 AM to begin deliberations. Jury returned to Court at 4:10 PM with verdicts as follows: COUNT I - BURGLARY WHILE IN POSSESSION OF A FIREARM (F) - GUILTY COUNT II - CONSPIRACY TO COMMIT ROBBERY AND/OR KIDNAPPING AND/OR MURDER (F) - GUILTY COUNTS III, IV, V & VI - ROBBERY WITH USE OF A DEADLY WEAPON (F) - GUILTY VII, VIII, IX, X - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) - GUILTY XI, XII, XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (F) - GUILTY

Jury polled. COURT ORDERED, matter set for PENALTY HEARING and INSTRUCTED JURY TO

**98C153154**

REPORT BACK TO COURT ON TUESDAY, JUNE 13 AT 9:15 AM. Jury admonished and recessed.  
CUSTODY

6/13/00 9:30 AM PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 13, 2000

98C153154

The State of Nevada vs Donte Johnson

June 13, 2000

9:15 AM

Penalty Hearing

**PENALTY  
HEARING Relief  
Clerk: GEORGETTE  
BYRD/GB  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Sobel, Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Outside the presence of the jury, COURT ORDERED, Motion to Sever or Bifurcate the Penalty Hearing is DENIED. Court noted it does not think it is accord with current Nevada case law. Colloquy regarding Mr. Figler's fax of Supreme Court case Washington, Bartholomew. COURT ORDERED, all those things that are listed under 1, 4, 5 and 6 that relate to prior acts will come in. Colloquy regarding victim impact. COURT ORDERED, it will limit it to four parents, one for each victim. Colloquy regarding letters being presented by the State. Mr. Sciscento stated he does not see anything that goes with the aggravation or prior harm to the community. Further Mr. Sciscento requested the State to make an offer of proof as to what section he will be focusing on and the

difference between the language and understanding. Court noted it has read the letters and does not see any probative value that could outweigh the possible prejudice. Objections by Mr. Guymon advising the letters address violence and thinks the violence clearly is a character trait that the jury can know about. COURT ORDERED, the letters, except for the possibility of rebuttal, will not come in. Colloquy regarding gang references. Mr. Sciscento advised it is his understanding that information will be brought by the State through PSI reports and any reports of probation. Mr. Sciscento further advised he has no objection. Mr. Figler stated his objections as to Aggravator number 3 and Aggravator number 12. Mr. Daskas advised in the statute the aggravator makes no distinction between whether it's a victim or whether it's a co-defendant who was also present in that home when the bullets are shot. COURT ORDERED, Aggravator 3 is stricken. Colloquy regarding court's emotions during penalty hearing. With agreement by all Counsel, COURT ORDERED, the Clerk will read the admonition.

10:06 AM Jury present, followed by opening statements by Counsel. Witnesses sworn and testified. Exhibits marked per the worksheet. 12:20 PM Jury excused for lunch break. 1:25 PM Jury present followed by continued testimony. 5:21 PM State rests. COURT ORDERED, Jury excused and to return at 8:00 AM tomorrow.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 14, 2000

98C153154

The State of Nevada vs Donte Johnson

June 14, 2000

9:00 AM

Penalty Hearing

**PENALTY  
HEARING Court  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
DEBRA VAN  
BLAIRICOM Heard  
By: Sobel, Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Jury reassembled at 8:13 AM. Mr. Figler requested a five minute recess and Court admonished and recessed jury. OUTSIDE THE PRESENCE OF THE JURY, Mr. Figler requested a short continuance to work on his closing. COURT ADMONISHED MR. FIGLER AND GRANTED HIS REQUEST FOR THE CONTINUANCE. Court instructed bailiff to advise jury that court will be back in session at 9:30 AM. Jury reassembled and Court apologized for the delay. Testimony and exhibits per worksheet. Jury admonished and recessed from 11:30 to 11:45 AM for morning break. Jury reassembled and testimony and exhibits continued per worksheet. Jury recessed at 12:40 PM for



lunch. OUTSIDE THE PRESENCE OF THE JURY parties stipulate to the reading of the jury instructions before closing arguments. Jury instructions settled on the record. Court advised Defendant of his right to make an allocution statement. Jury panel reassembled and testimony and exhibits continued per worksheet. Jury recessed from 3:30 to 3:45 PM. Jury reassembled. Testimony and exhibits continued per worksheet. Defense rests. Jury instructions read. Closing arguments. 5:20 PM jury given short recess. Closing arguments continued. Jury recessed at 6:10 PM and ordered to come back at 8:00 AM in the morning for deliberations.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 15, 2000**

98C153154

The State of Nevada vs Donte Johnson

**June 15, 2000**

**8:00 AM**

**Penalty Hearing**

**PENALTY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA VAN  
BLARICOM Heard  
By: Sobel, Jeffrey**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Daskas, Robert J.	Attorney
Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Sciscento, Joseph S.	Attorney
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Outside the presence of the Jury, Statements by Court and counsel regarding two notes from the jury yesterday afternoon.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 16, 2000

98C153154

The State of Nevada vs Donte Johnson

June 16, 2000

8:00 AM

Penalty Hearing

**PENALTY  
HEARING Court  
Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
DEBRA VAN  
BLARICOM Heard  
By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	PUBDEF	Attorney
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Outside the presence of the jury, Statements by Court and counsel regarding the two notes from the jury yesterday afternoon. Notes marked Court's Exhibits VII and VIII. Arguments by counsel.  
(Matter trailed)

RECALLED: Court stated that it has reviewed the authority. Court advised parties the jury foreperson will be brought in and questioned. Mr. Figler requested the jury foreperson be questioned without the media and court observers present. SO ORDERED. Jury foreperson brought into the

courtroom and questioned. Juror #7 brought into the courtroom and questioned regarding Court's Exhibit #VII and his feeling on the death penalty. Outside the presence of Juror #7, statements by Court and counsel. Juror #7 brought back into the courtroom and questioned and returned to the jury room. COURT ORDERED, Juror #7 stays on the jury. Mr. Sciscento requested the Court impose a gag order as there was something on the news last night.

Jury panel assembled. Court questioned as to Court's Exhibit #VIII regarding a deadlock. Upon Court's inquiry, the jury requested to be allowed to continue deliberations. Court directed the jury to continue deliberations.

Outside the presence of the jury, statements by Court and counsel regarding an Allen charge. Both counsel advised Court they oppose an Allen charge. Court stated there is also another issue, which may be a non-issue as at some point yesterday, late in the day, a member of the victim's family was in the jury lounge and there was a Newsweek magazine, which had the death penalty on the cover (marked Court's Exhibit IX). Upon Court's inquiry, neither counsel requested to pursue this matter. Time: 11:35 a.m.

Court noted the jury has two notes, (Marked Court's Exhibits X & XI). Court's Exhibit X, indicates the jury is at a stalemate; Court's Exhibit XI, from Juror #1, indicates there was an incident that occurred last week that she needs to bring to the Court's attention as soon as possible. (Courtroom cleared)

Juror #1 brought into the courtroom and advised Court of an incident which occurred in the parking garage and returned to the jury. Jury assembled. Jury questioned regarding the jury note, Exhibit X indicating a stalemate. Outside the presence of the jury, statements by Court and counsel regarding the jury not being able to make a final decision. Mr. Sciscento moved for a mistrial. Statements by Court and counsel. Mr. Figler requested to withdraw the Motion for a Mistrial. Statements by Court and counsel regarding the scheduling of the three-judge panel. Courtroom opened to the public and jury re-assembled. COURT ORDERED, JURY RELEASED AND HUNG JURY DECLARED. Jury thanked and excused. Court advised parties it can schedule the three-judge panel during the weeks of 7/24, 8/7 or 8/14. Court directed counsel to review their schedules and COURT ORDERED, MATTER CONTINUED FOR A STATUS CHECK.

CUSTODY

6/20/00 9:00 A.M. STATUS CHECK: THREE-JUDGE PANEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2000

98C153154

The State of Nevada vs Donte Johnson

June 20, 2000

9:00 AM

Status Check

**STATUS CHECK:**  
**THREE JUDGE**  
**PANEL Court Clerk:**  
**ALONA CANDITO**  
**Reporter/Recorder:**  
**SHIRLEE**  
**PRAWALSKY Heard**  
**By: Jeffrey Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Transcript of 6/16/00 Penalty Phase FILED IN OPEN COURT. Upon Court's inquiry, all counsel advised they will be available during July 24, 25 and 26, 2000. Mr. Figler advised Court motions may need to be filed and requested a date after September. Court advised counsel it will notify the Supreme Court and request two other judges be designated as quickly as possible. Court directed counsel to file motion to challenge the three- judge panel by 7/10/00; Oppositions to be filed by 7/14/00.

Court further directed counsel to file a memorandum on this Court's duty along with the other

judges' duty in a three-judge panel. Court submitted a copy of the oath that a judge takes and the jury oath to counsel. Court requested counsel submit their best analysis of the duty of a judge on a three-judge panel and if it is the same duty as a juror.

Statements by Court and Mr. Figler regarding the selection process of the three-judge panel.

Mr. Figler requested the verdict forms and special verdict forms be made court's exhibits. COURT ORDERED, VERDICTS AND SPECIAL VERDICTS MADE COURT'S EXHIBITS.

CUSTODY

7/24/00 9:30 A.M. THREE-JUDGE PANEL PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 06, 2000**

98C153154

The State of Nevada vs Donte Johnson

**July 06, 2000****9:00 AM****Motion****DEFT'S MOTION  
FOR NEW TRIAL****Court Clerk:****CAROLE****D'ALOIA/CD****Reporter/Recorder:****SHIRLEE****PRAWALSKY Heard****By: Sobel, Jeffrey****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Guymon, Gary L.

Johnson, Donte

Williams, Kevin V.

Attorney

Defendant

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2000

98C153154

The State of Nevada vs Donte Johnson

July 13, 2000

8:30 AM

Motion

**DEFT'S MOTION  
FOR NEW TRIAL**

**Court Clerk:****CONNIE****KALSKI/CK Relief****Clerk: CAROLE****D'ALOIA****Reporter/Recorder:****SHIRLEE****PRAWALSKY Heard****By: Jeffrey Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Johnson, Donte

Defendant

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Mr. Figler presented a photograph depicting the jury room door to the Court. COURT ORDERED, photograph to be marked next in order. Upon Court's inquiry, Mr. Figler advised he would have his reply ready by Wednesday, July 19, 2000, A.M. Mr. Figler inquired if the Court has an inclination to grant the STAY. Court advised the Court would need to read the corresponding pleadings and would be ready to give its disposition next court date. The Court further stated, all the pleadings as the Defendant's Motion for new trial have been reviewed and ORDERED, Motion DENIED. FURTHER



ORDERED, 7/24/00 hearing date VACATED and reset. The Court further noted there will be no oral argument as to the upcoming Defendant's motion.

CUSTODY

7/20/00 9:00 AM DEFT'S MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE; OR, IN THE ALTERNATIVE, MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND/OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL PROCEDURE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 20, 2000**

98C153154

The State of Nevada vs Donte Johnson

**July 20, 2000**

**9:00 AM**

**All Pending Motions**

**ALL PENDING  
MOTIONS 7/20/00  
Court Clerk: ALONA  
CANDITO  
Reporter/Recorder:  
SHIRLEE  
PRAWALSKY Heard  
By: Jeffrey Sobel**

**HEARD BY:**

**COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- DECISION: DEFENDANT'S MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE SENTENCE; OR, IN THE ALTERNATIVE, MOTION TO EMPANEL JURY FOR SENTENCING HEARING AND/OR FOR DISCLOSURE OF EVIDENCE MATERIAL TO CONSTITUTIONALITY OF THREE JUDGE PANEL . . . STATE'S MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED DURING THE GUILTY PHASE COURT ORDERED, MOTION FOR IMPOSITION OF LIFE WITHOUT THE POSSIBILITY OF PAROLE IS DENIED IN ITS ENTIRETY. Court advised parties it will not order a stay. Court stated that it will sign an order denying relief today. Court stated its findings. FURTHER, AS TO THE MOTION IN LIMINE SUMMARIZING THE FACTS ESTABLISHED

DURING THE GUILT PHASE: Statements by Court and counsel. Mr. Figler requested the other two judges read the trial transcript of the guilt phase. Court advised it will make the transcripts available to the other judges. Mr. Figler advised Court he objects to a summary. Court directed all counsel to get together and work out a summary both sides think is fair prior to the three judge panel, otherwise Mr. Guyman to call his lead detective. Statements by Court and Mr. Figler regarding a stay from the Nevada Supreme Court. Mr. Figler further requested a statistical analysis on how the two other judges were picked. COURT ORDERED, MOTION DENIED. Mr. Figler advised Court he will be preparing an Order by this morning.

CUSTODY

7/24/00 9:00 A.M. THREE JUDGE PANEL / PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2000

98C153154

The State of Nevada vs Donte Johnson

July 24, 2000

8:00 AM

Hearing

**THREE JUDGE  
PANEL / PENALTY  
HEARING Court  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
CARRIE HANSEN  
Heard By: Sobel,  
Jeffrey**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Three Judge Panel assembled consisting of the Judge Jeffrey D. Sobel, Judge Michael R. Griffin and Judge Steve Elliott. Mr. Guymon disclosed the inducement regarding Sharla Severs for the record. Mr. Figler stated his objection regarding the constitutionality of the three judge panel for the record. Opening statement by Mr. Guymon. Opening statement by Mr. Figler. Sciscento. Morning recess from 10:30 to 10:45 AM. Witness testimony and exhibits per worksheet. Court recessed for lunch from 11:30 AM to 1:00 PM. Witness testimony and exhibits continued per worksheet. Court took

afternoon recess from 3:25 to 3:40 PM. Witness testimony and exhibits per continued per worksheet. State rested. Court recessed and, ORDERED, matter CONTINUED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 26, 2000

98C153154

The State of Nevada vs Donte Johnson

July 26, 2000

8:00 AM

Hearing

**THREE JUDGE  
PANEL / PENALTY  
HEARING Court  
Clerk: CAROLE  
D'ALOIA  
Reporter/Recorder:  
CARRIE HANSEN  
Heard By: Jeffrey  
Sobel**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Daskas, Robert J.	Attorney
	Figler, Dayvid J.	Attorney
	Guymon, Gary L.	Attorney
	Johnson, Donte	Defendant
	Sciscento, Joseph S.	Attorney
	Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Three Judge panel reassembled and witness testimony and exhibits continued per worksheet. Court recessed from 9:40 to 9:52 AM. Closing argument by Mr. Daskas. Closing argument by Mr. Figler and Mr. Sciscento. Rebuttal argument by Mr. Guymon. Judges retire to deliberate at 11:25 AM. Judges return with their verdicts at 1:21 PM as follows: THE THREE JUDGE PANEL, HAVING FOUND THAT THE AGGRAVATING CIRCUMSTANCE OR CIRCUMSTANCES OUTWEIGHT ANY MITIGATING CIRCUMSTANCE OR CIRCUMSTANCES IMPOSE A SENTENCE OF DEATH

**98C153154**

AS TO COUNTS XI-XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON  
(F). Panel polled.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2000

98C153154

The State of Nevada vs Donte Johnson

September 07, 2000

9:00 AM

All Pending Motions

ALL PENDING  
MOTIONS 9/7/00

Court Clerk:

CAROLE

D'ALOIA/CD

Reporter/Recorder:

SHIRLEE

PRAWALSKY Heard

By: Jeffrey Sobel

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Berrett, Bill A.

Attorney

Figler, Dayvid J.

Attorney

Johnson, Donte

Defendant

Kochevar, Brian J.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO SET ASIDE DEATH SENTENCE OR MOTION TO SETTLE  
RECORD... SENTENCING

REGARDING DEFENDANT'S MOTION, COURT ORDERED, State to file Opposition by 9/21/00;  
Mr. Figler to reply by 9/28/00 and MOTION AND SENTENCING CONTINUED.

CUSTODY

10/12/00 9:00 AM ALL PENDING MOTIONS



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 03, 2000

98C153154

The State of Nevada vs Donte Johnson

October 03, 2000

9:00 AM

Sentencing

**SENTENCING****Court Clerk:****CAROLE D'ALOIA****Relief Clerk:****GEORGETTE****BYRD/GB****Reporter/Recorder:****SHIRLEE****PRAWALSKY Heard****By: Jeffrey Sobel****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Figler, Dayvid J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Sciscento, Joseph S.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Officer Williams of P&P present. COURT ORDERED, Deft's Motion to Set Aside Death Sentence or Motion to Settle Record is denied. Objections by Mr. Figler and Mr. Sciscento. COURT ORDERED, the record will stand the way it is, and Mr. Sciscento can assess his concerns in Supreme Court.

DEFENDANT JOHNSON ADJUDGED GUILTY of:

I-Burglary While In Possession Of a Firearm (F)

II-Conspiracy To Commit Robbery And/Or Kidnapping And/Or Murder (F)

III-VI-Robbery With Use of a Deadly Weapon (F)

VII-X-First Degree Kidnapping With Use of a Deadly Weapon (F)

XI-XIV-Murder Of The First Degree With Use Of A Deadly Weapon (F)

COURT FURTHER ORDERED, the terms of incarceration will be to the maximum, and counts will run consecutive to each other. In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Defendant is SENTENCED as follows and ORDERED to pay restitution in the amount of \$33,605.95 jointly and severally with Sikia Lafayette Smith and Terrell Cochise Young:

CT I-Burglary While In Possession of a Firearm: To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons.

CT II-Conspiracy to Commit Robbery and/or Kidnapping and/or Murder: To a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS in the Nevada Department of Prisons consecutive to Count I.

CT III-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for Use of a Deadly Weapon, consecutive to Count II.

CT IV-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to Count III.

V-Robbery With Use of a Deadly Weapon (F): To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to Count IV.

VI-Robbery With Use of a Deadly Weapon: To a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons, plus an equal and consecutive MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS in the Nevada Department of Prisons for the Use of a Deadly Weapon, consecutive to count V.

VII-First Degree Kidnapping With Use Of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons, without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive to VI.

VIII-First Degree Kidnapping With use of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive to VII.

IX-First Degree Kidnapping With use of a Deadly Weapon: To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive VIII.

X-First Degree Kidnapping With Use of a Deadly Weapon; To a term of LIFE in the Nevada Department of Prisons without the possibility of parole, plus an equal and consecutive term of LIFE without the possibility of parole for the Use of a Deadly Weapon, for each count, consecutive IX.

XI-First Degree Murder With Use of a Deadly Weapon: DEATH, plus \$33,605.95 restitution jointly and severally with co-offenders Sikia Lafayette Smith and Terrell Cochise Young.

XII-First Degree Murder With Use of a Deadly Weapon: DEATH.

XIII-First Degree Murder With Use of a Deadly Weapon: DEATH.

XIV-First Degree Murder With Use of a Deadly Weapon: DEATH.

Defendant is entitled to (776) DAYS credit for time served.

Order of Execution and Warrant of Execution signed and filed in open court. Further, defendant's motion set on 10/12/00 is vacated.

CLERK'S NOTE: Minutes to reflect, Court noted automatic stay of execution.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 19, 2003**

98C153154

The State of Nevada vs Donte Johnson

**February 19, 2003****9:00 AM****Request**

**STATE'S REQUEST  
PER SUPREME  
COURT ORDER  
Court Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley-Bennett  
Heard By: Gates, Lee  
A**

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

Guymon, Gary L.

Attorney

McMahon, Lee E.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Parties advised the Defendant has not been transported but they understand he will be here tomorrow. COURT ORDERED, matter continued.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2003

98C153154

The State of Nevada vs Donte Johnson

February 21, 2003

9:00 AM

Request

**STATE'S REQUEST  
PER SUPREME  
COURT ORDER  
Relief Clerk: Alan  
Castle  
Reporter/Recorder:  
Sonia Riley-Bennett  
Heard By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

McMahon, Lee E.

Attorney

PUBDEF

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Pursuant to Supreme Court Order, COURT ORDERED, matter set for Penalty Hearing. At the request of Deft, FURTHER ORDERED, DEFT. JOHNSON REMANDED TO CUSTODY OF THE SHERIFF and to remain at the Clark County Detention Center UNTIL FURTHER ORDER OF THE COURT.

CUSTODY

9/17/03 9:00 AM CALENDAR CALL

9/23/03 10:00 AM PENALTY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 07, 2003**

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98C153154

The State of Nevada vs Donte Johnson

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**July 07, 2003****9:00 AM****Status Check**

**STATUS CHECK:**  
**Court Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Lee Gates**

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

Daskas, Robert J.

Attorney

Guymon, Gary L.

Attorney

Johnson, Donte

Defendant

Special Public Defender

Attorney

Wildeveld, Kristina M.

Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, the Defendant advised he wants to return to Ely until calendar call. COURT  
SO ORDERED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2003

98C153154

The State of Nevada vs Donte Johnson

August 18, 2003

9:00 AM

Motion

DEFT'S MTN FOR  
AUTOMATIC  
IMPOSITION OF  
LIFE W/OUT  
POSSIBILITY OF  
PAROLE/100 Court  
Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley Heard  
By: Gates, Lee A

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

Jackson, Alzora B.

Attorney

Johnson, Donte

Defendant

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- Ms. Jackson requested a continuance to allow her to file a reply to the opposition. COURT SO ORDERED.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 03, 2003

98C153154

The State of Nevada vs Donte Johnson

September 03, 2003

9:00 AM

Motion

DEFT'S MTN FOR  
AUTOMATIC  
IMPOSITION OF  
LIFE W/OUT  
POSSIBILITY OF  
PAROLE/100 Court  
Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Figler, Dayvid J.	Attorney
Guymon, Gary L.	Attorney
Jackson, Alzora B.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney

**JOURNAL ENTRIES**

- Motion to Continue Penalty Hearing FILED IN OPEN COURT. Argument by Mr. Figler that under new legislature, because there was a hung jury, Court should have the discretion of imposing Life Without the Possibility of Parole.

Argument by Mr. Guyman that the Supreme Court ordered the matter back for a new penalty hearing, not to let Court make a decision.



**98C153154**

Further argument by Mr. Figler.

COURT ORDERED, motion is DENIED.

Argument by Ms. Jackson to continue the penalty hearing. COURT ORDERED, TRIAL DATE RESET.

CUSTODY

4-19-04 9:00 A.M. CALENDAR CALL

4-27-04 10:00 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 2004

98C153154

The State of Nevada vs Donte Johnson

April 12, 2004

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS 4-12-04  
Court Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Stacy Briggs Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.

Attorney

Jackson, Alzora B.

Attorney

Special Public Defender

Attorney

**JOURNAL ENTRIES**

- STATE'S MOTION TO ADMIT FORMER TESTIMONY...DEFT'S MOTION TO CONTINUE  
PENALTY HEARING...STATUS CHECK: TRIAL

Following statements of parties, COURT ORDERED, Motion to Admit Former Testimony is  
GRANTED.

Colloquy as to Motion to Amend the Judgment of Conviction. There being no objection, COURT  
ORDERED, Motion is GRANTED.

Colloquy as to Motion re Evidence of Aggravating Circumstances. Ms. Jackson advised she has an  
objection to certain of those items. COURT ORDERED, matter set.

There being no opposition, COURT ORDERED, Motion for Procedural Direction from the Court is  
GRANTED.

Ms. Jackson stated for the record that an Order to Transport has been filed; Defendant is aware of the

motion to continue and is in agreement. COURT ORDERED, TRIAL DATE RESET.  
CUSTODY

4-21-04 9:00 A.M. Argument: State's Motion to Admit Evidence of Aggravating Circumstances

5-10-04 9:00 A.M. CALENDAR CALL

5-18-04 10:00 A.M. TRIAL BY JURY (PENALTY HEARING)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 21, 2004**

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98C153154

The State of Nevada vs Donte Johnson

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**April 21, 2004****9:00 AM****Hearing**

**ARGUMENT: TO  
ADMIT EVIDENCE  
OF  
AGGRAVATING  
CIRCUMSTANCES  
Court Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Shawna Craig Heard  
By: Gates, Lee A**

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

Guymon, Gary L.	Attorney
Jackson, Alzora B.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney
Stanton, David L.	Attorney

**JOURNAL ENTRIES**

- Pursuant to request of parties, COURT ORDERED, matter continued.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2004

98C153154

The State of Nevada vs Donte Johnson

April 28, 2004

1:00 PM

Hearing

**ARGUMENT: TO  
ADMIT EVIDENCE  
OF  
AGGRAVATING  
CIRCUMSTANCES**  
**Court Clerk: Sharon  
Coffman**  
**Reporter/Recorder:  
Cheryl Gardner**  
**Heard By: Gates, Lee  
A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.	Attorney
Jackson, Alzora B.	Attorney
Special Public Defender	Attorney
Stanton, David L.	Attorney
Whipple, Bret O.	Attorney

**JOURNAL ENTRIES**

- Mr. Stanton advised State will withdraw their motion to admit statements of Terrell Young or Sikia Smith; Further advised the State will not seek to use prior statements of Smith and Young to argue that the Defendants created a great risk of death to more than one person. COURT ORDERED, motion to exclude #3 as to great risk of death is GRANTED.

As to points #4, #5, and #6, Testimony of Shawn Fletcher, Sheree Norman, and David Horn, Crime

Scene Analysts, Mr. Stanton advised State will not proceed on their testimony to prove greater risk of harm to other people but plan to use their testimony as to other things. COURT ORDERED, it will reserve ruling on this until trial.

As to point #7, victim impact statements, arguments of counsel as to how wide a range of people can give these statements. COURT ORDERED, it will allow statements from the two parents per victim; if one of the parents does not give a statement, a sibling may speak.

As to point #8 and #9, argument by Ms. Jackson that if the jury has the entire transcript of the trial and then technicians, etc. come in and also testify, it becomes cumulative. Argument by Mr. Stanton that State should not be handcuffed as to how it presents its case to the Jury. COURT ORDERED, if the evidence become cumulative, objections should be made at the time of trial.

As to point #10, verdict forms, Ms. Jackson advised she has no position on this. Court made no ruling.

As to point #11, Donte Johnson's Juvenile Records, argument by Ms. Jackson that these are sealed and should not be used. Argument by Mr. Stanton that the Supreme Court has approved facts and circumstances of juvenile records. COURT ORDERED, the Juvenile Records shall be excluded; COURT FINDS, they are more prejudicial than probative.

As to point #12, evidence of case #98F02775X, Mr. Stanton advised State will exclude this.

As to point #13, Evidence of Super 8 Motel incident, Ms. Jackson objected to use of this as the case wasn't prosecuted. Argument by Mr. Stanton that there were several eye witnesses at the motel, and, although they may not be able to positively identify the Defendant, he made implicating statements to friends and associates. Further argument that this was three days before the quadruple shooting. COURT ORDERED, this testimony is to be excluded.

As to point #14, the alleged homicide of Darnell Lamont Johnson, following arguments of counsel, COURT ORDERED, it will reserve ruling on this in order to review the materials further. Ms. Jackson requested an evidentiary hearing.

As to point #15, evidence of the Defendant's incarceration records; i.e., conduct of the defendant while at CDC and NDOC, Mr. Stanton advised he wants to introduce evidence of an incident that occurred wherein the Defendant and another person, threw another inmate over the banister. Argument by Mr. Stanton that the charges were dismissed through a plea bargain but there was no agreement that they couldn't use the incident in future cases.

Due to Court's congested calendar, COURT ORDERED, matter continued.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 03, 2004

98C153154

The State of Nevada vs Donte Johnson

May 03, 2004

1:00 PM

Hearing

**ARGUMENT: TO  
ADMIT EVIDENCE  
OF  
AGGRAVATING  
CIRCUMSTANCES  
Relief Clerk: April  
Watkins  
Reporter/Recorder:  
Jane Michaels Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Guymon, Gary L.	Attorney
Jackson, Alzora B.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney
Stanton, David L.	Attorney
Whipple, Bret O.	Attorney

**JOURNAL ENTRIES**

- Mr. Stanton advised at the time of the last hearing the Court and counsel ended at motion #13. Next was motion #14 which is the affidavit of Detective Chandler for offer of proof which the Court has taken under advisement. Next motion is #15 which are the records from the Clark County Detention Center and the prison which Deft's counsel has argued they should be precluded. Ms. Jackson requested direction from the Court as to motion #14. Mr. Stanton argued the affidavit sets forth the

State's offer of proof for capital murder. Additionally, the State is offering it for other relevant acts which are permissible. Ms. Jackson argued Dr. Green did autopsy which stated death was undetermined. Further, Ms. Jackson argued information is not clear as to the confidential informant. Also, the Co-Deft. in affidavit gives a competing statement. Detective Chandler then goes back to Coroner who does another examination and the second opinion death was undetermined (possible strangulation) and states probable homicide. Mr. Guymon advised Judge Sobel ruled it was admissible. Further arguments by counsel. COURT ORDERED, affidavit is UNDER ADVISEMENT. Court stated as to the juvenile records, Court and trial counsel generally look at records at time of sentencing and the Supreme Court says they can be used. FURTHER ORDERED, prior ruling on the juvenile records is REVERSED and this Court will ALLOW juvenile records to be used.

Ms. Jackson argued Oscar Irris was attacked by the Deft. and the Deputy District Attorney Bill Kephart argued he became a victim of the Deft. which there seems to be some confusion as to the correct name given by the Court Service Officer who stated "Reginald Johnson". Further, Ms. Jackson argued there is only one incident that the State can say that the Deft. cannot be housed. Mr. Stanton argued there are eye witnesses to the murder of Mr. Irris. Ms. Jackson stated she wants to have a hearing regarding this matter. Additionally, Gloria Navarro, Esq. was prepared at that time to argue the court officers did not actually see incident. Court stated he wants to hear evidence on this issue and ORDERED, matter set for Evidentiary Hearing.

Ms. Jackson stated the State wants to bring in gang officers from Los Angeles to tell about Deft's gang relationship and argued this was not a gang killing. Mr. Stanton argued that this was not addressed in the prior penalty hearing and Deft's counsel has argued this Deft. had no choice when he was growing up but to join a gang. Additionally, Mr. Stanton argued Deft's counsel is also claiming it was also for his personal safety. As a result of investigation with Los Angeles, Deft. claims affiliation and this is being offered to specifically rebutt all assertions by the defense. Further, Mr. Stanton stated testimony would be giving a lay person the translation of gang language and conduct to the jury. Further arguments by counsel. Exhibits presented. (See worksheets.) Mr. Stanton argued the letters which have been marked as State's exhibits show Deft. directing Co-Deft. Young as to what to do to get off and beat this case. Second page of letter Deft. wrote don't have to worry about those three little white boys, I will take care of them. Mr. Stanton argued letter's are from the Deft's own hand and words. Ms. Jackson stated this is a blatant attempt from the State to mislead this Court and argued the Deft. was referring to the three white boys who were witnesses and testified. Further, Ms. Jackson argued letters contain young men bragging. Court stated letters are not bragging, they are Deft's words and language. Further arguments by counsel. Mr. Stanton stated letters are being offered because Deft. signs these "General Deko" a person who is a known gang member who becomes general for committing criminal acts. Ms. Jackson argued in letter to Co-Deft., Deft. states they are all generals. Mr. Stanton stated Deft. in at least two letters directly asked Co-Deft's to fall on the sword for him and argued this is direct evidence and the jury needs to know what roles all three played. Court FINDS letters are very inflammatory and ORDERED, letters will not be admitted. Mr. Stanton stated gang evidence is being offered to address Deft. had a lot of other options other than joining a gang. Court believes the State can offer and bring in gang officers. Opposition by Ms. Jackson. FURTHER ORDERED, if brought up by Deft's counsel, State can bring in gang officers. Ms. Jackson stated the State wants to tell the jury Derrick Simpson who was shot by the Deft. and testified prior is deceased. Mr. Stanton argued cause of death was homicide related to prior gun shot



by the Deft. Ms. Jackson argued Mr. Simpson had several infections and requested a chance for a expert to look at autopsy report. Further arguments by counsel. COURT ORDERED, this will be ALLOWED in. Ms. Jackson requested two weeks and advised she wants to have testing done on Mr. Simpson body. FURTHER ORDERED, Ms. Jackson has two weeks as requested.

All motions set for May 10, 2004, were addressed by this Court at this hearing.

DEFT'S MOTION IN LIMINE REGARDING REFERRING TO VICTIMS AS BOYS:

Mr. Guymon stated the State is not opposing this motion. COURT ORDERED, motion GRANTED.

DEFT'S MOTION FOR JURY QUESTIONNAIRE...DEFT'S AMENDED MOTION FOR JURY QUESTIONNAIRE:

Mr. Guymon stated counsel have met and made corrections as to the questionnaire but there is one objection by the state as to the synopsis referring to the race of the victim's and Deft. Ms. Jackson argued race of Deft. and victims needs to be known by the jury and often. Mr. Guymon argued questions 33 through 36 address race. Court FINDS race does not need to be in the synopsis and ORDERED, STRICKEN. FURTHER ORDERED, Amended Motion GRANTED and Deft's Original Motion WITHDRAWN.

DEFT'S MOTION TO BIFURCATE:

Mr. Guymon stated Deft. requested character evidence not be addressed and argued rule does not require bifurcation. Further, four deaths meet aggravators. Ms. Jackson argued jury not permitted to determine death eligible until aggravators are met. Jury can only consider evidence until Deft. is death eligible. Mr. Guymon argued the jury instructions will tell jury the way they consider character evidence. COURT ORDERED, motion DENIED.

DEFT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST:

Ms. Jackson stated this Court has discretion regarding this issue and argued higher standard in death cases. Mr. Guymon stated the Deft's counsel made this argument last time and argued the State must open and conclude per the statute. Colloquy between Court and counsel. Court FINDS Supreme Court states in all cases, the State must be allowed to close last and ORDERED, motion DENIED. CUSTODY

5/17/04 1:30 PM EVIDENTIARY HEARING...PENALTY HEARING SETTING...DECISION ON UNDER ADVISEMENT MOTIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 17, 2004

98C153154

The State of Nevada vs Donte Johnson

May 17, 2004

1:30 PM

All Pending Motions

**ALL PENDING  
MOTIONS Court  
Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Jackson, Alzora B.	Attorney
Johnson, Donte	Defendant
Special Public Defender	Attorney
Stanton, David L.	Attorney
Whipple, Bret O.	Attorney

**JOURNAL ENTRIES**

- Court convened with all present. Witnesses sworn and testified as to what they saw during the incident in which a Clark County Detention Center inmate was thrown over a second floor railing. Objection by Mr. Stanton to the calling of so many witnesses by the defense. Argument by Ms. Jackson that each witness brings something different. Testimony continued with continuing objection of Mr. Stanton.

Argument by Mr. Stanton to admit evidence of the incident for the jury to hear and let them decide what weight and importance to give it. Argument by Ms. Jackson that if the State wanted to use this incident against the Defendant at trial, they should have proceeded on the charges. Further argument that they didn't bring the victim and that Reginald Johnson has been saying from day one

that the Defendant had nothing to do with it. Mr. Jackson argued bringing this in would be more prejudicial than probative.

Court read portions of the testimony of Irias given during examination in which he stated both Reginald Johnson and Donte Johnson attacked him and threw him over the railing. Court noted the question is whether there is clear and convincing evidence that a crime was committed and whether the Defendant committed the crime. COURT FINDS, State has proven a crime was committed and that the Defendant acted in it. COURT ORDERED, this will be admitted.

Arguments as to admitting the death of Derrick Simpson. Parties requested a trial continuance in order to have an evidentiary hearing as to allowing evidence of this matter in at trial. Conference at the Bench. COURT ORDERED, TRIAL DATE RESET and matter set for further evidentiary hearing. COURT FURTHER ORDERED, Defendant to be transported back to Ely State prison pending trial. NDC

8-9-04 1:00 P.M. EVIDENTIARY HEARING: PRIOR BAD ACTS

10-11-04 9:00 A.M. CALENDAR CALL

10-19-04 10:00 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 09, 2004

98C153154

The State of Nevada vs Donte Johnson

August 09, 2004

1:00 PM

Hearing

**HEARING:**  
**MOTION TO**  
**EXCLUDE PRIOR**  
**BAD ACTS Court**  
**Clerk: Sharon**  
**Coffman**  
**Reporter/Recorder:**  
**Sonia Riley Heard**  
**By: Gates, Lee A**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Jackson, Alzora B.	Attorney
	Johnson, Donte	Defendant
	Special Public Defender	Attorney
	Stanton, David L.	Attorney

**JOURNAL ENTRIES**

- Mr. Stanton advised their department has lost Gary Guyman who has worked this case since its inception. Mr. Stanton further advised that the D.A.'s office will be appointing someone familiar with the case, perhaps Mr. Daskas; however, he will be involved in the Binion case, which is set for trial the same date as this case. Furthermore, there is medical evidence regarding the death of someone which State wants to admit at the penalty hearing, and Ms. Jackson wants time for her expert to examine this. Parties requested this hearing be continued and the trial date be reset.

COURT SO ORDERED.

Hearing date continued to 2/15/04 at 10:00.

**98C153154**

NDC

4/12/05 9:00 A.M. CALENDAR CALL

4/19/05 10:00 A.M. TRIAL BY JURY (PENALTY PHASE)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 04, 2005

98C153154

The State of Nevada vs Donte Johnson

April 04, 2005

9:00 AM

All Pending Motions

**ALL PENDING  
MOTIONS Court  
Clerk: Sharon  
Coffman  
Reporter/Recorder:  
Sonia Riley Heard  
By: Lee Gates**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
Jackson, Alzora B.  
Johnson, Donte  
Stanton, David L.  
Whipple, Bret O.

Attorney  
Attorney  
Defendant  
Attorney  
Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO STRIKE AGGRAVATOR FOUR OF NOTICE OF INTENT TO SEEK DEATH PENALTY...DEFT'S MOTION TO DISMISS RULE 250, NOTICE OF INTENT TO SEEK DEATH PENALTY...HEARING: MOTION TO EXCLUDE PRIOR BAD ACTS...STATE'S MOTION TO DISQUALIFY THE HONORABLE LEE GATES

State's Motion to Disqualify the Honorable Lee Gates FILED IN OPEN COURT. Argument by Mr. Daskas that the Court's Law Clerk worked on this case when she was in the District Attorney's office and had conversations to do with the file. Objection by Ms. Jackson as to the timeliness of this motion. Argument that she had a doctor scheduled to appear this afternoon and is ready to argue the motions. Further argument that the "Turner v State" case cited by State is without merit.

Court noted that in the Turner case the Defendant objected. Court advised the Law Clerk just came in on the case and has not briefed anything, and she will not be allowed to have anything to do with this case. Court noted there when there is a situation such as this, the Clerk is excluded from the case and precluded from doing anything on it.

Ms. Jackson and Defendant Johnson both advised they waive any conflict on this case, and that they do not mind this Court hearing the case.

Further argument by Mr. Daskas that in the Turner case, the Supreme Court said Court should not have accepted that case. Court noted there is no conflict in this matter because the Law Clerk has not worked on the case.

COURT ORDERED, it will take the matter UNDER ADVISEMENT.

Further argument by Mr. Daskas as to implied bias.

COURT FURTHER ORDERED, other motions shall be continued to 4-14.

NDC

CLERK'S NOTE: Judicial Executive Assistant advised 4-15 is a better date for counsel; accordingly, matter continued to that date instead./sc

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 07, 2005

98C153154

The State of Nevada vs Donte Johnson

April 07, 2005

9:00 AM

Minute Order

MINUTE ORD RE:  
STATE'S MTN TO  
DISQUALIFY DEFT'S  
MTN TO  
STRIKE/DEFT'S  
MTN TO DISM  
Relief Clerk: April  
Watkins Heard By:  
Lee Gates

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

Daskas, Robert J.  
Jackson, Alzora B.  
McMahon, Lee E.  
Stanton, David L.

Attorney  
Attorney  
Attorney  
Attorney

**JOURNAL ENTRIES**

- Court of the opinion, the State's Motion to Disqualify is untimely and ORDERED, motion DENIED and affidavit STRICKEN. Moreover, Ms. Bernstein was never employed by the District Attorney's Office, she is not working on the case as a law clerk and motion has no merit. Mr. Daskas advised when he became aware of Ms. Bernstein being this Court's law clerk, counsel was contacted and matter was discussed. Further, Mr. Daskas stated out of abundance of caution and to protect the case, motion was filed. Further statements by counsel. Colloquy.

Mr. Daskas advised there is no issue as to Deft's Motion to Strike Aggravator #4. COURT ORDERED, motion GRANTED. FURTHER ORDERED, Deft's Motion to Dismiss Rule 250 DENIED.