

CLERK OF THE COURT

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

1 NOASC
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 CHRIS BURTON
6 Deputy District Attorney
7 Nevada Bar #12940
8 200 Lewis Street
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)

11 Plaintiff,)

12 v.)

13 DWIGHT CONRAD SOLANDER,
14 #3074262
15 JANET SOLANDER,
16 #6005501)

17 Defendant.)

Case No. 14C299737-3
14C299737-1
Dept. No. XXI

NOTICE OF APPEAL

18 TO: JANET SOLANDER, Defendant; and

19 TO: KRISTINA WILDEVELD, ESQ. Attorney for Defendant and

20 TO: VALERIE ADAIR, District Judge, Eighth Judicial District Court,
21 Dept. No. XXI

22 NOTICE IS HEREBY GIVEN that the State of Nevada, plaintiff in the
23 above-entitled matter, appeals to the Supreme Court of the State of Nevada from the
24 granting in part of Defendants' Petition for Writ of Habeas Corpus relating to Counts
25 7, 8, 19, and 30-36 of the Information charging Sexual Assault with a Minor Under
26 Fourteen Years of Age as indicated by the Court's issuance of a Minute Order on
27 12/19/14.¹

28 ¹ The State notes that the District Court's Minute Order dated 12/19/14 is the only "Decision" the Court has issued on
Defendants' Petition for Writ of Habeas Corpus. No "Written Notice of Entry of the Order" has been filed to date. As
such, the State is filing an appeal pursuant to NRS 34.575 and NRAP 4(b)(2)

1 Dated this 30th day of March, 2015.

2
3 STEVE WOLFSON
4 Clark County District Attorney

5
6 BY



7 CHRIS BURTON
8 Deputy District Attorney
9 Nevada Bar #012940

10 Attorney for Plaintiff
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1 CERTIFICATE OF MAILING

2 I hereby certify that service of the above and foregoing NOTICE OF APPEAL was
3 made March 30th, 2015 by depositing a copy in the U.S. Mail, postage pre-paid,
4 addressed to:

5
6 KRISTINA WILDEVELD, ESQ.
615 South 6th Street
7 Las Vegas, Nevada 89101

8 JUDGE VALERIE ADAIR
9 Eighth Judicial District Court, Dept. XXI
10 Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101

11
12
13
14 BY *Valerie Adair*
15 Employee, District Attorney's Office
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CB/ed

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Case No. C-14-299737-1
C-14-299737-3
Dept. No. XXI

1:APPELLATEWFOEX'S SECRETARY DISTRICT COURT- EIGHTH CASE APP SUB ANDER, JAGET, 14C359737-3, STS CAS.DXC

1 5. Name, law firm, address, and telephone number of all counsel on appeal
2 and party or parties whom they represent:

3 CHRIS BURTON
4 Chief Deputy District Attorney
5 Nevada Bar #012940
6 Clark County District Attorney's Office
7 200 Lewis Avenue
8 Las Vegas, Nevada 89155-2212
9 (702) 671-2500

10 Counsel for Appellant
11 State of Nevada

CRAIG MUELLER, ESQ.
Mueller, Hinds & Associates, CHTD.
600 South Eighth Street
Las Vegas, Nevada 89101

Counsel for Respondent
Dwight Conrad Solander

KRISTINA WILDEVELD, ESQ.
615 South 6th Street
Las Vegas, Nevada 89101

Counsel for Respondent
Janet Solander

12 6. Indicate whether appellant was represented by appointed or retained
13 counsel in the district court: N/A

14 7. Indicate whether appellant is represented by appointed or retained
15 counsel on appeal: N/A

16 8. Indicate whether appellant was granted leave to proceed in forma
17 pauperis, and the date of entry of the district court order granting such leave: NA

18 9. Date proceedings commenced in the district court:


19 DWIGHT CONRAD SOLANDER'S Petition for Writ of Habeas Corpus filed
20 9/16/14. JANET SOLANDER'S Petition for Writ of Habeas Corpus filed 11/5/14.

DATED this 30th day of March, 2015.

Respectfully submitted,

STEVE WOLFSON
Clark County District Attorney
Nevada Bar # 001565

BY

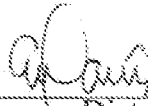

CHRIS BURTON
Deputy District Attorney
Nevada Bar #012940
Office of the Clark County District Attorney

CERTIFICATE OF MAILING

I hereby certify that service of the above and foregoing NOTICE OF APPEAL was made March 30th, 2015 by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

KRISTINA WILDEVELD, ESQ.
615 South 6th Street
Las Vegas, Nevada 89101

JUDGE VALERIE ADAIR
Eighth Judicial District Court, Dept. XXI
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101

BY 
Employee, District Attorney's Office

CB//ed

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-14-299737-3

State of Nevada
vs
Janet Solander

§ Location: **Department 21**
§ Judicial Officer: **Adair, Valerie**
§ Filed on: **07/28/2014**
§ Cross-Reference Case **C299737**
§ Number:
§ Defendant's Scope ID #: **6005501**
§ Lower Court Case # Root: **14F04585**
§ Lower Court Case Number: **14F04585C**

CASE INFORMATION

Offense	Deg	Date	Case Type: Felony/Gross Misdemeanor
1. CHILD ABUSE, NEGLECT OR ENDANGERMENT WITH SUBSTANTIAL BODILY HARM Arrest: 03/21/2014	F	01/19/2011	Case Flags: Bail Set <i>\$150,000.</i> Appealed to Supreme Court Custody Status - Bond Posted Charge Description Updated
2. CHILD ABUSE, NEGLECT OR ENDANGERMENT WITH SUBSTANTIAL BODILY HARM	F	01/19/2011	
3. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
4. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
5. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
6. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
7. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	01/19/2011	
8. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	01/19/2011	
9. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
10. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
11. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
12. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
13. ASSAULT WITH USE OF A DEADLY WEAPON	F	01/19/2011	
14. CHILD ABUSE, NEGLECT OR ENDANGERMENT WITH SUBSTANTIAL BODILY HARM	F	01/19/2011	
15. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
16. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
17. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
18. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
19. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	01/19/2011	
20. CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011	
21. CHILD ABUSE, NEGLECT OR			

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-14-299737-3

	ENDANGERMENT	F	01/19/2011
22.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
23.	ASSAULT WITH USE OF A DEADLY WEAPON	F	01/19/2011
24.	CHILD ABUSE, NEGLECT OR ENDANGERMENT WITH SUBSTANTIAL BODILY HARM	F	01/19/2011
25.	CHILD ABUSE, NEGLECT OR ENDANGERMENT WITH SUBSTANTIAL BODILY HARM	F	01/19/2011
26.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
27.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
28.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
29.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
30.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (BEDROOM 1)	F	01/19/2011
31.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (BATHROOM 1)	F	01/19/2011
32.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (BATHROOM 2)	F	01/19/2011
33.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (LOFT 1)	F	01/19/2011
34.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (LOFT 2)	F	01/19/2011
35.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (LOFT 3)	F	01/19/2011
36.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (LOFT 4)	F	01/19/2011
37.	SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F	01/19/2011
38.	BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT	F	01/19/2011
39.	BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT	F	01/19/2011
40.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
41.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
42.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
43.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
44.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011
45.	CHILD ABUSE, NEGLECT OR ENDANGERMENT	F	01/19/2011

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-14-299737-3

46. ASSAULT WITH USE OF A F 01/19/2011
DEADLY WEAPON

Related Cases

C-14-299737-1 (Multi-Defendant Case)
C-14-299737-2 (Multi-Defendant Case)

Bonds

Surety #515000806-6 \$150,000.00
10/28/2014 Active
Counts: 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 2, 20, 21, 22, 23, 24, 25, 26, 27,
28, 29, 3, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 4, 40, 41, 42, 43, 44, 45, 46, 5, 6,
7, 8, 9

DATE	CASE ASSIGNMENT
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Current Case Assignment

Case Number	C-14-299737-3
Court	Department 21
Date Assigned	07/28/2014
Judicial Officer	Adair, Valerie

PARTY INFORMATION

Defendant	Solander, Janet	<i>Lead Attorneys</i> McAmis, Caitlyn <i>Retained</i> 702-222-0007(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
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07/28/2014	 Criminal Bindover <i>Criminal Bindover</i>	
07/28/2014	 Information <i>Information</i>	
07/31/2014	 Initial Arraignment (9:30 AM) (Judicial Officer: Weed, Randall F)	
08/05/2014	 Transcript of Proceedings <i>Reporter's Transcript of Continuation of Preliminary Hearing 6-12-14</i>	
08/14/2014	 Arraignment Continued (9:30 AM) (Judicial Officer: De La Garza, Melisa) 08/14/2014, 08/28/2014, 09/04/2014	
09/11/2014	 Motion <i>Defendant's Motion for Release on Own Recognizance or, in the Alternative, a Reduction of Bail or to be Released on House Arrest</i>	
09/11/2014	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>	
09/11/2014	 Media Request and Order	

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-14-299737-3

Media Request And Order Allowing Camera Access To Court Proceedings

09/11/2014	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings.</i>
09/16/2014	 Motion (9:30 AM) (Judicial Officer: Adair, Valerie) 09/16/2014, 09/18/2014 <i>Defendant's Motion for Release on Own Recognizance or, in the Alternative, a Reduction of Bail or to be Released on House Arrest</i>
09/17/2014	 Opposition <i>Opposition to Defendant's Motion for an O.R. Release, or in the Alternative to a Reduction of Bail to a Reasonable Amount</i>
09/23/2014	 Joinder <i>Joinder to Defendant Hinton's Motion for Discovery</i>
10/15/2014	 Memorandum <i>Bench Memorandum Pursuant to Court's Request Regarding Issue in Pretrial Writs of Habeas Corpus</i>
10/16/2014	 Joinder <i>Joinder to Defendant Dwight Solander's Petition for Writ of Habeas Corpus</i>
10/21/2014	All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie) 10/21/2014, 11/06/2014 <i>Joinder to Defendant Hinton's Motion for Discovery</i>
10/21/2014	All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie) 10/21/2014, 11/06/2014 <i>Joinder to Defendant Dwight Solander's Petition for Writ of Habeas Corpus</i>
10/21/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
10/28/2014	 Bail Bond <i>Janet Solander Bond #515000806-6 Amount \$150,000.00</i>
10/28/2014	 Bail Bond Receipt <i>Janet Solander Bond #515000806-6 Amount \$150,000.00</i>
11/05/2014	 Petition <i>Petition for Writ of Habeas Corpus</i>
11/06/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
11/19/2014	 Opposition <i>Opposition and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus</i>
11/20/2014	 Petition for Writ of Habeas Corpus (9:30 AM) (Judicial Officer: Adair, Valerie)
11/26/2014	 Stipulation and Order <i>Stipulation and Order to Continue Argument on the Petition for Writ of Habeas Corpus</i>

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-14-299737-3

12/01/2014	 Decision (3:00 AM) (Judicial Officer: Adair, Valerie) <i>Petition for Writ of Habeas Corpus</i>
12/17/2014	 Return <i>State's Return to Writ of Habeas Corpus</i>
12/18/2014	 Argument (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant's Petition for Writ of Habeas Corpus</i>
12/22/2014	CANCELED Decision (3:00 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
01/02/2015	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
03/17/2015	 Order <i>Expedited Order for Transcripts</i>
03/27/2015	 Reporters Transcript <i>Transcript of Proceedings Re: Argument: Defendant's Petition for Writ of Habeas Corpus, Thursday, December 18, 2014</i>
03/27/2015	 Reporters Transcript <i>Transcript of Proceedings Re: Motions, Tuesday, October 21, 2014,</i>
03/27/2015	 Reporters Transcript <i>Transcript of Proceedings Re: Motions, Thursday, November 6, 2014</i>
03/30/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
03/30/2015	 Case Appeal Statement <i>Case Appeal Statement</i>
04/07/2015	All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Reset Trial</i>
04/09/2015	Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
04/13/2015	Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

July 31, 2014 9:30 AM Initial Arraignment

HEARD BY: Weed, Randall F **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Athena Trujillo

RECORDER: Debbie Winn

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Tierra Jones, Deputy District Attorney, present for the State of Nevada.
Defendant Solander, present in custody, with Joel Mann, Esq.

Mr. Mann advised he cannot confirm as counsel and noted the Defendant is obtaining other counsel.
COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 08/14/14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

August 14, 2014 9:30 AM Arraignment Continued

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

COURT CLERK: Roshonda Mayfield

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Sandra	Attorney
	Solander, Janet	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted the lack of appearance made by defense counsel. Therefore, COURT ORDERED, matter CONTINUED for the presence of Attorney Mann. The defendant states her family is seeking to retain new private counsel.

CUSTODY

8/28/14 9:30 A.M. ARRAIGNMENT CONTINUED (LLA)

CLERKS NOTE: A copy of this minute order was forwarded to Attorney Mann via email at: joel@legalmann.com. On August 21, 2014 the clerk replayed the initial arraignment recording after consulting with Attorney Mann via email regarding this matter. Counsel states he withdrew as counsel at the time of initial arraignment which was confirmed when replaying the matter in JAVS. (rm 8/21/14)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 28, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

August 28, 2014 9:30 AM Arraignment Continued

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

COURT CLERK: Roshonda Mayfield

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
 Solander, Janet Defendant
 State of Nevada Plaintiff

JOURNAL ENTRIES

- The defendant states she still has not been able to retain private counsel at this time. Following representations presented, COURT ORDERED, matter CONTINUED. Court staff is to contact Drew Christensen to verify what attorney will be assigned to this matter.

CUSTODY

9/4/14 9:30 A.M. ARRAIGNMENT CONTINUED (LLA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 04, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

September 04, 2014 9:30 AM Arraignment Continued

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

COURT CLERK: Phyllis Irby

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Lavell, Maria	Attorney
	McAmis, Caitlyn	Attorney
	Solander, Janet	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. McAmis informed the Court Ms. Wildeveld will be CONFIRMING AS COUNSEL. DEFT. SOLANDER ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, counsel has 21 days after the filing of the Preliminary Hearing Transcript or today s date, whichever is later, to file the Writ. State reserves all procedural objections in relation to the filing of the Writ.

CUSTODY

4-09-15 9:30 AM CALENDAR CALL (DEPT. XXI)

4-13-15 9:30 AM JURY TRIAL (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

September 16, 2014 9:30 AM Motion

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Bluth, Jacqueline	Attorney
	McAmis, Caitlyn	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- The State requested a continuance in order to file an opposition. Ms. McAmis requested a short continuance due to the defendant's medical condition. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 9/18/14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 18, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

September 18, 2014 9:30 AM Motion

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Luzaich, Elissa	Attorney
	McAmis, Caitlyn	Attorney
	Solander, Janet	Defendant
	State of Nevada	Plaintiff
	Wildeveld, Kristina M.	Attorney

JOURNAL ENTRIES

- Ms. Mcamis advised that the defendant has no criminal history and a writ will be filed on this subject. The issues are with the children and what they said. Foster Care has rigorous standards; the abuse allegations were after they were to be adopted. There is a presumption of not guilty for Ms. Solander. Ms. Luzaich stated she did the preliminary hearing and there was abundant testimony that all of the abuse began after the adoption; they had numerous other foster children in the home. This defendant was the driving force therefore there is no reason to release on bail or own recognizance. Ms. Mcamis informed the Court that Ms. Solander has medical issues that CCDC cannot handle. The Court informed counsel that if the jail cannot handle her problems, they will transport her to UMC. COURT FINDS, there was significant abuse and ORDERED, motion DENIED.

CUSTODY (CCDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 21, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

October 21, 2014 9:30 AM All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Luzaich, Elissa	Attorney
	McAmis, Caitlyn	Attorney
	Solander, Janet	Defendant
	State of Nevada	Plaintiff
	Wildeveld, Kristina M.	Attorney

JOURNAL ENTRIES

- JOINDER TO DEFENDANT HINTON'S MOTION FOR DISCOVERY...JOINDER TO DEFENDANT DWIGHT SOLANDER'S PETITION FOR WRIT OF HABEAS CORPUS

Counsel discussed additional time to reply to writs and that the preliminary hearing transcripts are not available yet. Ms. Luzaich stated that the bind overs are held until all the transcripts are completed. The Court stated it will look into when the transcripts were filed. Following further statement, COURT ORDERED, motions CONTINUED.

CUSTODY

CONTINUED TO: 11/6/14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

November 06, 2014 9:30 AM All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Elissa Luzaich appearing for the State of Nevada.

Craig Mueller appearing for defendant DWIGHT SOLANDER.

1. Defendant Dwight Solander's Motion for Return of Property Seized During Search Warrant and to Shorten Time - COURT ORDERED, motion is MOOT as the property has already been turned over.

2. Defendant Dwight Solander's Joinder of Deft. Danielle Hinton's Discovery Motion and Motion to Compel - DISCOVERY RULING IS SAME AS RULING FOR DANIELLE HINTON.

3. Defendant's Dwight Solander's Motion to Sever - COURT ORDERED, MOTION IS DENIED WITHOUT PREJUDICE.

4. Defendant Dwight Solander's Petition for Writ of Habeas Corpus - UNDER ADVISEMENT.

SEXUAL ASSAULT. The Court noted it reviewed the petition. Mr. Mueller submitted on the

pleadings, except for the sexual assault charge. He stated this is not a sexual assault case as it relates to the use of the catheter. Ms. Bluth opposed Mr. Mueller's position and stated that this is not a specific intent crime. The Court informed parties that first, this is a question of law. The issue as to whether or not this kind of insertion in the urinary opening would be considered something that could fall within the sexual assault statute. The Court informed counsel that it conferred with several other Judges who do criminal work and the prevailing opinion was that the insertion of a catheter is not a sexual assault.

CHILD ABUSE AND CORPORAL PUNISHMENT. The Court is much more comfortable with these charges as they are questions for the jury. That is where one relies on the consensus of the community.

CONSPIRACY. Mr. Mueller stated there are no allegations that Mr. Solander either touched or inserted the catheter into any of the children. He stated opposition to the State's filing thirteen acts for every time the catheter was documented. Opposition by Ms. Bluth. The Court advised that the State is entitled to have evidence of each and everything. As a matter of law the Court feels that Mr. Mueller is wrong. COURT ORDERED, Defendant Dwight Solander's Petition for Writ of Habeas Corpus is UNDER ADVISEMENT.

Jeffrey Rue appearing for defendant Danielle Hinton.

1. Defendant Hinton's Motion for Discovery - GRANTED IN PART.

BRADY MATERIALS.

a. All CPS records and DPS records on the girls.

COURT ORDERED, counsel is to provide a list of allegations for in-camera review and if it finds relevance, it will request further records.

b. All CPS records and DFS records on the Solanders.

COURT ORDERED, counsel is to provide a list of allegations for in-camera review and if it finds relevance, it will request further records.

c. All records of mental health workers who have had contact with the girls.

COURT ORDERED, the State is to obtain for in-camera review, any counseling, psychological records relating to the time when the girls began living with these defendants.

d. All records and notes of physical exams on the girls.

COURT FINDS, this request is overly broad and ORDERED, request DENIED.

e. All records and notes from the victim witness office of the DA on any monetary assistance given to the minors.

COURT ORDERED, any benefits received through Victim Witness must be disclosed.

f. All notes of interviews with the material witnesses.

Ms. Bluth stated that Dr. Emory memorializes notes into reports; she always hands over any exculpatory information to the defense. She also state that she has had no contact with the investigator in Florida, but all parties have the reports from Florida.

g. Information on the criminal history of any witness.

COURT FINDS, the State does not have to turn over NCIC reports, but if they become aware of any conviction that could potentially be used for impeachment the must provide this information to the defense.

h. Any information on any previous false allegations of misconduct made by the girls.

If the State becomes aware of misconduct they must disclose to the defense.

Mr. Rue stated there are no issues with i. - m.

n. Any 911 recordings.

State to provide copy of missing persons report and all that goes with that.

2. Defendant Hinton's Petition for Writ of Habeas Corpus - UNDER ADVISEMENT.

Mr. Rue stated that in his opinion, the State did not overcome the requirement of slight or marginal evidence regarding serious, permanent disfigurement. The State is of the opinion that the photograph was enough, but there was no testimony of prolonged pain. He further stated that his client was arrested on that scar being a serious permanent disfigurement. The Court stated that the issue on the Writ is whether there was enough evidence presented at the preliminary hearing regarding the scar. COURT ORDERED, matter taken UNDER ADVISEMENT.

3. Defendant Hinton's Motion to Compel State's Compliance of NRS 174.234 - GRANTED IN PART.

Mr. Rue stated he needs the address of the three children who are currently in foster care. The only contact he has is to send requests in the care of the District Attorney's office. Ms. Bluth advised that the State doesn't usually give out this information. Mr. Rue informed parties that his alternative is to have the State provide him with an opportunity to interview these children. Upon Ms. Bluth's

inquiry, the Court stated that Mr. Rue wants to send his investigator out, therefore he needs an address. The Court stated that it would feel more comfortable that Mr. Rue and his investigator have an opportunity to meet with the children. Ms. Bluth informed the Court that the foster parents aren't going to be willing to do that. She suggested that she put Mr. Rue in connection with the foster mother and if she decides it is alright, the State will put him in touch with her case worker first. COURT SO ORDERED.

C. Mcamis and Kristina Wildeveld appearing for defendant JANET SOLANDER.

1. Defendant Janet Solander's Joinder to Defendant Dwight Solander's Petition for Writ of Habeas Corpus - Ms. Mcamis informed the Court that she has filed her motion for Janet Solander's Petition for Writ of Habeas Corpus and has rescheduled it to give the State time to reply. The Court advised that her JEA and Law Clerk researched this matter and found that the Preliminary Hearing transcript was attached to the bind over when it was scanned into Odyssey making it difficult to find. Normally these transcripts are filed and scanned individually.

2. Defendant Janet Solander's Joinder to Defendant Hinton's Motion for Discovery - DISCOVERY RULING IS SAME AS RULING FOR DANIELLE HINTON.

BOND (DEFTS 1 & 3)

O.R./I.S. (DEFT 2)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

November 06, 2014 9:30 AM All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jacqueline Bluth and Elissa Luzaich appearing for the State of Nevada.

Craig Mueller appearing for defendant DWIGHT SOLANDER.

1. Defendant Dwight Solander's Motion for Return of Property Seized During Search Warrant and to Shorten Time - COURT ORDERED, motion is MOOT as the property has already been turned over.

2. Defendant Dwight Solander's Joinder of Deft. Danielle Hinton's Discovery Motion and Motion to Compel - DISCOVERY RULING IS SAME AS RULING FOR DANIELLE HINTON.

3. Defendant's Dwight Solander's Motion to Sever - COURT ORDERED, MOTION IS DENIED WITHOUT PREJUDICE.

4. Defendant Dwight Solander's Petition for Writ of Habeas Corpus - UNDER ADVISEMENT.

SEXUAL ASSAULT. The Court noted it reviewed the petition. Mr. Mueller submitted on the

pleadings, except for the sexual assault charge. He stated this is not a sexual assault case as it relates to the use of the catheter. Ms. Bluth opposed Mr. Mueller's position and stated that this is not a specific intent crime. The Court informed parties that first, this is a question of law. The issue as to whether or not this kind of insertion in the urinary opening would be considered something that could fall within the sexual assault statute. The Court informed counsel that it conferred with several other Judges who do criminal work and the prevailing opinion was that the insertion of a catheter is not a sexual assault.

CHILD ABUSE AND CORPORAL PUNISHMENT. The Court is much more comfortable with these charges as they are questions for the jury. That is where one relies on the consensus of the community.

CONSPIRACY. Mr. Mueller stated there are no allegations that Mr. Solander either touched or inserted the catheter into any of the children. He stated opposition to the State's filing thirteen acts for every time the catheter was documented. Opposition by Ms. Bluth. The Court advised that the State is entitled to have evidence of each and everything. As a matter of law the Court feels that Mr. Mueller is wrong. COURT ORDERED, Defendant Dwight Solander's Petition for Writ of Habeas Corpus is UNDER ADVISEMENT.

Jeffrey Rue appearing for defendant Danielle Hinton.

1. Defendant Hinton's Motion for Discovery - GRANTED IN PART.

BRADY MATERIALS.

a. All CPS records and DPS records on the girls.

COURT ORDERED, counsel is to provide a list of allegations for in-camera review and if it finds relevance, it will request further records.

b. All CPS records and DFS records on the Solanders.

COURT ORDERED, counsel is to provide a list of allegations for in-camera review and if it finds relevance, it will request further records.

c. All records of mental health workers who have had contact with the girls.

COURT ORDERED, the State is to obtain for in-camera review, any counseling, psychological records relating to the time when the girls began living with these defendants.

d. All records and notes of physical exams on the girls.

COURT FINDS, this request is overly broad and ORDERED, request DENIED.

e. All records and notes from the victim witness office of the DA on any monetary assistance given to the minors.

COURT ORDERED, any benefits received through Victim Witness must be disclosed.

f. All notes of interviews with the material witnesses.

Ms. Bluth stated that Dr. Emory memorializes notes into reports; she always hands over any exculpatory information to the defense. She also state that she has had no contact with the investigator in Florida, but all parties have the reports from Florida.

g. Information on the criminal history of any witness.

COURT FINDS, the State does not have to turn over NCIC reports, but if they become aware of any conviction that could potentially be used for impeachment the must provide this information to the defense.

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BOND (DEFTS 1 & 3)

O.R./I.S. (DEFT 2)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

November 06, 2014 9:30 AM All Pending Motions

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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Caitlyn McAmis and Kristina Wildeveld appearing for defendant Janet Solander.

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C. Mcamis and Kristina Wildeveld appearing for defendant JANET SOLANDER.

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BOND (DEFTS 1 & 3)

O.R./I.S. (DEFT 2)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

**November 20, 2014 9:30 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Luzaich, Elissa	Attorney
	McAmis, Caitlyn	Attorney
	Solander, Janet	Defendant
	State of Nevada	Plaintiff
	Wildeveld, Kristina M.	Attorney

JOURNAL ENTRIES

- Ms. Wildeveld advised that she received the State's opposition on 11/19/14. Ms. Luzaich informed the Court that the writ was untimely; it was filed untimely and wasn't attached to the bindover as it was with the other defendants and Ms. Wildeveld could have checked to see if her client's transcript had been filed. Ms. Wildeveld stated she had to get the transcripts from Ms. Mueller. Further arguments regarding this issue. The Court informed parties that an error was made either by Justice Court's staff or the Clerk's office staff; there is no reason to prejudice the defense. COURT ORDERED, it will entertain the merits as the writ challenge has to do with the serious aspects of this case. Ms. Luzaich has two weeks (12/4/14) to file her motion and matter SET for argument.

BOND

12/14/14 9:30 AM ARGUMENT: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2014

C-14-299737-3 State of Nevada
 vs
 Janet Solander

**December 01, 2014 3:00 AM Decision Petition of Writ of
Habeas Corpus**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, petition is GRANTED as to the sexual assault with the catheter and DENIED as to remaining issues.

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

State vs Janet Solander

Court's EXHIBITS

CASE NO. C299737

[illegible]

Received by Court Clerk on 3/4/15



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

STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS ST.
LAS VEGAS, NV 89155-2212

DATE: March 31, 2015
CASE: C299737-3

RE CASE: STATE OF NEVADA vs. JANET SOLANDER

NOTICE OF APPEAL FILED: March 30, 2015

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

JANET SOLANDER,

Defendant(s).


Case No: C299737-3

Dept No: XXI

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 31 day of March 2015.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

