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IN THE SUPREME COURT OF THE STATE OF NEVADA

LINDSIE NEWMAN,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

Case No.

67756

67763

Electronically Filed
May 19 2015 09:18 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

APPENDIX TO FAST TRACK STATEMENT

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1 NEIL A. ROMBARDO
2 DISTRICT ATTORNEY
3 Nevada Bar No. 6800
4 885 E. Musser Street, Suite 2030
5 Carson City, NV 89701
6 (775) 887-2072
7 Attorney for Plaintiff

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2013 OCT 29 PM 4:37
ALAN GLOVER
BY C. COOPER CLERK

8
9
10 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11 IN AND FOR CARSON CITY
12

13 STATE OF NEVADA,

14 Plaintiff,

15 v.

16 LINDSIE NEWMAN,

17 Defendant.

Case No. 13 CR0024 1B

Dept. No. II

18 CRIMINAL INFORMATION

19 STATE OF NEVADA)
20)ss
21 CARSON CITY)

22 NEIL A. ROMBARDO, District Attorney in and for Carson City, State of Nevada, by
23 IRIS YOWELL, Deputy District Attorney, in the name and by the authority of the State of
24 Nevada, informs the Court that LINDSIE NEWMAN, the Defendant, above-named, on or
25 about the 18th day of September, 2013, and before the filing of this Information, at Carson
26 Township, in Carson City, State of Nevada, has committed the crime of **POSSESSION OF A**
27 **CONTROLLED SUBSTANCE**, a category E Felony as defined by NRS 453.336, in the
28 manner following:

Count I

POSSESSION OF A CONTROLLED SUBSTANCE

("E" Felony – NRS 453.336)

That the Defendant, Lindsie Newman, on or about September 18, 2013, at Carson

1 Township, in Carson City, State of Nevada, did unlawfully possess a Schedule 1 controlled
2 substance, in the manner following, to-wit: Defendant did possess heroin, all of which
3 occurred at or near 119 East Long Street, Carson City, Nevada.

4 All of which is contrary to the form of the Statutes in such cases made and provided
5 and against the peace and dignity of the State of Nevada.

6 DATED this 28th day of October, 2013.

7 NEIL A. ROMBARDO
8 District Attorney

9 By: 

10 IRIS YOWELL
11 Deputy District Attorney
12 Nevada Bar No. 12142
13
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1 The following are the names of such witnesses for the State of Nevada as are known to
2 me at the time of filing this Information:

3 Ron Kennison
4 Carson City Sheriffs Office
5 911 E. Musser Street
6 Carson City, NV 89701

7 Clinton Hall
8 Parole and Probation Division
9 119 E. Long Street
10 Carson City, NV 89701

11 Ashlee Miller
12 Parole and Probation Division
13 119 E. Long Street
14 Carson City, NV 89701

15 Washoe County Crime Lab
16 Washoe Sheriff's Office
17 911 Parr Boulevard
18 Reno, NV 89512

1 NEIL A. ROMBARDO
2 DISTRICT ATTORNEY
3 Nevada Bar No. 6800
4 885 E. Musser Street, Suite 2030
5 Carson City, NV 89701
6 (775) 887-2072
7 Attorney for Plaintiff

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ALAN GLOVER

BY: CLERK
DEPUTY

8
9 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10
11 IN AND FOR CARSON CITY

12 STATE OF NEVADA,

13 Plaintiff,

14 v.

15 LINDSIE NEWMAN,

16 Defendant.

Case No. 13 CR 002261B

Dept. No. II

17 **MEMORANDUM OF PLEA NEGOTIATION**

18 I, LINDSIE NEWMAN, by and through KARIN L. KREIZENBECK, Nevada State Public
19 Defender and MARCIE RYBA, ESQ., Deputy Public Defender, and IRIS YOWELL, Deputy
20 District Attorney in and for Carson City, State of Nevada, hereby agree to plead guilty to
21 **POSSESSION OF A CONTROLLED SUBSTANCE**, a category E Felony as defined by NRS
22 453.336, and as more fully alleged in the charging document attached hereto as Exhibit "1".

23 My decision to plead guilty is based upon the plea agreement in this case which is as
24 follows:

25 The State agrees to concur with the recommendations of the Department of Parole
26 and Probation; the State also agrees to recommend this case run concurrent to the Gross
27 Misdemeanor case # 13 CR 00050 1B and the Misdemeanor case # 13 CR 01230 1C. Both
28 parties are free to argue in regard to diversion. All other charges as a result of this specific
episode of criminal conduct will be dismissed. In addition, the State will not pursue the
uncharged misdemeanor possession of drug paraphernalia.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of the offense to which I now plead as set forth in Exhibit "1".

I understand that as a consequence of my plea of guilty to the charge of **POSSESSION OF A CONTROLLED SUBSTANCE**, I may be imprisoned in the Nevada Department of Corrections for a period of not less than one (1) year and not more than four (4) years and I may be fined not more than \$5,000.00. I understand that restitution may be required. I understand that the law requires me to pay a \$25.00 Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I further acknowledge that I have been advised that if I am not a United States citizen, pursuant to Federal Immigration Law, conviction of this felony may result in deportation, revocation of resident alien status, visa or work permit, denial of re-admission to the United States, and denial of naturalization should I apply.

I understand that I may be eligible for probation for the offense to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.

I have not been promised or guaranteed any particular sentence by anyone. I know that my sentence is to be determined by the court within the limits prescribed by statute. I

1 understand that if my attorney or the State of Nevada or both recommend any specific
2 punishment to the Court, the Court is not obligated to accept the recommendation.

3 I understand that the Division of Parole and Probation will prepare a report for the
4 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
5 sentencing, including my criminal history. This report may contain hearsay information
6 regarding my background and criminal history. My attorney and I will each have the
7 opportunity to comment on the information contained in the report at the time of sentencing.
8 Unless the District Attorney has specifically agreed otherwise, then the District Attorney may
9 also comment on this report and its contents, including, but not limited to, all facts and
10 circumstances of this offense or offenses.

11 I understand that if the State of Nevada has agreed to recommend a particular
12 sentence or has agreed not to present argument regarding the sentence, or has agreed not to
13 oppose a particular sentence, such agreement is contingent upon my appearance in court on
14 the initial sentencing date and any subsequent date if the sentencing is continued. I
15 understand that if I fail to appear for the scheduled sentencing date or I commit a new
16 criminal offense prior to sentencing, the State of Nevada would regain the full right to argue
17 for any lawful sentence.

18 WAIVER OF RIGHTS

19 By entering my plea of guilty, I understand that I am waiving and giving up the following
20 rights and privileges:

21 1. The constitutional privilege against self-incrimination, including the right to
22 refuse to testify at trial, in which event the prosecution would not be allowed to comment to
23 the jury about my refusal to testify.

24 2. The constitutional right to a speedy and public trial by an impartial jury, free of
25 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
26 assistance of an attorney, either appointed or retained. At the trial the State would bear the
27 burden of proving beyond a reasonable doubt each element of the offense charged.

28 3. The constitutional right to confront and cross-examine any witnesses who would

1 testify against me.

2 4. The constitutional right to subpoena witnesses to testify on my behalf.

3 5. The constitutional right to testify in my own defense.

4 6. The right to appeal the conviction, with the assistance of an attorney, either
5 appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional
6 or other grounds that challenge the legality of the proceedings and except as otherwise
7 provided in subsection 3 of NRS 174.035. I understand that if I wish to appeal, I must notify
8 my attorney as soon as possible, and that the Notice of Appeal must be filed within thirty (30)
9 days from the judgment of conviction.

10 VOLUNTARINESS OF PLEA

11 I have discussed the elements of the original charge against me with my attorney and I
12 understand the nature of the charge against me.

13 I understand that the State would have to prove each element of the charge against
14 me at trial.

15 I have discussed with my attorney any possible defenses, defense strategies and
16 circumstances which might be in my favor.

17 All of the foregoing elements, consequences, rights, and waiver of rights have been
18 thoroughly explained to me by my attorney.

19 I believe that pleading guilty and accepting this plea bargain is in my best interest, and
20 that a trial would be contrary to my best interest.

21 I am signing this agreement voluntarily, after consultation with my attorney, and am not
22 acting under duress or coercion or by virtue of any promises of leniency, except for those set
23 forth in this agreement.

24 ///

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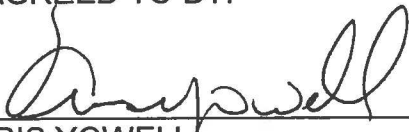
1 I am not now under the influence of any intoxicating liquor, a controlled substance or
2 other drug which would in any manner impair my ability to comprehend or understand this
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea and its
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

6 DATED this 4 day of Nov, 2013.

7 
8 LINDSIE NEWMAN
9 Defendant

10 AGREED TO BY:

11 
12 IRIS YOWELL
13 Deputy District Attorney
14 Nevada Bar No. 12142

15 10/29/13
16 Date

CERTIFICATE OF COUNSEL

I, MARCIE RYBA, ESQ., as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge to which guilty pleas are being entered.

2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.

3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant and are in the best interest of the Defendant.

4. To the best of my knowledge and belief, the Defendant:

- a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.
- b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.
- c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement.

Dated this 4 day of Nov, 2013.

Marcie Ryba
MARCIE RYBA, ESQ.
Attorney for Defendant
Nevada Public Defender's Office
511 E Robinson St.
Carson City, NV 89701
(775) 687-4880
Nevada Bar No. 8803

1 NEIL A. ROMBARDO
2 DISTRICT ATTORNEY
3 Nevada Bar No. 6800
4 885 E. Musser Street, Suite 2030
5 Carson City, NV 89701
6 (775) 887-2072
7 Attorney for Plaintiff

8
9
10 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11
12 IN AND FOR CARSON CITY

13 STATE OF NEVADA,

14 Plaintiff,

15 v.

16 LINDSIE NEWMAN,

17 Defendant.

Case No. 13 CR 1B

Dept. No. II

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CRIMINAL INFORMATION

STATE OF NEVADA)
CARSON CITY) :ss

NEIL A. ROMBARDO, District Attorney in and for Carson City, State of Nevada, by IRIS YOWELL, Deputy District Attorney, in the name and by the authority of the State of Nevada, informs the Court that LINDSIE NEWMAN, the Defendant, above-named, on or about the 18th day of September, 2013, and before the filing of this Information, at Carson Township, in Carson City, State of Nevada, has committed the crime of **POSSESSION OF A CONTROLLED SUBSTANCE**, a category E Felony as defined by NRS 453.336, in the manner following:

Count I

POSSESSION OF A CONTROLLED SUBSTANCE

("E" Felony – NRS 453.336)

That the Defendant, Lindsie Newman, on or about September 18, 2013, at Carson

1 Township, in Carson City, State of Nevada, did unlawfully possess a Schedule 1 controlled
2 substance, in the manner following, to-wit: Defendant did possess heroin, all of which
3 occurred at or near 119 East Long Street, Carson City, Nevada.

4 All of which is contrary to the form of the Statutes in such cases made and provided
5 and against the peace and dignity of the State of Nevada.

6 DATED this 28th day of October, 2013.

7 NEIL A. ROMBARDO
8 District Attorney

9 By:


10 IRIS YOWELL
11 Deputy District Attorney
12 Nevada Bar No. 12142
13
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1 The following are the names of such witnesses for the State of Nevada as are known to
2 me at the time of filing this Information:

3 Ron Kennison
4 Carson City Sheriffs Office
5 911 E. Musser Street
6 Carson City, NV 89701

7 Clinton Hall
8 Parole and Probation Division
9 119 E. Long Street
10 Carson City, NV 89701

11 Ashlee Miller
12 Parole and Probation Division
13 119 E. Long Street
14 Carson City, NV 89701

15 Washoe County Crime Lab
16 Washoe Sheriff's Office
17 911 Parr Boulevard
18 Reno, NV 89512

Case No. 13 CR 00388 IC

Dept. No. I

FILED

2013 MAR -5 PM 4:46

JUSTICE OF THE PEACE

BY [Signature]
CLERK

IN THE JUSTICE COURT OF CARSON TOWNSHIP
IN AND FOR CARSON CITY, STATE OF NEVADA

STATE OF NEVADA,

Plaintiff,

v.

LINDSIE NEWMAN,
PCN# 32620678,

Defendant.

CRIMINAL COMPLAINT

Personally appeared before me this day Iris Yowell, Deputy District Attorney for Carson City, Nevada, who complains, upon information and belief and/or personal knowledge, that LINDSIE NEWMAN, the Defendant above-named, has committed the crime of **GRAND LARCENY (VALUE: \$650.00 – \$3,500.00)**, a violation of NRS 205.220, a category C Felony as defined by NRS 205.222(2), in the manner following:

Count I

GRAND LARCENY (VALUE: \$650.00 – \$3,500.00)

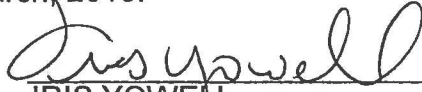
("C" Felony – NRS 205.220 & NRS 205.222(2))

That the Defendant Lindsie Newman, on or about March 4, 2013, at Carson Township, in Carson City, State of Nevada, did willfully, unlawfully, and intentionally steal, take and carry away, lead away, or drive away personal goods or property belonging to another, with a value of \$650.00 to \$3,500.00, owned by another person, to-wit: Defendant did intentionally steal and/or take and carry away property belonging to Kohls with a value of approximately \$1,002.00, all of which occurred at or near 3871 South Carson Street, Carson

1 City, Nevada.

2 All of which is contrary to the form of the Statutes in such cases made and provided
3 and against the peace and dignity of the State of Nevada. Said Complainant prays that
4 Defendant may be dealt with according to law.


5 DATED this 5th day of March, 2013.

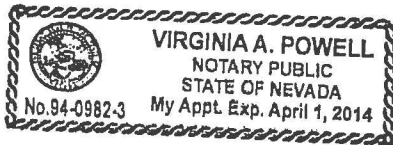
6 
7 IRIS YOWELL
8 Deputy District Attorney

9 SUBSCRIBED and SWORN to before

10 me by Iris Yowell, this

11 5th day of March, 2013.

12 
13 NOTARY PUBLIC



1 NEIL A. ROMBARDO
2 DISTRICT ATTORNEY
3 Nevada Bar No. 6800
4 885 E. Musser Street, Suite 2030
5 Carson City, NV 89701
6 (775) 887-2072
7 Attorney for Plaintiff

REC'D & FILED
2013 MAR 29 PM 3:57
ALAN GLOYER
BY ~~C. GLOYER~~ CLERK

8
9 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10
11 IN AND FOR CARSON CITY

12 STATE OF NEVADA,

13 Plaintiff,

14 v.

15 LINDSIE NEWMAN,
16 PCN# 32620678,

17 Defendant.

Case No. 13 CR 00050 1B

Dept. No. I

18 **MEMORANDUM OF PLEA NEGOTIATION**

19 I, LINDSIE NEWMAN, by and through DIANE R. CROW, Nevada State Public
20 Defender and MIHAELA NEAGOS, Deputy Public Defender, and IRIS YOWELL, Deputy
21 District Attorney in and for Carson City, State of Nevada, hereby agree to plead guilty to
22 **CONSPIRACY TO COMMIT GRAND LARCENY**, a Gross Misdemeanor, as defined by NRS
23 205.222(2) and NRS 199.480(3)(a), and as more fully alleged in the charging document
24 attached hereto as Exhibit "1".

25 My decision to plead guilty is based upon the plea agreement in this case which is as
26 follows:

27 Both sides will be free to argue for any legally appropriate sentence and to present
28 evidence to support the recommendation.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of
the offense to which I now plead as set forth in Exhibit "1".

1 I understand that as a consequence of my plea of guilty to the charge of
2 **CONSPIRACY TO COMMIT GRAND LARCENY**, I may be imprisoned in the Carson City Jail
3 for a period of not more than one (1) year and I may be fined not more than \$2,000. I
4 understand that restitution may be required. I understand that the law requires me to pay a
5 \$25.00 Administrative Assessment Fee.

6 I understand that, if appropriate, I will be ordered to make restitution to the victim of the
7 offense to which I am pleading guilty and to the victim of any related offense which is being
8 dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse
9 the State of Nevada for any expenses related to my extradition, if any.

10 I further acknowledge that I have been advised that if I am not a United States citizen,
11 conviction of this gross misdemeanor can result in deportation, revocation of resident alien
12 status, visa or work permit, denial of re-admission to the United States, and denial of
13 naturalization should I apply.

14 I understand that I may be eligible for probation for the offense to which I am pleading
15 guilty. I understand that, except as otherwise provided by statute, the question of whether I
16 receive probation is in the discretion of the sentencing judge.

17 I understand that information regarding charges not filed, dismissed charges, or
18 charges to be dismissed pursuant to this agreement may be considered by the judge at
19 sentencing.

20 I understand that if more than one sentence of imprisonment is imposed and I am
21 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
22 the sentences served concurrently or consecutively.

23 I have not been promised or guaranteed any particular sentence by anyone. I know
24 that my sentence is to be determined by the court within the limits prescribed by statute. I
25 understand that if my attorney or the State of Nevada or both recommend any specific
26 punishment to the Court, the Court is not obligated to accept the recommendation.

27 I understand that the Division of Parole and Probation will prepare a report for the
28 sentencing judge prior to sentencing. This report will include matters relevant to the issue of

1 sentencing, including my criminal history. This report may contain hearsay information
2 regarding my background and criminal history. My attorney and I will each have the
3 opportunity to comment on the information contained in the report at the time of sentencing.
4 Unless the District Attorney has specifically agreed otherwise, then the District Attorney may
5 also comment on this report and its contents, including, but not limited to, all facts and
6 circumstances of this offense or offenses.

7 I understand that if the State of Nevada has agreed to recommend a particular
8 sentence or has agreed not to present argument regarding the sentence, or has agreed not to
9 oppose a particular sentence, such agreement is contingent upon my appearance in court on
10 the initial sentencing date and any subsequent date if the sentencing is continued. I
11 understand that if I fail to appear for the scheduled sentencing date or I commit a new
12 criminal offense prior to sentencing, the State of Nevada would regain the full right to argue
13 for any lawful sentence.

14 WAIVER OF RIGHTS

15 By entering my plea of guilty, I understand that I am waiving and giving up the following
16 rights and privileges:

17 1. The constitutional privilege against self-incrimination, including the right to
18 refuse to testify at trial, in which event the prosecution would not be allowed to comment to
19 the jury about my refusal to testify.

20 2. The constitutional right to a speedy and public trial by an impartial jury, free of
21 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
22 assistance of an attorney, either appointed or retained. At the trial the State would bear the
23 burden of proving beyond a reasonable doubt each element of the offense charged.

24 3. The constitutional right to confront and cross-examine any witnesses who would
25 testify against me.

26 4. The constitutional right to subpoena witnesses to testify on my behalf.

27 5. The constitutional right to testify in my own defense.

28 6. The right to appeal the conviction, with the assistance of an attorney, either

1 appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional
2 or other grounds that challenge the legality of the proceedings and except as otherwise
3 provided in subsection 3 of NRS 174.035. I understand that if I wish to appeal, I must notify
4 my attorney as soon as possible, and that the Notice of Appeal must be filed within thirty (30)
5 days from the judgment of conviction.

6 VOLUNTARINESS OF PLEA

7 I have discussed the elements of the original charge against me with my attorney and I
8 understand the nature of the charge against me.

9 I understand that the State would have to prove each element of the charge against
10 me at trial.

11 I have discussed with my attorney any possible defenses, defense strategies and
12 circumstances which might be in my favor.

13 All of the foregoing elements, consequences, rights, and waiver of rights have been
14 thoroughly explained to me by my attorney.

15 I believe that pleading guilty and accepting this plea bargain is in my best interest, and
16 that a trial would be contrary to my best interest.

17 I am signing this agreement voluntarily, after consultation with my attorney, and am not
18 acting under duress or coercion or by virtue of any promises of leniency, except for those set
19 forth in this agreement.

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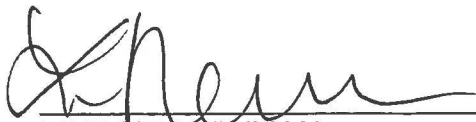
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1 I am not now under the influence of any intoxicating liquor, a controlled substance or
2 other drug which would in any manner impair my ability to comprehend or understand this
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea and its
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

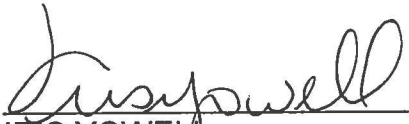
6 DATED this 29 day of March, 2013.



LINDSIE NEWMAN

Defendant

10 AGREED TO BY:



IRIS YOWELL

Deputy District Attorney
Nevada Bar No. 12142

3/27/13

Date

CERTIFICATE OF COUNSEL

I, MIHAELA NEAGOS, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge to which guilty pleas are being entered.

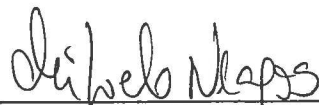
2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.

3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant and are in the best interest of the Defendant.

4. To the best of my knowledge and belief, the Defendant:

- a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.
- b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.
- c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement.

Dated this 29th day of March, 2013.



MIHAELA NEAGOS
Attorney for Defendant
511 East Robinson Street
Carson City, NV 89701
775-687-4880
Nevada Bar No. 11667

1 NEIL A. ROMBARDO
2 DISTRICT ATTORNEY
3 Nevada State Bar Number: 6800
4 885 E. Musser Street, Suite 2030
5 Carson City, Nevada 89701
6 (775) 887-2072
7 Attorney for Plaintiff

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

STATE OF NEVADA,

Plaintiff,

v.

LINDSIE NEWMAN,
PCN# 32620678,

Defendant.

Case No. 13 CR 00050 1B

Dept. No. I

CRIMINAL INFORMATION

STATE OF NEVADA)
) :ss
CARSON CITY)

IRIS YOWELL, Deputy District Attorney in and for Carson City, State of Nevada,
in the name and by the authority of the State of Nevada, informs the Court as follows, to-wit:

That LINDSIE NEWMAN, the Defendant above-named, on or about the 4th day
of March, 2013, and before the filing of this Information, in Carson City, State of Nevada, has
committed the crime of **CONSPIRACY TO COMMIT GRAND LARCENY**, a Gross
Misdemeanor, as defined by NRS 205.222(2) and NRS 199.480(3)(a), in the manner
following, to-wit:

Count I

CONSPIRACY TO COMMIT GRAND LARCENY

(Gross Misdemeanor – NRS 205.222(2) and NRS 199.480(3)(a))

That the Defendant LINDSIE NEWMAN, on or about March 4, 2013, at Carson

1 Township, in Carson City, State of Nevada, did conspire to commit the crime of Grand
2 Larceny, in violation of NRS 205.222(2), and/or to steal, take and carry away, lead away, or
3 drive away personal goods or property belonging to another, with a value of \$650.00 to
4 \$3,500.00, owned by another person and/or to accomplish any criminal or unlawful purpose,
5 or to accomplish a purpose, not in itself criminal or unlawful, by criminal or unlawful means,
6 in the manner following, to-wit: Defendant did conspire to intentionally steal and/or take and
7 carry away property belonging to Kohls with a value of approximately \$1,002.00, all of which
8 occurred at or near 3871 South Carson Street, Carson City, Nevada.

9 All of which is contrary to the form of the Statutes in such cases made and
10 provided and against the peace and dignity of the State of Nevada.

11 DATED this 26th day of March, 2013.

12 NEIL A. ROMBARDO
13 District Attorney

14 By: 

15 IRIS YOWELL
16 Deputy District Attorney
17 State Bar No. 12142
18
19
20
21
22
23
24
25
26
27
28

1 The following are the names of such witnesses for the State of Nevada as are
2 known to me at the time of filing this Information:

3 Donald J. Gibson
4 Sheriff of Carson City
5 911 E. Musser Street
6 Carson City, NV 89701

7 Kohls Dept. Store
8 3871 South Carson Street
9 Carson City, NV 89701

10 Brian Henken
11 3871 South Carson Street
12 Carson City, NV 89701



Division of Parole and Probation

VIOLATION REPORT
Date Report Prepared: 02/25/2015

TO THE HONORABLE JAMES T RUSSELL
FIRST JUDICIAL DISTRICT COURT
DEPARTMENT I
CARSON CITY, NEVADA

NAME: NEWMAN, LINDSIE
FILE #: C13-0297
CC #: 13 CR 00050 1B

SUPERVISION GRANT: 06/03/2013
ORIGINAL EXPIRATION: 04/14/2015

CRIME: CONSPIRACY TO COMMIT GRAND LARCENY
SENTENCE: \$25AAF, \$150DNA, \$250PD FEES, 9 MOS JAIL, SS, 2 YRS PROB

I. VIOLATION:

Residence:

On February 17, 2015, the City of Refuge coordinator contacted the undersigned to report that Ms. Newman fled from the program. It was reported that after being dropped off at a scheduled dentist appointment, Ms. Newman fled the doctor's office. She did not have permission to leave, and her whereabouts were unknown.

Controlled Substances; Associates; Laws; Directives and Conduct; Special Condition (3) Abstain from use, possession or control of any alcoholic beverages, controlled substances and stolen property during your probation; Special Condition (6) You shall not enter into any bars nor casinos whatsoever except for employment only;

On February 19, 2015, Ms. Newman was arrested by the Carson City Sheriff's office as she was inside a casino and they were aware of her absconder status. She was located with Kelly Manning, who was also considered an absconder. Both were taken into custody without incident. Ms. Newman was transported to the Carson City Jail. At the jail, a search of her purse yielded prescription pills which she did not have a prescription for. Ms. Newman was booked for Probation Violation (F), Failure to Appear (F) and Possession of a Dangerous Drug w/o a Prescription (F). Bail was set at \$2500. Ms. Newman is scheduled to appear in Justice Court on March 10, 2015.

On February 20, 2015, Ms. Newman signed an admission form admitting to taking morphine pills on February 18, 2015 in Lyon County. Although the drug test found the presence of methamphetamine, Ms. Newman denied any methamphetamine use. Ms. Newman also admitted to associating with Kelly Manning, even though the Honorable Specialty Court Judge had previously issued a "no contact" order between them on October 21, 2014.

Special Condition (2) Submit to a substance abuse intake evaluation, participate in a counseling program approved by the Division:

On February 23, 2015, Ms. Newman was terminated from the Western Regional Drug Court program, and ordered back to her sentencing judge.

Financial Obligations:

Ms. Newman has failed to pay monthly supervision fees in the amount of \$30.00 as mandated by the Nevada Revised Statutes to defray the cost of supervision. She is currently \$570.00 in arrears towards this obligations.

Ms. Newman was ordered to pay a total of \$468.00 to the Carson City Court Clerk's Office. She currently has a balance of \$388.00

II. RESPONSE TO SUPERVISION:

Ms. Newman has been at best, difficult to supervise. She continues to use controlled substances, does not abide by the Honorable Specialty Court Judge's orders and was considered to be an absconder at the time of her arrest. Additionally, as Ms. Newman absconded from the City of Refuge, and was terminated from the Western Regional Drug Court Program, she has exhausted all avenues provided to her, to assist in her recovery. Although Ms. Newman was afforded the opportunity to attend and complete the City of Refuge, she instead fled and continued using drugs, further putting her unborn child's life in serious jeopardy. At present, the Division no longer views Ms. Newman as a viable candidate for community supervision.

III. WHEREABOUTS AND AVAILABILITY:

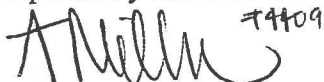
A HOLD was placed on February 23, 2015. Ms. Newman was placed in custody in the Carson City Jail. As of February 25, 2015, credit for time served is 173 days.

IV. RECOMMENDATION:

It is recommended that Ms. Newman's probation be revoked.

Due to the above violation this offender will not have their probationary period reduced pursuant to NRS 176A.500(5). As of February 25, 2015, if no further serious infractions occur, the projected discharge date will be April 14, 2015. Pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.

Respectfully submitted:

 74409

MILLER, ASHLEE A., DPS OFFICER II
NORTHERN COMMAND, CARSON CITY NV

Approved:



CAMPBELL, GARY S., DPS SERGEANT
NORTHERN COMMAND, CARSON CITY, NV

ON-SITE DRUG TEST RECORD

Offender Name: LINDSIE NEWMAN

File/Back #:

Employee Name: A. Miller

Date: 2/20/15

Check All Drugs Tested

- ☒ Cocaine
- ☒ Opiates
- ☒ THC
- ☒ PCP
- ☒ Amphetamines
- ☒ Barbiturates
- ☒ Meth

Check All Drugs Positive

- ☐ Cocaine
- ☒ Opiates
- ☐ THC
- ☐ PCP
- ☒ Amphetamines
- ☐ Barbiturates
- ☒ Meth

DENIAL

I, _____, hereby deny any recent usage of a controlled substance.

Offender Signature: _____

Date: _____

Witness Signature: _____

ADMISSION

I, Lindsie Newman, hereby certify that I used Morphine on 2/18, 2015 in Wyon County. I personally observed that such use has been verified by a field test conducted in my presence on the date indicated at the top of this form.

I certify that by providing a written admission to using Morphine, I may be subject to violation charges initiated by the division. I further understand that, if violation charges are brought against me as a result of my admission; I have a right to counsel at a final revocation hearing, unless I am an inmate of the Nevada Department of Corrections.

I freely make this admission to the individual whose signature appears below and acknowledge that my admission has been made without duress or undue influence.

Offender Signature: _____

Date: 2/20/15

Witness Signature: A Miller #4409

STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PAROLE AND PROBATION

NOTICE OF PRELIMINARY INQUIRY HEARING

You, Newman, Lindsie Number: 13 CR 00050 1B/13 CR 00226 1B
Case #

are advised that an informal Preliminary Inquiry Hearing pertaining to the following alleged violation(s) of your Parole/Probation condition(s) shall be conducted to determine if you shall be held in custody to answer said allegation(s) before the Court/Board at a formal Revocation Hearing:

Alleged Violation
Residence
Controlled Substances
Associates
Laws
Directives and Conduct
Special Condition (3) Abstain from use/possession/control of controlled substances
Special Condition (7) Enter/Completed WRDCP
Financial Obligations
Special Condition (2) Submit to substance abuse intake eval, participate in counseling program

Your Preliminary Inquiry Hearing is scheduled for _____
Date Time
at Carson City Jail
Location

At this hearing, you have these due process rights: to speak in your own behalf; retain counsel, present letters, documents, or persons who can present relevant information, and; question any person giving adverse information against you, unless in the opinion of the hearing officer the individual would be subjected to risk of harm by disclosure of his/her identity.

You may waive this Preliminary Inquiry Hearing if you desire. Should you waive, your action shall in no way be considered an admission of guilt.

Please initial the appropriate response:

_____ I desire to have a Preliminary Inquiry Hearing at the date, time, and location indicated above.

_____ I will retain _____
Name
_____ to represent me.
Address

_____ I wish to present the following witness (es) at my own expense:

_____	_____
Name	Address
_____	_____
Name	Address

[Signature] I waive my right to a Preliminary Inquiry Hearing and request to present my case directly to the Court/Board.

[Signature] I have received a copy of the alleged violation(s) of Parole/Probation, and this, my Notice of Rights.

[Signature] _____ 3/2/15
Signature of Client Number Date

Wendy Maxwell _____ 3/2/15
Signature of Witness Position Date



Division of Parole and Probation

VIOLATION REPORT
Date Report Prepared: 02/25/2015

TO THE HONORABLE JAMES T RUSSELL
FIRST JUDICIAL DISTRICT COURT
DEPARTMENT I
CARSON CITY, NEVADA

NAME: NEWMAN, LINDSIE
FILE #: C13-0297A
CC #: 13 CR 00226 1B

SUPERVISION GRANT: 12/16/2013
ORIGINAL EXPIRATION: 12/16/2016

CRIME: POSSESSION OF A CONTROLLED SUBSTANCE
SENTENCE: \$25AAF, \$60CAF, \$3.00 DNA ASSESS FEE, \$500PD FEE, 453 PROGRAM, 3 YRS

I. VIOLATION:

Residence:

On February 17, 2015, the City of Refuge coordinator contacted the undersigned to report that Ms. Newman fled from the program. It was reported that after being dropped off at a scheduled dentist appointment, Ms. Newman fled the doctor's office. She did not have permission to leave, and her whereabouts were unknown.

Controlled Substances; Associates; Laws; Directives and Conduct; Special Condition (3) Abstain from use, possession or control of any alcoholic beverages, controlled substances and stolen property during your probation; Special Condition (6) You shall not enter into any bars nor casinos whatsoever except for employment only:

On February 19, 2015, Ms. Newman was arrested by the Carson City Sheriff's office as she was inside a casino and they were aware of her absconder status. She was located with Kelly Manning, who was also considered an absconder. Both were taken into custody without incident. Ms. Newman was transported to the Carson City Jail. At the jail, a search of her purse yielded prescription pills which she did not have a prescription for. Ms. Newman was booked for Probation Violation (F), Failure to Appear (F) and Possession of a Dangerous Drug w/o a Prescription (F). Bail was set at \$2500. Ms. Newman is scheduled to appear in Justice Court on March 10, 2015.

On February 20, 2015, Ms. Newman signed an admission form admitting to taking morphine pills on February 18, 2015 in Lyon County. Although the drug test found the presence of methamphetamine, Ms. Newman denied any methamphetamine use. Ms. Newman also admitted to associating with Kelly Manning, even though the Honorable Specialty Court Judge had previously issued a "no contact" order between them on October 21, 2014.

Special Condition (7) Enter and Complete the Western Regional Drug Court Program:

On February 23, 2015, Ms. Newman was terminated from the Western Regional Drug Court program, and ordered back to her sentencing judge.

Financial Obligations:

Ms. Newman has failed to pay monthly supervision fees in the amount of \$30.00 as mandated by the Nevada Revised Statutes to defray the cost of supervision. She is currently \$570.00 in arrears towards this obligations.

Ms. Newman was ordered to pay a total of \$468.00 to the Carson City Court Clerk's Office. She currently has a balance of \$388.00

II. RESPONSE TO SUPERVISION:

Ms. Newman has been at best, difficult to supervise. She continues to use controlled substances, does not abide by the Honorable Specialty Court Judge's orders and was considered to be an absconder at the time of her arrest. Additionally, as Ms. Newman absconded from the City of Refuge, and was terminated from the Western Regional Drug Court Program, she has exhausted all avenues provided to her, to assist in her recovery. Although Ms. Newman was afforded the opportunity to attend and complete the City of Refuge, she instead fled and continued using drugs, further putting her unborn child's life in serious jeopardy. At present, the Division no longer views Ms. Newman as a viable candidate for community supervision.

III. WHEREABOUTS AND AVAILABILITY:

A HOLD was placed on February 23, 2015. Ms. Newman was placed in custody in the Carson City Jail. As of February 25, 2015, credit for time served is 0 days. All credits have been applied to CC# 13 CR 00050 1B

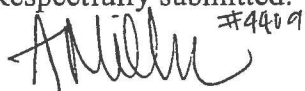
IV. RECOMMENDATION:

It is recommended that Ms. Newman's deferred sentence be rescinded. It is further recommended that Ms. Lindsie Newman be sentenced to a term of 12-32 months in the Nevada Department of Corrections.

Due to the above violation this offender will not have their probationary period reduced pursuant to NRS176A.500(5). As of February 25, 2015, if no further serious infractions occur, the projected discharge date will be December 16, 2016.

Pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.

Respectfully submitted:

 #4409

MILLER, ASHLEE A., DPS OFFICER II
NORTHERN COMMAND, CARSON

Approved:



CAMPBELL, GARY S., DPS SERGEANT
NORTHERN COMMAND, CARSON CITY, NV

In The Matter Of:
The State of Nevada vs
Lindsie Newman - Case 13-CR-00226 1B

Sentencing
March 2, 2015
Rough Draft

Capitol Reporters
208 N. Curry Street

Carson City, Nevada 89703

Original File 3-2-15newmanL.txt
Min-U-Script® with Word Index

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2 Department I
3
4 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR CARSON CITY
6 HONORABLE JAMES TODD RUSSELL, DISTRICT JUDGE
7 -oOo-
8
9 STATE OF NEVADA, Plaintiff,
10 vs.
11 LINDSIE NEWMAN, Defendant.
12
13
14
15 JAVS-RECORDED TRANSCRIPT OF PROCEEDINGS
16 ROUGH DRAFT SENTENCING
17 MARCH 2, 2015
18 CARSON CITY, NEVADA
19
20 For the State: Melanie Porter,
21 Deputy District Attorney
Carson City, Nevada
22 For the Defendant: Jennifer J. Merideth,
23 Deputy Public Defender
Carson City, Nevada
24 Transcribed by: Capitol Reporters (775) 882-5322

Page 2

1 CARSON CITY, NEVADA, MONDAY, MARCH 2, 2015, A.M. SESSION
2 -oOo-
3
4 THE COURT: The next matter before the Court is
5 going to be Case No. 13 CR 0050, State of Nevada versus
6 Lindsie Newman and along with Case No. 13 CR 00326.
7 Show the appearance of Melanie Porter on behalf
8 of the State of Nevada, Deputy District Attorney. Show the
9 appearance of Jennifer Merideth on behalf of the Defendant.
10 Show the appearance of Debbie Beemer on behalf of the Division
11 of Parole and Probation. The Defendant is present in the
12 courtroom.
13 It's my understanding essentially that you've
14 been removed from drug court; is that correct?
15 THE PROBATION OFFICER: That's correct, Your
16 Honor.
17 MS. PORTER: Yes.
18 THE PROBATION OFFICER: She left the City of
19 Refuge also and was removed from drug court. We have not
20 submitted the violation report. It's in the process of being
21 written. If you want it served to her, we would ask for a
22 week's continuance. If you want to continue on today, I do
23 have credit for time served and what our recommendation would
24 be.

Page 3

1 THE COURT: Well, Ms. Merideth, do we need that
2 report? It's my understanding that basically, she wants to
3 just -- indicate she violated and wants to basically be
4 remanded to custody. But if that's not correct, we can wait
5 for that violation report.
6 MS. MERIDETH: It is correct, Your Honor. I
7 think the only hiccup at this point for Ms. Newman is she has
8 a pending preliminary hearing on the 10th of March downstairs
9 related to her most recent arrest. My understanding in
10 talking with her is that we do have a defense to that case.
11 It's just going to take me some time to get a copy of a
12 prescription that I'd like to submit to the DA's office.
13 One thing I'd like to see is if we could just
14 wrap all this stuff up at the same time because her intention
15 is to ask to be revoked on her felony.
16 She also has a pending misdemeanor or gross
17 misdemeanor that she's set to expire probation the middle of
18 next month. So my request is if you would allow us a couple
19 weeks so I can resolve the outstanding matter and then just
20 take care of all of her potential prison time at the same
21 time, because otherwise, it's just they sit and languish in
22 the discipline (ph.).
23 THE COURT: I have no problem continuing it until
24 we can get all the matters heard and determined in respect to

Page 4

1 this matter, and we'll get a report, but she's going to remain
2 in custody. She's not going anywhere.
3 THE PROBATION OFFICER: As far as the gross
4 misdemeanor with the termination date, it's not terminated
5 now. It's frozen. That's part of what the recommendation is
6 for the revocation on that gross misdemeanor case.
7 So, Your Honor, would you like the violation
8 reports submitted since we do have time?
9 THE COURT: That's fine. When you have time to
10 do it. We'll go ahead and continue this three weeks.
11 Is that enough time?
12 MS. MERIDETH: Yes, Your Honor.
13 THE COURT: We'll go ahead and continue this
14 matter until the 23rd of March at 9 o'clock. She's to remain
15 in custody until then.
16 MS. MERIDETH: Thank you, Your Honor.
17 (Proceedings concluded.)
18
19
20
21
22
23
24

1 STATE OF NEVADA,)
2 CARSON CITY.) ss.

3

4 I, SHELLIE LOOMIS, do hereby certify:

5 That on March 2, 2015, a sentencing was held in the
6 within-entitled matter in the First Judicial District Court,
7 State of Nevada;

8 That said sentencing was recorded on JAVS CD-ROM,
9 and said JAVS CD-ROM was delivered to me for transcription;

10 That the foregoing transcript, consisting of pages 1
11 through 4, is a full, true and correct transcript of said
12 recorded JAVS CD-ROM performed to the best of my ability.

13

14 Dated at Carson City, Nevada, this 15th day of
15 April, 2015.

16

17

18



Shellie Loomis, Transcriber

19

20

21

22

23

24

A	DA's (1) 3:12	indicate (1) 3:3	One (1) 3:13	3:18
	date (1) 4:4	intention (1) 3:14	only (1) 3:7	resolve (1) 3:19
	Debbie (1) 2:10	J	otherwise (1) 3:21	respect (1) 3:24
	Defendant (2) 2:9,11	Jennifer (1) 2:9	outstanding (1) 3:19	revocation (1) 4:6
B	defense (1) 3:10	L	P	revoked (1) 3:15
	Deputy (1) 2:8	L	P	S
	determined (1) 3:24	languish (1) 3:21	Parole (1) 2:11	same (2) 3:14,20
	discipline (1) 3:22	left (1) 2:18	part (1) 4:5	served (2) 2:21,23
C	District (1) 2:8	Lindsie (1) 2:6	pending (2) 3:8,16	SESSION (1) 2:1
	Division (1) 2:10	M	ph (1) 3:22	set (1) 3:17
	downstairs (1) 3:8	MARCH (3) 2:1;3:8;4:14	point (1) 3:7	Show (3) 2:7,8,10
	drug (2) 2:14,19	matter (4) 2:4;3:19;4:1,14	Porter (2) 2:7,17	sit (1) 3:21
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	enough (1) 4:11	Melanie (1) 2:7	preliminary (1) 3:8	stuff (1) 3:14
	essentially (1) 2:13	Merideth (5) 2:9;3:1,6;4:12,16	prescription (1) 3:12	submit (1) 3:12
	expire (1) 3:17	middle (1) 3:17	present (1) 2:11	submitted (2) 2:20;4:8
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	far (1) 4:3	MONDAY (1) 2:1	Probation (5) 2:11,15,18;3:17;4:3	talking (1) 3:10
	felony (1) 3:15	month (1) 3:18	problem (1) 3:23	terminated (1) 4:4
	fine (1) 4:9	most (1) 3:9	Proceedings (1) 4:17	termination (1) 4:4
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	G	need (1) 3:1	R	today (1) 2:22
	gross (3) 3:16;4:3,6	NEVADA (3) 2:1,5,8	recent (1) 3:9	U
	H	Newman (2) 2:6;3:7	recommendation (2) 2:23;4:5	up (1) 3:14
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	hearing (1) 3:8	O	related (1) 3:9	versus (1) 2:5
	hiccup (1) 3:7	o0o- (1) 2:2	remain (2) 4:1,14	violated (1) 3:3
	Honor (5) 2:16;3:6;4:7,12,16	o'clock (1) 4:14	remanded (1) 3:4	violation (3) 2:20;3:5;4:7
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	I	OFFICER (3) 2:15,18;4:3	report (4) 2:20;3:2,5;4:1	wait (1)
	I		reports (1) 4:8	
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3:19;4:10
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2:22
wrap (1)
3:14
written (1)
2:21

0

00326 (1)
2:6
0050 (1)
2:5

1

10th (1)
3:8
13 (2)
2:5,6

2

2 (1)
2:1
2015 (1)
2:1
23rd (1)
4:14

9

9 (1)
4:14

In The Matter Of:
The State of Nevada vs
Lindsie Newman - Case 13-CR-00226 1B/13-CR-00050 1B

Sentencing
March 23, 2015
Rough Draft

Capitol Reporters
208 N. Curry Street

Carson City, Nevada 89703

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1 Case No. 13 CR 00226 1B
2 13 CR 00050 1B
3 Department I
4
5 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR CARSON CITY
7 HONORABLE JAMES TODD RUSSELL, DISTRICT JUDGE
8 -oOo-
9 STATE OF NEVADA,
10 Plaintiff,
11 vs.
12 LINDSIE NEWMAN,
13 Defendant.
14
15 JAVS-RECORDED TRANSCRIPT OF PROCEEDINGS
16 ROUGH DRAFT SENTENCING
17 MARCH 23, 2015
18 CARSON CITY, NEVADA
19
20 For the State: Melanie Porter,
21 Deputy District Attorney
Carson City, Nevada
22 For the Defendant: Jennifer J. Merideth,
23 Deputy Public Defender
Carson City, Nevada
24 Transcribed by: Capitol Reporters (775)882-5322

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1 CARSON CITY, NEVADA, MONDAY, MARCH 23, 2015, A.M. SESSION
2 -oOo-
3
4 THE COURT: The next matters before the Court are
5 going to be Case No. 12 CR 00226, State of Nevada versus
6 Lindsie Newman. And Case No. 13 CR 00050, State of Nevada
7 versus Lindsie Newman. It's the time for a hearing in regards
8 to the probation revocation.
9 Present on behalf of the State of Nevada is
10 Melanie Porter, Deputy District Attorney. Present on behalf
11 of the Defendant is --
12 MS. MERIDETH: Jennifer Merideth.
13 THE COURT: Oh, I got it.
14 -- in respect to this particular matter. Also
15 present on behalf of the Parole and Probation, I think, is
16 Ashley Miller; correct?
17 THE PROBATION OFFICER: No. Wendy Maxwell, Your
18 Honor.
19 THE COURT: Wendy Maxwell. Okay. 0 for 2.
20 Thank you.
21 In respect to this particular matter, we're here
22 with regards to the -- previously, she'd been removed from
23 drug court, it's my understanding.
24 Is that correct, Ms. Merideth?

Page 3

1 MS. MERIDETH: I'm sorry, Your Honor. My client
2 was speaking to me.
3 What did you just say?
4 THE COURT: She's been removed from the drug
5 court program; correct?
6 MS. MERIDETH: She has, Your Honor.
7 THE COURT: And basically, if the Court recalls,
8 it's basically she left the City of Refuge and left; correct?
9 MS. MERIDETH: That's correct, Your Honor.
10 THE COURT: And we have a violation report dated
11 February 25th, now, 2015; is that correct?
12 MS. MERIDETH: I have a file stamped copy that
13 came into my office on the 26th, and the date, it looks like
14 to me, it was prepared was the 2nd on Case 13 CR 0050 1B.
15 I don't have an actual violation report on
16 13 CR 00226 1B.
17 THE COURT: That's the one I have a violation
18 report on. I don't have one on 13 CR 00050, so if you have
19 one --
20 MS. PORTER: I have them on both.
21 MS. MERIDETH: She's prepared to admit the
22 violations, Your Honor, but (inaudible).
23 THE COURT: I've got one but not the other one.
24 THE PROBATION OFFICER: Your Honor, may I

Page 4

1 approach?
2 THE COURT: You may.
3 MS. MERIDETH: Oh, I'm sorry. I do have this.
4 I apologize, Your Honor.
5 THE COURT: Okay. In reference to Case
6 No. 13 CR 00050, have you had a chance to review that
7 violation report, Ms. Merideth.
8 MS. MERIDETH: I have, Your Honor. My client
9 indicates that she is willing to admit the violations in this
10 case and, as indicated, in the other case as well.
11 THE COURT: And the violation report dated
12 February 25th, 2015, in respect to Case Nos. 13 CR 00050
13 indicates the following violation. Controlled substance,
14 associates law, directives and conduct. Special Condition
15 No. 3. Abstain from use, possession or control of any
16 alcoholic beverages, controlled substance, stolen property
17 during your probation.
18 Special Condition No. 6. You shall not enter any
19 bars or casinos whatsoever except for employment in respect to
20 this matter.
21 So do you admit those violations?
22 THE DEFENDANT: Yes, Your Honor.
23 THE COURT: Also Special Condition No. 2. Submit
24 to a substance abuse intake evaluation; participate in

Page 5

1 counseling program approved by the Division. You were
2 terminated from the Western Regional Drug Court program;
3 correct?
4 THE DEFENDANT: Yes.
5 THE COURT: So you admit that violation as well?
6 THE DEFENDANT: Yes, Your Honor.
7 THE COURT: Ms. Merideth, any statement you'd
8 like to make?
9 MS. MERIDETH: Your Honor, as I indicated,
10 Ms. Newman is prepared to ask for revocation in both of these
11 cases today. She's appreciated the opportunities that the
12 Court has afforded her by allowing her diversion and the drug
13 court program as well as the City of Refuge so her baby will
14 be born safe.
15 Unfortunately, now, she'll be -- or he. I don't
16 know if it's a he or she.
17 THE DEFENDANT: She.
18 MS. MERIDETH: She will be born while Ms. Newman
19 is incarcerated.
20 I did have an opportunity to speak with the
21 Division of Parole and Probation. What the agreement was when
22 she was initially -- well, sentenced on the possession of a
23 controlled substance charge is that this case would run
24 concurrent with the gross misdemeanor charge. She has nine

Page 6

1 months suspended on that gross misdemeanor as well as I
2 believe that you're going to obviously rescind her deferred.
3 And our request is that you would sentence her to 12 to 32
4 concurrent with the gross misdemeanor charge with credit for
5 265 days time served of presentence employment, and that's the
6 number that I have from the Division of Parole and Probation.
7 I went and pulled the records of her ins and outs at the jail
8 in Carson.
9 THE COURT: So the credit for time served on Case
10 No. 13 CR 00050 reflects credit for time served, 173 days; is
11 that correct? I'm looking at the report. That was as of
12 February 25th, 2015.
13 MS. MERIDETH: I think what the Division and what
14 I've been trying to talk to them about is initially, they were
15 going to -- and they might still be. They want to request
16 credit on the gross misdemeanor case and then credit on the
17 felony case separate too. And my request -- and that's the
18 agreement we had with the State is that the time would run
19 concurrent to each other.
20 So I think that --
21 THE COURT: Well, if I run it concurrent, the
22 time runs concurrent, I guess.
23 MS. MERIDETH: Correct.
24 THE COURT: But my question -- and I want to make

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1 sure, and I guess my main concern is no matter what happens in
2 this particular matter, she stays in custody long enough for
3 that child to be born. I don't want her to go out and go
4 through any hoops or anything else and be out of custody until
5 that child's been born, and I don't know if I -- otherwise,
6 I'm going to run them consecutively.
7 THE PROBATION OFFICER: Your Honor, she's set to
8 expire her gross misdemeanor case next month on the 14th.
9 THE COURT: It expires?
10 THE PROBATION OFFICER: Her gross misdemeanor
11 case expires.
12 As far as the deferred sentence --
13 THE COURT: Well, we're going to sentence her in
14 a minute on that.
15 But anyway, I'm going to go ahead and revoke on
16 this case. I'm going to go ahead and revoke your probation
17 with respect to Case No. 13 CR 0050. We will give you credit
18 at least until you were picked up, I guess, up to
19 February 25th, 2015. We'll give you credit of 173 days, and
20 then I'll decide what I'm going to do on the other case. If I
21 run them concurrent, it won't matter. They'll all run
22 together.
23 So in respect to Case No. 13 CR 0026, we do
24 have -- you had a suspended sentence in that particular case,

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1 if I recall correctly, where you were given the benefit of
2 diversion in respect to this -- that particular matter. So
3 it's up to the Court to determine what the sentence I should
4 give on that case; correct, Ms. Porter?
5 MS. PORTER: That's correct.
6 THE COURT: What's the State recommending?
7 MS. PORTER: Your Honor, our initial agreement in
8 the plea memorandum was concurrent time with the gross
9 misdemeanor case. You know, typically the way it works is if
10 they don't complete, we regain the full right to argue, and
11 that's part of the plea memorandum as well.
12 I agree with the Court that we don't want to see
13 her out of custody until that baby is born.
14 My concern is that, you know, on the 12 to 32,
15 she's going to serve, what, eight months maximum before she's
16 paroled. And with 170 days' credit for time served, that's a
17 substantial amount. That's like six of those eight months.
18 I'll submit that to the Court for your
19 consideration for whatever you choose to do at sentencing.
20 THE PROBATION OFFICER: And, Your Honor, if I
21 may, the Division is recommending that she not receive any
22 credit for time served on her deferred case as she picked up
23 this case while she was on her gross misdemeanor probation.
24 So her officer is requesting that she not receive any time on

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1 her deferred case.

2 THE COURT: Ms. Merideth, do you understand my
3 concern? I just want to make sure above all that she -- and
4 I'll sentence her accordingly -- make sure she stays in
5 custody until that child is born. Obviously, you couldn't
6 trust her at the City of Refuge. You can't trust her
7 anywhere. I don't want that child to be put at any risk in
8 respect to this matter. So --

9 MS. MERIDETH: Well, I understand that, Your
10 Honor, and I appreciate the Court's concern. I don't see that
11 anyone wouldn't share the same concerns.

12 Unfortunately, based on Lindsie's behavior, she's
13 young and she's not making smart decisions.

14 The simple fact of the matter is if you're going
15 to give her 173 days on one case, she still has 92 days that
16 she's actually served either on one of these two cases. So it
17 needs to go somewhere.

18 The Division themselves are the ones that
19 prepared the information for me about the time that she's been
20 in custody, so I don't think it's fair to give her 173 days
21 when she's been in 265 days all told.

22 THE COURT: I ran that calculation too, and I
23 think she's entitled -- unless I don't run them
24 consecutively -- I mean, I don't run them concurrent and I run

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1 them consecutively. And I don't know if that's fair to her
2 either, so --

3 MS. MERIDETH: Well, I would rather see her --
4 and I think she would agree -- do her time, the remaining time
5 in the actual prison system. There's more resources available
6 to her. There's doctors. She's having problems getting into
7 seeing doctors in the jail.

8 And she's also currently having a high-risk
9 pregnancy, so she's going to have to be seen in Reno. I don't
10 know how quickly they can get her down to Florence McClure.
11 They have resources down in Las Vegas as well, but I know
12 that, you know, the sooner she goes, the better care she's
13 going to get. We just don't have --

14 THE COURT: I guess my point is if I run them
15 consecutively and she's done on the other case, if I do it
16 consecutively, then she gets credit for 173 days on that case.
17 And then I run it -- on this case, she would get credit for
18 92 days. I almost think I have to do that, and I'm doing it
19 primarily for a good reason, I think, in respect to that.

20 MS. MERIDETH: Well, and she's due on the 14th of
21 June. I don't know if she'll go full term with the baby.
22 She's had some complications already.

23 I think it was last week that you went to the
24 doctor?

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1 THE DEFENDANT: Yes.

2 THE COURT: Well, it was probably high risk due
3 to the heroin use and everything else. I don't know if that's
4 true or not. Ms. Porter?

5 MS. PORTER: You know, the other option is to
6 apply all 270 days to the gross misdemeanor case. That would
7 expire the gross misdemeanor case. And then if you choose to
8 run the 12 to 32 consecutive, then she would start fresh, and
9 she could go to the prison system and wouldn't have the gross
10 misdemeanor trailing behind.

11 THE COURT: Well, in reference to this particular
12 matter, I do have to sentence her.

13 Ms. Merideth, I do have to sentence her. Her
14 having previously in respect to this particular matter having
15 pled -- appeared before this Court and having pled guilty --
16 and this is in Case No. 13 CR 0026. The Court is going to go
17 ahead and sentence you to -- to a minimum of 12 months to a
18 maximum of 32 months at the Nevada Department of Corrections.

19 Previously, we had assessed a \$25 administrative
20 assessment fee, a \$60 chemical reassessed. We will assess the
21 \$3 that's required for that.

22 We did assess the attorney's fees previously in
23 respect to this particular matter in regards to this
24 particular case.

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1 So as a result of that and then a result of your
2 violations -- and I presume -- the report's identical to the
3 other one.

4 Do you admit the violations in the report dated
5 February 25th, 2015, in respect to Case No. 13 CR 00226,
6 Ms. Newman?

7 (Discussion off the record.)

8 MS. MERIDETH: Your Honor, my client indicates
9 under controlled substances -- it says "laws, directives,
10 et cetera" -- that she is denying that a drug test found the
11 presence of methamphetamine. She indicates to me that's never
12 a drug that has been her drug of choice, nor did she use it.
13 She requested to see a copy of the drug test, which they did
14 not provide to her.

15 THE COURT: But she does admit she was removed
16 from the Western Regional Drug Court program (inaudible)?

17 THE DEFENDANT: That part, yes.

18 MS. MERIDETH: That's correct, Your Honor.

19 THE COURT: She does admit violations of the
20 controlled substance, associates laws, directives and conduct?


21 MS. MERIDETH: That's correct.

22 THE COURT: Okay. Well, I'm going to go ahead,
23 again, and -- based upon those violations, again, and sentence
24 you as indicated: 12 to 32 months in respect to this

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1 particular matter. All 265 days' credit for time served will
2 apply to the gross misdemeanor case in this particular matter.
3 And, again, I'm going to run that consecutive, not concurrent.
4 (Discussion off the record.)
5 MS. PORTER: Your Honor, the one thing I didn't
6 hear was the \$150 DNA fee, which would apply now to the felony
7 issue.
8 THE COURT: We'll apply that too. Thank you,
9 Ms. Porter.
10 MS. PORTER: Thank you.
11 THE COURT: Again, I want to make abundantly
12 clear what's transpired. You had every single benefit that
13 anybody could ever possibly give to anybody. You violated all
14 those benefits in respect to this matter. So I hope you
15 understand why I'm doing this.
16 I'm doing this more than anything to protect that
17 unborn child. I don't want to see you out doing anything
18 until that child is born, clearly.
19 Anything further, Counsel?
20 MS. PORTER: No, Your Honor. Thank you.
21 MS. MERIDETH: No, Your Honor.
22
23
24

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1 STATE OF NEVADA,)
2 CARSON CITY.) ss.
3
4 I, SHELLIE LOOMIS, do hereby certify:
5 That on March 23, 2015, a sentencing was held in the
6 within-entitled matter in the First Judicial District Court,
7 State of Nevada;
8 That said sentencing was recorded on JAVS CD-ROM,
9 and said JAVS CD-ROM was delivered to me for transcription;
10 That the foregoing transcript, consisting of pages 1
11 through 13, is a full, true and correct transcript of said
12 recorded JAVS CD-ROM performed to the best of my ability.
13
14 Dated at Carson City, Nevada, this 15th day of
15 April, 2015.
16
17 
18 Shellie Loomis, Transcriber
19
20
21
22
23
24

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

STATE OF NEVADA,

Plaintiff,

v.

LINDSIE NEWMAN,
PCN #32620678,

Defendant.

Case No. 13 CR 00050 1B

Dept. No. I

JUDGMENT OF REVOCATION OF PROBATION

After having pled guilty to the crime of **CONSPIRACY TO COMMIT GRAND LARCENY**, a gross misdemeanor as defined by NRS 205.222(2) and 199480(3)(a), this Court sentenced the Defendant on June 4, 2013, to nine (9) months in the Carson City Jail. That sentence was suspended and Defendant was placed on probation for a period not to exceed two (2) years upon specific conditions.

On March 23, 2015 at 9:00 a.m., this matter came before the Court on a Report of Probation Violation presented by Officer ASHLEE MILLER, Adult Parole and Probation Officer, dated February 25, 2015. The Probation Violation Report alleges that the Defendant had violated Rule 2: Residence, Rule 4: Controlled Substances, Rule 7: Associates, Rule 8: Directives & Conduct, Rule 9: Laws, Rule 13: Special Conditions 3: Abstain from use, possession or control of any alcoholic beverages, controlled substances and stolen property during your probation, and Rule 13: Special Conditions 6: You shall not enter into any bars nor casinos whatsoever except for employment only. The Defendant was present at the

1 hearing, represented by MIHAELA NEAGOS, ESQ. The State of Nevada was represented by
2 IRIS YOWELL, Deputy District Attorney of Carson City, Nevada. DEBBIE BEEMER
3 represented the Department of Parole and Probation.

4 The Defendant waived a hearing and admitted the said violations of the above-stated
5 terms of her probation.

6 Based upon the Defendant's admission concerning the reported violations, the
7 probation heretofore afforded the Defendant is revoked and she is remanded to the custody
8 of the Carson City Jail to serve a term of nine (9) months.

9 Defendant is allowed credit for time served of 265 days.

10 DATED this 30 day of March, 2015.

11 
12 DISTRICT COURT JUDGE
13
14

15 RECEIVED from Ken Furlong, Carson City Sheriff, on this _____ day of _____
16 2015, one LINDSIE NEWMAN.
17
18

19 _____
20 CARSON CITY JAIL
21

22 By: _____
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PD

REC'D & FILED

2015 MAR 24 AM 11:27

SUSAN MERRIWETHER

BY [Signature] CLERK
DEPUTY

In The First Judicial District Court of the State of Nevada
In and for Carson City

STATE OF NEVADA ,)	Case No.: 13 CR 00226 1B
)	
Plaintiff,)	Dept. No.: I
)	
vs.)	
)	
LINDSIE NEWMAN,)	JUDGMENT OF CONVICTION
PCN# UNK,)	
Defendant.)	

On the 4th day of November, 2013, the Defendant above-named appeared before this Court with her counsel, Marcie Ryba, and entered a plea of guilty, to the crime of **Possession of a Controlled Substance, a category E felony**, committed September 18, 2013, in violation of NRS 453.336.

On the 16th day of December, 2013, the Defendant appeared before the Court for sentencing with her counsel, Marcie Ryba, and the State was represented by Mark Krueger. No sufficient legal cause was shown by the Defendant as to why judgment should not be pronounced against her. The Court adjudged the Defendant guilty of the crime **Possession of a Controlled Substance, a category E felony**.

The Court then suspended sentencing pursuant to NRS 453.3363 and placed the Defendant on probation for a term not to exceed three (3) years with special conditions. A

1 \$25.00 administrative assessment fee and \$60.00 chemical analysis fee were assessed. The
2 Defendant was ordered to reimburse Carson City the sum of Five Hundred (\$500.00) Dollars for
3 legal representation by the Nevada State Public Defender's Office. The Defendant was ordered
4 to report to the Fines and Fees Office immediately upon release to pay fines/fees imposed upon
5 her. The Defendant was given credit for -0- days pre-sentence confinement time.
6

7 On the 23rd day of March, 2015, the Defendant appeared before the Court for sentencing
8 with her counsel, Jennifer Meredith, and the State was represented by Melanie Porter. Based
9 upon the Defendant's admission to the alleged violations of the violation report dated February
10 25, 2015 the Court revoked the Defendant's suspension of proceedings and adjudged the
11 Defendant guilty of the crime **Possession of a Controlled Substance, a category E felony.**
12

13 The Court then sentenced the Defendant to imprisonment in the Nevada Department of
14 Corrections for a period of twelve (12) months minimum to thirty-two (32) months maximum to
15 run consecutive to case number 13 CR 00050 1B. A \$3.00 genetic marker assessment fee was
16 assessed. Pursuant to NRS 176.0913, samples of blood shall be obtained from the Defendant,
17 and the samples shall be used for an analysis to determine the genetic markers of the blood. An
18 analysis fee of \$150.00 is to be paid by the Defendant as provided by NRS 176.0915. The
19 Defendant was ordered to report the Court Clerk's Office immediately upon release to pay
20 fines/fees imposed upon her. The Defendant was given credit for -0- day(s) pre sentence
21 confinement time.
22
23

24 Dated this 24th day of March, 2014.

25 
26 DISTRICT JUDGE
27
28

1 RECEIVED of _____, Sheriff of Carson City, State of
2 Nevada, on this ____ day of _____, _____, one _____.

5 _____
DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS

6 By: _____

JENNIFER J. MERIDETH, DPD
NEVADA STATE BAR NO. : 10682
511 E. ROBINSON ST., STE 1
CARSON CITY, NV 89701
(775) 684-1080
ATTORNEY FOR DEFENDANT

REC'D & FILED

2015 APR -7 PM 4: 26

SUSAN MERRIWETHER
CLERK
V. Alegria

BY _____ DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF STATE OF NEVADA
IN AND FOR CARSON CITY

THE STATE OF NEVADA,

Plaintiff,

vs.

Case No.: 13 CR 00050 1B

LINDSIE NEWMAN,

Defendant.

Dept. No.: I

NOTICE OF APPEAL

NOTICE is hereby given that LINDSIE NEWMAN, Defendant above
named, hereby appeals to the Supreme Court of Nevada from the Judgment of
Conviction filed on the 24th day of March, 2015.

This appeal is to all issues of law and fact.

DATED this 1 day of April, 2015.

KARIN L. KREIZENBECK, ESQ.
Nevada State Public Defender

By: _____

JENNIFER J. MERIDETH
Deputy Public Defender
Bar ID No. 10682
511 East Robinson Street, Suite 1
Carson City, Nevada 89701
(775) 684-1080

CERTIFICATE OF SERVICE

I certify that I am an employee of the office of the Nevada State Public Defender and that on the date shown below, I served a copy of the foregoing NOTICE OF APPEAL by preparing for hand delivery and mailing a true and correct copy thereof addressed to:

ADAM PAUL LAXALT ESQ
ATTORNEY GENERAL
100 N CARSON ST
CARSON CITY NV 89701

JASON D WOODBURY ESQ
DISTRICT ATTORNEY
885 E MUSSEY ST SUITE 2030C
CARSON CITY NV 89701

LINDSIE NEWMAN

DATED this 7 day of April, 2015.

SIGNED: 

1 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
2 IN AND FOR CARSON CITY

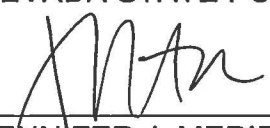
3
4 AFFIRMATION

5 Pursuant to NRS 239B.030

6
7 The undersigned does hereby affirm that the preceding document filed in
8 this Court in the STATE OF NEVADA vs. LINDSIE NEWMAN, Case No. 13 CR 00050
9 1B **DOES NOT** contain the social security number of any person.

10
11 DATED THIS 1 day of April, 2015.

12
13 KARIN L. KREIZENBECK, ESQ.
14 NEVADA STATE PUBLIC DEFENDER

15
16 
17 JENNIFER J. MERIDETH
18 Deputy Public Defender
19 Nevada Bar No. 10682
20 511 East Robinson Street, Ste. 1
21 Carson City, Nevada 89701
22 (775) 684-1080
23
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25
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JENNIFER J. MERIDETH, DPD
NEVADA STATE BAR NO. : 10682
511 E. ROBINSON ST., STE 1
CARSON CITY, NV 89701
(775) 684-1080
ATTORNEY FOR DEFENDANT

REC'D & FILED

2015 APR -7 PM 4: 24

SUSAN HERRIWEATHER
V. Alegria LERK

BY _____ DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF STATE OF NEVADA
IN AND FOR CARSON CITY

THE STATE OF NEVADA,

Plaintiff,

vs.

Case No.: 13 CR 00226 1B

LINDSIE NEWMAN,

Defendant.

Dept. No.: I

NOTICE OF APPEAL

NOTICE is hereby given that LINDSIE NEWMAN, Defendant above
named, hereby appeals to the Supreme Court of Nevada from the Judgment of
Conviction filed on the 24th day of March, 2015.

This appeal is to all issues of law and fact.

DATED this 1 day of April, 2015.

KARIN L. KREIZENBECK, ESQ.
Nevada State Public Defender

By: _____

JENNIFER J. MERIDETH
Deputy Public Defender
Bar ID No. 10682
511 East Robinson Street, Suite 1
Carson City, Nevada 89701
(775) 684-1080

CERTIFICATE OF SERVICE

I certify that I am an employee of the office of the Nevada State Public Defender and that on the date shown below, I served a copy of the foregoing NOTICE OF APPEAL by preparing for hand delivery and mailing a true and correct copy thereof addressed to:

ADAM PAUL LAXALT ESQ
ATTORNEY GENERAL
100 N CARSON ST
CARSON CITY NV 89701

JASON D WOODBURY ESQ
DISTRICT ATTORNEY
885 E MUSSER ST SUITE 2030C
CARSON CITY NV 89701

LINDSIE NEWMAN
ADDRESS

DATED this 7 day of April, 2015.

SIGNED: Melanie Carlisle

1 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
2 IN AND FOR CARSON CITY

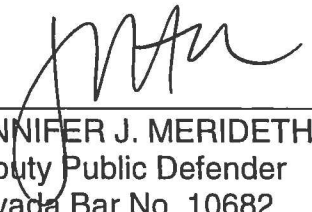
3
4 AFFIRMATION

5 Pursuant to NRS 239B.030

6
7 The undersigned does hereby affirm that the preceding document filed in
8 this Court in the STATE OF NEVADA vs. LINDSIE NEWMAN, Case No. 13 CR 00226
9 1B **DOES NOT** contain the social security number of any person.

10
11 DATED THIS 1 day of April, 2015.

12
13 KARIN L. KREIZENBECK, ESQ.
14 NEVADA STATE PUBLIC DEFENDER

15
16 
17 JENNIFER J. MERIDETH
18 Deputy Public Defender
19 Nevada Bar No. 10682
20 511 East Robinson Street, Ste. 1
21 Carson City, Nevada 89701
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 18th day of May, 2015. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT
NEVADA ATTORNEY GENERAL

JASON D. WOODBURY
CARSON CITY DISTRICT ATTORNEY

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

Ms. LINDSIE NEWMAN
#1136265 - FMWCC
4370 SMILEY ROAD
LAS VEGAS NV 89115

DATED this 18th day of May, 2015.

SIGNED: /s/ Tosca M. Renner
Employee of Nevada State Public Defender