

**IN THE SUPREME COURT OF THE
STATE OF NEVADA**

CHRISTOPHER LEROY ROACH,
Appellant,

v.

STATE OF NEVADA,
Respondent.

No. 68011

District Court Case No. C-14-300979-1

Electronically Filed
Aug 21 2015 11:31 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

TABLE OF CONTENTS

Second Amended Criminal Complaint	1-4
Criminal Information	5-10
Transcript Of Proceedings, March 11, 2015, Calendar Call	11-26
Guilty Plea Agreement	27-35
Transcript Of Proceedings, May 6, 2015, Sentencing	36-50
Judgment Of Conviction	51-52
Notice Of Appeal	53-54



ORIGINAL

Filed in Open Court

JUL 30 2014

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

Erin Nelson Moore

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTOPHER LEROY ROACH, aka,
Christopher Roach #2757657,
JEFFREY B. GERMAN, aka,
Jeffery Bernard German #1602073,
JAMES CURTIS IVEY, JR. #7010542,

Defendants.

CASE NO: 14F10476A-C

DEPT NO: 6

SECOND AMENDED

CRIMINAL COMPLAINT

The Defendants above named having committed the crimes of CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); COERCION (Category B Felony - NRS 207.190 - NOC 53159); POSSESSION OF STOLEN PROPERTY (Category C Felony - NRS 205.275 - NOC 56057) and POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D Felony - NRS 205.690 - NOC 50790), in the manner following, to-wit: That the said Defendants, on or between June 30, 2014 and July 1, 2014, at and within the County of Clark, State of Nevada,

COUNT 1 - CONSPIRACY TO COMMIT ROBBERY

Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B. GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully, unlawfully, and feloniously conspire with each other to commit a robbery.

COUNT 2 - ROBBERY WITH USE OF A DEADLY WEAPON

Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B. GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did then and there wilfully, unlawfully, and feloniously take personal property, to-wit: a cellular telephone and a fanny pack and contents, from the person of BAYLIE KULL, or in their presence, by means

1 of force or violence, or fear of injury to, and without the consent and against the will of
2 BAYLIE KULL, with use of a deadly weapon, to-wit: a firearm, Defendants being criminally
3 liable under one or more of the following principles of criminal liability, to-wit: (1) by directly
4 committing this crime; and/or (2) by aiding or abetting one another in the commission of this
5 crime with the intent to commit this crime, by providing counsel and/or encouragement, by
6 the Defendants acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

7 COUNT 3 - COERCION

8 did then and there wilfully, unlawfully, and feloniously use physical force, or the
9 immediate threat of such force, against BAYLIE KULL, with intent to compel her to do, or
10 abstain from doing, an act which she had a right to do, or abstain from doing, by defendants
11 acting in concert and aiding or abetting each other by counsel and encouragement and by
12 entering into a course of conduct whereby forcing the said BAYLIE KULL to move when she
13 did not want to move.

14 COUNT 4 - CONSPIRACY TO COMMIT ROBBERY

15 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
16 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully,
17 unlawfully, and feloniously conspire with each other to commit a robbery.

18 COUNT 5 - ROBBERY

19 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
20 a purse, contents and cellular telephone, from the person of EOLA ROBINSON, or in her
21 presence, by means of force or violence, or fear of injury to, and without the consent and
22 against the will of EOLA ROBINSON, Defendants being criminally liable under one or more
23 of the following principles of criminal liability, to-wit: (1) by directly committing this crime;
24 and/or (2) by aiding or abetting one another in the commission of this crime with the intent to
25 commit this crime, by providing counsel and/or encouragement, by the Defendants acting in
26 concert; and/or (3) pursuant to a conspiracy to commit this crime.

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1 COUNT 6 - CONSPIRACY TO COMMIT ROBBERY

2 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
3 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully,
4 unlawfully, and feloniously conspire with each other to commit a robbery.

5 COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

6 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
7 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did then and there
8 wilfully, unlawfully, and feloniously take personal property, to-wit: U.S. currency, two (2)
9 credit and/or debit cards, and a cellular telephone, from the person of DONNA DIMARIA
10 and/or JESUS MEDINA, JR., or in their presence, by means of force or violence, or fear of
11 injury to, and without the consent and against the will of DONNA DIMARIA and/or JESUS
12 MEDINA, JR., with use of a deadly weapon, to-wit: a firearm, Defendants being criminally
13 liable under one or more of the following principles of criminal liability, to-wit: (1) by directly
14 committing this crime; and/or (2) by aiding or abetting one another in the commission of this
15 crime with the intent to commit this crime, by providing counsel and/or encouragement, by
16 the Defendants acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

17 COUNT 8 - POSSESSION OF STOLEN PROPERTY

18 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
19 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully,
20 unlawfully, and feloniously, for their own gain, possess stolen property, to wit: U.S. currency,
21 an Apple 5S iPhone and a Nokia cellular telephone, owned by DONNA DIMARIA and/or
22 JESUS MEDINA, JR., having a value of \$650.00 or more, said Defendant knew it was stolen
23 property and/or did possess it under circumstances which would have caused a reasonable
24 person to know that it was stolen property, Defendants being criminally liable under one or
25 more of the following principles of criminal liability, to-wit: (1) by directly committing this
26 crime; and/or (2) by aiding or abetting one another in the commission of this crime with the
27 intent to commit this crime, by providing counsel and/or encouragement, by the Defendants
28 acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

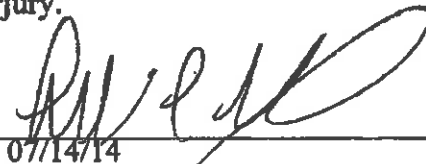
1 COUNT 9 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S
2 CONSENT

3 Defendant JEFFREY B. GERMAN, aka, Jeffery Bernard German did wilfully,
4 unlawfully, and feloniously, have in his possession, without the consent of the cardholder, a
5 credit or debit card, to-wit: a Citibank card, ending in account number 4318, issued in the
6 name of DONNA DIMARIA, with intent to circulate, use, sell, or transfer said card, with
7 intent to defraud the cardholder and/or the issuer of said credit or debit card.

8 COUNT 10 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S
9 CONSENT

10 Defendant JEFFREY B. GERMAN, aka, Jeffery Bernard German did wilfully,
11 unlawfully, and feloniously, have in his possession, without the consent of the cardholder, a
12 credit or debit card, to-wit: a Wells Fargo Visa debit card, ending in account number 7283,
13 issued in the name of DONNA DIMARIA, with intent to circulate, use, sell, or transfer said
14 card, with intent to defraud the cardholder and/or the issuer of said credit or debit card.

15 All of which is contrary to the form, force and effect of Statutes in such cases made and
16 provided and against the peace and dignity of the State of Nevada. Said Complainant makes
17 this declaration subject to the penalty of perjury.

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20 07/14/14

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27 14F10476A-C/cc/L3
28 LVMPD EV# 1407014137
(TK6)



CLERK OF THE COURT

1 INFM
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 LEAH BEVERLY
6 Deputy District Attorney
7 Nevada Bar #12556
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

12 I.A. 09/23/2014
13 1:00 P.M.
14 C. ALMASE, ESQ.
15 D. FISCHER, ESQ.
16 C. COLUCCI, ESQ.

17 THE STATE OF NEVADA,

18 Plaintiff,

CASE NO: C-14-300979-1

19 -vs-

DEPT NO: XXIII

20 CHRISTOPHER LEROY ROACH, aka
21 Christopher Roach, #2757657
22 JEFFREY B. GERMAN, aka
23 Jeffery Bernard German, #1602073
24 JAMES CURTIS IVEY, JR., #7010542

INFORMATION

25 Defendant.

26 STATE OF NEVADA)
27) ss.
28 COUNTY OF CLARK)

29 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
30 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

31 That CHRISTOPHER LEROY ROACH, aka Christopher Roach, JEFFREY B.
32 GERMAN, aka Jeffery Bernard German, and JAMES CURTIS IVEY, JR., the Defendant(s)
33 above named, having committed the crimes of CONSPIRACY TO COMMIT ROBBERY
34 (Category B Felony - NRS 200.380, 199.480 - NOC 50147); ROBBERY WITH USE OF
35 A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138);
36 COERCION (Category B Felony - NRS 207.190 - NOC 53159); POSSESSION OF
37 STOLEN PROPERTY (Category C Felony - NRS 205.275 - NOC 56057) and

W:\2014P\10476\14F10476-INFM-001.DOCX

1 **POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S**
2 **CONSENT (Category D Felony - NRS 205.690 - NOC 50790),** on or between the 30th day
3 of June, 2014 and the 1st day of July, 2014, within the County of Clark, State of Nevada,
4 contrary to the form, force and effect of statutes in such cases made and provided, and against
5 the peace and dignity of the State of Nevada,

6 **COUNT 1 - CONSPIRACY TO COMMIT ROBBERY**

7 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
8 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully,
9 unlawfully, and feloniously conspire with each other to commit a robbery.

10 **COUNT 2 - ROBBERY WITH USE OF A DEADLY WEAPON**

11 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
12 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did then and there
13 wilfully, unlawfully, and feloniously take personal property, to-wit: a cellular telephone and
14 a fanny pack and contents, from the person of BAYLIE KULL, or in their presence, by means
15 of force or violence, or fear of injury to, and without the consent and against the will of
16 BAYLIE KULL, with use of a deadly weapon, to-wit: a firearm, Defendants being criminally
17 liable under one or more of the following principles of criminal liability, to-wit: (1) by directly
18 committing this crime; and/or (2) by aiding or abetting one another in the commission of this
19 crime with the intent to commit this crime, by providing counsel and/or encouragement, by
20 the Defendants acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

21 **COUNT 3 - COERCION**

22 did then and there wilfully, unlawfully, and feloniously use physical force, or the
23 immediate threat of such force, against BAYLIE KULL, with intent to compel her to do, or
24 abstain from doing, an act which she had a right to do, or abstain from doing, by defendants
25 acting in concert and aiding or abetting each other by counsel and encouragement and by
26 entering into a course of conduct whereby forcing the said BAYLIE KULL to move when she
27 did not want to move.

28 ///

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10 of the following principles of criminal liability, to-wit: (1) by directly committing this crime;
11 and/or (2) by aiding or abetting one another in the commission of this crime with the intent to
12 commit this crime, by providing counsel and/or encouragement, by the Defendants acting in
13 concert; and/or (3) pursuant to a conspiracy to commit this crime.

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24 injury to, and without the consent and against the will of DONNA DIMARIA and/or JESUS
25 MEDINA, JR., with use of a deadly weapon, to-wit: a firearm, Defendants being criminally
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27 committing this crime; and/or (2) by aiding or abetting one another in the commission of this
28

1 crime with the intent to commit this crime, by providing counsel and/or encouragement, by
2 the Defendants acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

3 COUNT 8 - POSSESSION OF STOLEN PROPERTY

4 Defendants CHRISTOPHER LEROY ROACH, aka, Christopher Roach, JEFFREY B.
5 GERMAN, aka, Jeffery Bernard German, and JAMES CURTIS IVEY, JR. did wilfully,
6 unlawfully, and feloniously, for their own gain, possess stolen property, to wit: U.S. currency,
7 an Apple 5S iPhone and a Nokia cellular telephone, owned by DONNA DIMARIA and/or
8 JESUS MEDINA, JR., having a value of \$650.00 or more, said Defendant knew it was stolen
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10 person to know that it was stolen property, Defendants being criminally liable under one or
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12 crime; and/or (2) by aiding or abetting one another in the commission of this crime with the
13 intent to commit this crime, by providing counsel and/or encouragement, by the Defendants
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20 name of DONNA DIMARIA, with intent to circulate, use, sell, or transfer said card, with
21 intent to defraud the cardholder and/or the issuer of said credit or debit card.

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25 unlawfully, and feloniously, have in his possession, without the consent of the cardholder, a
26 credit or debit card, to-wit: a Wells Fargo Visa debit card, ending in account number 7283,

27 ///

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1 issued in the name of DONNA DIMARIA, with intent to circulate, use, sell, or transfer said
2 card, with intent to defraud the cardholder and/or the issuer of said credit or debit card.

3
4
5 STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

6
7 BY /s/ Leah Beverly
8 LEAH BEVERLY
Deputy District Attorney
9 Nevada Bar #12556

10
11 Names of witnesses known to the District Attorney's Office at the time of filing this
12 Information are as follows:

13	<u>NAME</u>	<u>ADDRESS</u>
14	ADAMS. K.A.	LVMPD #10017
15	ALDRICH, S. A.	LVMPD #4923
16	CUSTODIAN OF RECORDS or Designee	CCDC
17	CUSTODIAN OF RECORDS or Designee	LVMPD Communications
18	CUSTODIAN OF RECORDS or Designee	LVMPD Records
19	CUSTODIAN OF RECORDS or Designee	NLVPD Communications
20	CUSTODIAN OF RECORDS or Designee	NLVPD Records
21	ENDOZO, R. B.	LVMPD #13146
22	FONBUENA, R. A.	LVMPD #6834
23	GARRIS, A. L.	LVMPD #4337
24	GROSS, K.	C/O CCDA's Office
25	LAVOIE, C. A	LVMPD #13817
26	PALMIRA, C. A.	LVMPD #13807
27	PARQUE, C.	LVMPD #1741
28	PARRA, M.	LVMPD #14415

1 PELAYO, I.
2 SCHOUTEN, D.
3 WALKER, D. L.

LVMPD #9850
NLVPD #1741
LVMPD #8533

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DISTRICT COURT

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CLARK COUNTY, NEVADA

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9 STATE OF NEVADA,

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Plaintiff,

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12 vs.

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13 CHRISTOPHER LEROY ROACH, aka
14 Christopher Roach,
15 JEFFREY B. GERMAN, aka
16 Jeffrey Bernard German,
17 JAMES CURTIS IVEY, JR.,

18

Defendants.

19

CASE NO. C300979-1
C300979-2
C300979-3

DEPT. NO. XXIII

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE STEFANY A. MILEY, DISTRICT COURT JUDGE

20

WEDNESDAY, MARCH 11, 2015

21

CALENDAR CALL

22

23 APPEARANCES:

24

For the State:

25

MICHELLE SUDANO, ESQ.
Deputy District Attorney

26

APPEARANCES CONTINUED ON PAGE 2

1 For Defendant Christopher Roach: CAESAR V. ALMASE, ESQ.
2 For Defendant Jeffrey German: DAVID R. FISCHER, ESQ.
3 For Defendant James Ivey, Jr.: CARMINE J. COLUCCI
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RECORDED BY: MARIA L. GARIBAY, COURT RECORDER

1 WEDNESDAY, MARCH 11, 2015, 9:58 A.M.

2
3 THE MARSHAL: Bottom of page 6, C300979-3, Ivey, and that's Co-
4 Defendant German, too, on C300979.

5 THE COURT: Mr. Colucci and Mr. Fischer.

6 THE MARSHAL: And I believe -- and Roach.

7 MR. COLUCCI: The gang's all here.

8 THE MARSHAL: All right.

9 THE COURT: There's three of you.

10 THE MARSHAL: Bottom of 5, Judge; and page 6, top and bottom.

11 THE COURT: All my attorneys are on this case.

12 THE MARSHAL: Yes.

13 THE COURT: All right. Good morning, gentlemen for Mr. Roach,
14 Mr. German and Mr. Ivey. It's the time set for calendar call. Do I have a plea
15 agreement; did all three take deals?

16 MR. COLUCCI: Yes.

17 MR. ALMASE: Yes. As to the three, they're identical negotiations, Your
18 Honor.

19 THE COURT: All right. So which of you gentlemen is Mr. Ivey?

20 All right, Mr. Ivey, we're going to start with you. Mr. Ivey, sir, what is
21 your full legal name?

22 DEFENDANT IVEY: James Curtis Ivey, Jr.

23 THE COURT: And how old are you, Mr. Ivey?

24 DEFENDANT IVEY: Twenty-eight.

25 THE COURT: Twenty-eight?

1 DEFENDANT IVEY: Yes.

2 THE COURT: What's your education?

3 DEFENDANT IVEY: Twelfth grade.

4 THE COURT: Fair to say you read, write, understand the English language?

5 DEFENDANT IVEY: Yes, ma'am.

6 THE COURT: Are you a U.S. citizen?

7 DEFENDANT IVEY: Yes, ma'am.

8 THE COURT: Are you taking any drugs or medication that would affect your
9 ability to understand these proceedings?

10 DEFENDANT IVEY: No, ma'am.

11 THE COURT: Sir, there's an Amended Information. It charges you with the
12 crime of robbery with the use of a deadly weapon which is a category B felony, and
13 conspiracy to commit robbery which is also a category B felony. Did you read the
14 Amended Information?

15 DEFENDANT IVEY: Yes, ma'am.

16 THE COURT: Did you talk it over with your lawyer?

17 DEFENDANT IVEY: Yes, ma'am.

18 THE COURT: Do you understand the charges against you, sir?

19 DEFENDANT IVEY: Yes, ma'am.

20 THE COURT: Sir, I have the written guilty plea agreement. Before signing
21 the written guilty plea agreement, did you read every single page?

22 DEFENDANT IVEY: Yes, ma'am.

23 THE COURT: Let's go over a few things. When we come back for
24 sentencing in a couple months, the State is going to have the right to argue, which
25 means they get to argue regarding the length of your sentence.

1 They also get to argue whether or not count one and count two will run
2 concurrently or consecutively. Do you understand that?

3 DEFENDANT IVEY: Yes, ma'am.

4 THE COURT: All right. I want you to understand that for count one, which is
5 the robbery with use of a deadly weapon, there is a potential sentence of a minimum
6 of two years and a maximum of 15 years; and also, another consecutive sentence
7 for the deadly weapon of one to 15 years. Do you understand that?

8 DEFENDANT IVEY: Yes, ma'am.

9 THE COURT: And also, for count two, it's a potential sentence of a minimum
10 of one year and a maximum of 6 years. Do you understand that as well?

11 DEFENDANT IVEY: Yes, ma'am.

12 THE COURT: And do you understand that on count one you're not eligible for
13 probation?

14 DEFENDANT IVEY: Yes, ma'am.

15 THE COURT: Which means when we come back for sentencing you're going
16 to prison. Do you understand that?

17 DEFENDANT IVEY: Yes, ma'am.

18 THE COURT: And do you understand that it's going to be the Court that
19 makes the final decision regarding the length of each of your sentences?

20 DEFENDANT IVEY: Yes, ma'am.

21 THE COURT: And do you understand the Court's going to make the final
22 decision whether count one and count two run concurrently or consecutively? Do
23 you understand that as well?

24 DEFENDANT IVEY: Yes, ma'am.

25 THE COURT: With all that being said, do you have any questions regarding

1 the plea agreement, sir?

2 DEFENDANT IVEY: No, ma'am.

3 THE COURT: Sir, how do you want to plead on count one, robbery with use
4 of a deadly weapon, a category B felony; and count two, a conspiracy to commit
5 robbery, a category B felony; guilty or not guilty?

6 DEFENDANT IVEY: Guilty.

7 THE COURT: Sir, before I can accept your plea of guilty, I need to be
8 satisfied that's freely and voluntarily given. Is your plea freely and voluntarily given?

9 DEFENDANT IVEY: Yes, ma'am.

10 THE COURT: Did anyone make any threats or promises to get you to plead
11 guilty?

12 DEFENDANT IVEY: No, ma'am.

13 THE COURT: Do you understand that by pleading guilty today you give up
14 your right to a jury trial?

15 DEFENDANT IVEY: Yes, ma'am.

16 THE COURT: Do you understand that by pleading guilty today if later on
17 down the road you have second thoughts about this deal, your -- the grounds on
18 which you can file an appeal are going to be more limited? Do you understand that?

19 DEFENDANT IVEY: Yes, ma'am.

20 THE COURT: Sir, listen to these facts. Tell me if these facts are why you are
21 pleading guilty today.

22 [The Court read the Amended Information aloud]

23 THE COURT: Are these facts why you're pleading guilty today?

24 DEFENDANT IVEY: Yes, ma'am.

25 THE COURT: Sir, the Court will accept your plea of guilty finding that it's

1 freely and voluntarily given. We'll give you a date for sentencing. And I'll just put all
2 the Defendants on the same date.

3 MR. ALMASE: Yes.

4 THE CLERK: May 6th, 9:30.

5 THE COURT: All right. The next one I have is Mr. -- and Mr. Ivey, you can sit
6 down. I have Mr. German. Which is Mr. German?

7 All right, Mr. German, good morning, sir. What's your full legal name?

8 DEFENDANT GERMAN: Jeffrey Bernard German.

9 THE COURT: How old are you?

10 DEFENDANT GERMAN: Thirty-six.

11 THE COURT: What's your education?

12 DEFENDANT GERMAN: High school and college, community college.

13 THE COURT: So it's fair to say you read, write, understand the English
14 language?

15 DEFENDANT GERMAN: Yes.

16 THE COURT: Are you a U.S. citizen?

17 DEFENDANT GERMAN: Yes.

18 THE COURT: Are you taking any drugs or medication that would affect your
19 ability to understanding these proceedings?

20 DEFENDANT GERMAN: No.

21 THE COURT: Sir, there's an Amended Information which charges you with
22 the crime of robbery with the use of a deadly weapon which is a category B felony;
23 and conspiracy to commit robbery, which is also a category B felony. Did you read
24 the Amended Information?

25 DEFENDANT GERMAN: Yes.

1 THE COURT: Did you discuss it with your lawyer?

2 DEFENDANT GERMAN: Yes.

3 THE COURT: Do you understand the charges against you?

4 DEFENDANT GERMAN: Yes.

5 THE COURT: Sir, I also have a written guilty plea agreement. Before signing
6 the written guilty plea agreement, did you read every single page?

7 DEFENDANT GERMAN: Yes.

8 THE COURT: Did you discuss it with your lawyer?

9 DEFENDANT GERMAN: Yes.

10 THE COURT: All right. So when we come back for sentencing in a couple
11 months, similar to your Co-Defendant, the State is going to retain the right to argue
12 at sentencing, which means they can argue regarding the length of your sentence
13 and whether or not count one and count two run consecutive or concurrent. Do you
14 understand that?

15 DEFENDANT GERMAN: Yes.

16 THE COURT: Do you understand that for count one, which is the robbery
17 with use of a deadly weapon, there's a potential sentence of two to 15 years, as well
18 as a consecutive sentence of one to 15 years for the deadly weapon enhancement?
19 Do you understand that?

20 DEFENDANT GERMAN: Yes.

21 THE COURT: And on count two, there's a potential sentence of one to 6
22 years. Do you understand that?

23 DEFENDANT GERMAN: Yes.

24 THE COURT: And do you understand that on count one you will not -- is not
25 eligible for probation, which means at sentencing you will be going to prison?

1 DEFENDANT GERMAN: Yes.

2 THE COURT: And do you understand the Court's going to makes the final
3 decision regarding the length of your sentences?

4 DEFENDANT GERMAN: Yes.

5 THE COURT: And do you understand the Court's going to make the final
6 decision whether or not count one and count two run consecutively or concurrently?

7 DEFENDANT GERMAN: Yes.

8 THE COURT: Sir, any other questions regarding the plea agreement?

9 DEFENDANT GERMAN: No.

10 THE COURT: Sir, how do you want to plead on count one, robbery with use
11 of a deadly weapon, a category B felony; and count two, a conspiracy to commit
12 robbery, a category B felony; guilty or not guilty?

13 DEFENDANT GERMAN: Guilty.

14 THE COURT: Sir, before I can accept your plea of guilty, I have to be
15 satisfied that's freely and voluntarily given. Is your plea freely and voluntarily given?

16 DEFENDANT GERMAN: Yes.

17 THE COURT: Did anyone make any threats or promises to get you to plead
18 guilty?

19 DEFENDANT GERMAN: No.

20 THE COURT: Do you understand that by pleading guilty today you give up
21 your right to a jury trial?

22 DEFENDANT GERMAN: Yes.

23 THE COURT: Do you understand that by pleading guilty today if later on
24 down the road you have doubts about this deal, the grounds on which you can file
25 an appeal are going to be limited?

1 DEFENDANT GERMAN: Yes.

2 THE COURT: Counsel, are the -- I believe the facts are the same for both.

3 MR. FISCHER: They are, Your Honor.

4 THE COURT: All right. Mr. German, did you hear the facts that the Court
5 read with respect to your Co-Defendant, Mr. Ivey?

6 DEFENDANT GERMAN: Yes, I did.

7 THE COURT: And do you agree that the facts that I read with respect to
8 Mr. Ivey are the same facts that are causing you to plead guilty today?

9 DEFENDANT GERMAN: Yes, they are.

10 THE COURT: All right. Is that enough? I think so.

11 All right, sir, the Court's going to accept your plea of guilty finding that
12 it's freely and voluntarily given. We'll give you a date for sentencing.

13 THE CLERK: May 6th, 9:30.

14 DEFENDANT GERMAN: Your Honor.

15 THE COURT: Yeah.

16 DEFENDANT GERMAN: I have a question I wanted to ask you.

17 THE COURT: Sure.

18 DEFENDANT GERMAN: My return court date, I have a medical condition I
19 was trying to get taken care of since June with my eyes. I'm legally blind and I've
20 been walking around the facility without glasses. And I have to go to the streets to
21 get that form to provide them the, you know, necessities, so I don't walk around like
22 crazy in jail. Is that possible that I can get that and come back? And if I don't, my
23 stipulation can change where I can get hit with a habitual.

24 THE COURT: Well, hold on. I want to go back first. Can you read these
25 documents? Do you mean -- these documents, I asked you whether or not you read

1 them and you said yes.

2 DEFENDANT GERMAN: Yes, I read them. But the way I can read them is
3 when I get back into my unit, I have to put them to my face to really read them.

4 THE COURT: Okay.

5 MR. FISCHER: Your Honor, we discussed that and I actually --

6 DEFENDANT GERMAN: He read them and pointed them out to me and I
7 followed them with him.

8 THE COURT: So you feel comfortable that you know and understand
9 everything that's contained in these documents?

10 DEFENDANT GERMAN: I know; yes. And then like I said, once I got back to
11 my unit and I was able to sit down and read them on my own, I really read them the
12 way I can read them without my contacts. So I did read them, but me going to
13 prison like that, I can't do it. Even the doctors up there know my situation.

14 MR. FISCHER: Your Honor, I previously filed a motion requesting that he be
15 given glasses. There was -- well, it was part of an O.R. motion. I made that
16 request. He's filed -- he's made multiple requests at the jail for eyeglasses. We did
17 talk about it. I read it out verbatim. He can read when he holds it really close to his
18 face. So there's definitely he understood everything, but it is a need that he has.
19 We have previously requested that.

20 THE COURT: What is it that he needs to file at the jail? I forgot what it's
21 called when he needs medical.

22 THE CORRECTIONAL OFFICER: A medical kite.

23 THE COURT: Did you fill out the kite?

24 DEFENDANT GERMAN: I've filled out so many medical kites, Your Honor,
25 and they tell me the same thing the prison doctor told me, that my prescription is off

1 the charts. I am -- I cannot see without my contacts.

2 THE COURT: Do you have any glasses from when you were out that your
3 family can bring you?

4 DEFENDANT GERMAN: No, I wear contacts. I don't wear glasses.

5 THE COURT: And you don't have any more contacts?

6 DEFENDANT GERMAN: No, the contacts that I did have were ripped and I
7 was not able to keep those in my eyes.

8 THE COURT: All right. I don't usually have much involvement with the jail
9 sending them out. Have you looked into it?

10 MR. FISCHER: Your Honor, nothing beyond --

11 THE COURT: I mean in the very least, I'm assuming, though, send him out to
12 get glasses.

13 MR. FISCHER: He's made the kite request. I don't know of any other way to
14 go about doing that. I can certainly contact the jail and ask them if there's anything I
15 can do to help facilitate it, so.

16 THE COURT: Yeah, because I don't really have any other power to order
17 them to do anything as far as sending him out to a doctor. I mean usually they at
18 least get their eyes checked and get glasses if they don't pay for contacts.

19 All right. Thank you. Your counsel is going to look into that further,
20 okay.

21 DEFENDANT GERMAN: Okay, so any way I -- how would I know about if
22 something's been done or taken care of?

23 MR. FISCHER: I'll come talk to you again. We'll talk about it.

24 THE COURT: Well, it won't be through me. Mr. Fischer is the one who will
25 be contacting you. You won't see me until sentencing.

1 DEFENDANT GERMAN: All right.

2 THE COURT: All right. Lastly, Mr. Roach, sir.

3 Mr. Roach, what's your full legal name?

4 DEFENDANT ROACH: Christopher Leroy Roach.

5 THE COURT: How old are you, sir?

6 DEFENDANT ROACH: Twenty-two.

7 THE COURT: What's your education?

8 DEFENDANT ROACH: Eleventh grade.

9 THE COURT: Do you read, write, understand the English language?

10 DEFENDANT ROACH: Yes.

11 THE COURT: Are you a U.S. citizen?

12 DEFENDANT ROACH: Yes.

13 THE COURT: Are you taking any drug or medication that would affect your
14 ability to understanding these proceedings?

15 DEFENDANT ROACH: No.

16 THE COURT: Sir, I have an Amended Information that charges you with the
17 crimes of robbery with the use of a deadly weapon which is a category B felony; and
18 conspiracy to commit robbery which is also a category B felony. Did you read the
19 Amended Information?

20 DEFENDANT ROACH: Yes.

21 THE COURT: Did you talk it over with your lawyer?

22 DEFENDANT ROACH: Yes.

23 THE COURT: Do you understand the charges against you?

24 DEFENDANT ROACH: Yes.

25 THE COURT: Sir, I also have a written guilty plea agreement. Before signing

1 the written guilty plea agreement, did you read every single page?

2 DEFENDANT ROACH: Yes.

3 THE COURT: Did you talk it over with your lawyer?

4 DEFENDANT ROACH: Yes.

5 THE COURT: Let's go over a few things. Do you understand that when we
6 come back for sentencing in a couple months, the State's going to have the right to
7 argue, which means they are going to argue regarding the length of your sentences
8 and whether or not count one and count two will run consecutively or concurrently to
9 each other. Do you understand that?

10 DEFENDANT ROACH: Yes.

11 THE COURT: Do you understand that for count one, robbery with use of a
12 deadly weapon, there's a potential sentence of two to 15 years, plus a consecutive
13 sentence of one to 15 years for the deadly weapon enhancement? Do you
14 understand that?

15 DEFENDANT ROACH: Yes.

16 THE COURT: And do you understand that on count two, the potential
17 sentence is one to 6 years in the Nevada Department of Corrections? Do you
18 understand that?

19 DEFENDANT ROACH: Yes.

20 THE COURT: And do you understand that count one is not probationable,
21 which means when you come back for sentencing you're going to prison? Do you
22 understand that?

23 DEFENDANT ROACH: Yes.

24 THE COURT: And do you understand the Court's going to make the final
25 decision regarding the length of your sentences?

1 DEFENDANT ROACH: Yes.

2 THE COURT: And do you understand the Court's going to make the final
3 decision whether or not count one and count two run consecutively or concurrently?

4 DEFENDANT ROACH: Yes.

5 THE COURT: Do you have any additional questions regarding the plea
6 agreement?

7 DEFENDANT ROACH: No.

8 THE COURT: Sir, how do you want to plead on count one, robbery with use
9 of a deadly weapon, a category B felony; and count two, conspiracy to commit
10 robbery, a category B felony; guilty or not guilty?

11 DEFENDANT ROACH: Guilty.

12 THE COURT: Sir, before I can accept your pleas of guilty, I need to be
13 satisfied that they're freely and voluntarily given. Are your pleas freely and
14 voluntarily given?

15 DEFENDANT ROACH: Yes.

16 THE COURT: Did anyone make any threats or promises to get you to plead
17 guilty?

18 DEFENDANT ROACH: No.

19 THE COURT: Do you understand that by pleading guilty today you give up
20 your right to a jury trial?

21 DEFENDANT ROACH: Yes.

22 THE COURT: Do you understand that by pleading guilty today if later on
23 down the road you have second thoughts about the deal, the grounds on which you
24 can file an appeal are going to be limited?

25 DEFENDANT ROACH: Yes.

1 THE COURT: Did you hear the facts put on the record for Mr. Ivey, the first
2 Co-Defendant sentenced?

3 DEFENDANT ROACH: Yes.

4 THE COURT: And do you agree that those facts are the reason that you are
5 pleading guilty today?

6 DEFENDANT ROACH: Yes.

7 THE COURT: All right, anything to add by counsel?

8 MR. ALMASE: No, Judge.

9 THE COURT: All right. So, Mr. Roach, sir, the Court's going to accept your
10 plea of guilty finding that it's freely and voluntarily given. We'll give you a date for
11 sentencing.


12 THE CLERK: May 6th, 9:30.

13 THE COURT: Okay, I'll see everyone on that date.

14 PROCEEDINGS CONCLUDED AT 10:11 A.M.

15 * * * * *

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the
23 audio/video recording in the above-entitled case to the best of my ability.

24 
25 MARIA L. GARIBAY
Court Recorder/Transcriber

ORIGINAL

GPA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
LEAH BEVERLY
Deputy District Attorney
Nevada Bar #012556
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

MAR 11 2015

BY *Katherine Streuber*
KATHERINE STREUBER, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-14-300979-1
GPA
Guilty Plea Agreement
4440715



THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: C-14-300979-1

CHRISTOPHER LEROY ROACH, aka,
Christopher Roach,
#2757657

DEPT NO: XXIII

Defendant.

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: **COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138) and COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147)**, as more fully alleged in the charging document attached hereto as Exhibit "1".

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

The State will retain the right to argue at sentencing.

I agree to the forfeiture of any and all weapons or any interest in any weapons seized and/or impounded in connection with the instant case and/or any other case negotiated in whole or in part in conjunction with this plea agreement.

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1 I understand and agree that, if I fail to interview with the Department of Parole and
2 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
3 by affidavit review, confirms probable cause against me for new criminal charges including
4 reckless driving or DUI, but excluding minor traffic violations, the State will have the
5 unqualified right to argue for any legal sentence and term of confinement allowable for the
6 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
7 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
8 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
9 twenty-five (25) year term with the possibility of parole after ten (10) years.

10 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
11 plea agreement.

12 CONSEQUENCES OF THE PLEA

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

15 As to Count 1, I understand that as a consequence of my plea of guilty the Court must
16 sentence me to imprisonment in the Nevada Department of Corrections for a minimum term
17 of not less than TWO (2) years and a maximum term of not more than FIFTEEN (15) years.
18 The minimum term of imprisonment may not exceed forty percent (40%) of the maximum
19 term of imprisonment, plus a consecutive minimum term of not less than ONE (1) year and a
20 maximum term of not more than FIFTEEN (15) years, for the Deadly Weapon enhancement.

21 As to Count 2, I understand that as a consequence of my plea of guilty the Court must
22 sentence me to imprisonment in the Nevada Department of Corrections for a minimum term
23 of not less than ONE (1) year and a maximum term of not more than SIX (6) years. The
24 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of
25 imprisonment. I understand that I may also be fined up to \$5,000.00. I understand that the
26 law requires me to pay an Administrative Assessment Fee.

27 ///

28 ///

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

5 As to Count 1, I understand that I am not eligible for probation for the offense to which
6 I am pleading guilty.

7 As to Count 2, I understand that I am eligible for probation for the offense to which I
8 am pleading guilty. I understand that, except as otherwise provided by statute, the question of
9 whether I receive probation is in the discretion of the sentencing judge.

10 I understand that I must submit to blood and/or saliva tests under the Direction of the
11 Division of Parole and Probation to determine genetic markers and/or secretor status.

12 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
13 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
14 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
15 and may receive a higher sentencing range.

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

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

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

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

25 I understand that if the offense(s) to which I am pleading guilty was committed while I
26 was incarcerated on another charge or while I was on probation or parole that I am not eligible
27 for credit for time served toward the instant offense(s).

28 ///

1 I understand that if I am not a United States citizen, any criminal conviction will likely
2 result in serious negative immigration consequences including but not limited to:

- 3 1. The removal from the United States through deportation;
- 4 2. An inability to reenter the United States;
- 5 3. The inability to gain United States citizenship or legal residency;
- 6 4. An inability to renew and/or retain any legal residency status; and/or
- 7 5. An indeterminate term of confinement, with the United States Federal
8 Government based on my conviction and immigration status.

9 Regardless of what I have been told by any attorney, no one can promise me that this
10 conviction will not result in negative immigration consequences and/or impact my ability to
11 become a United States citizen and/or a legal resident.

12 I understand that the Division of Parole and Probation will prepare a report for the
13 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
14 sentencing, including my criminal history. This report may contain hearsay information
15 regarding my background and criminal history. My attorney and I will each have the
16 opportunity to comment on the information contained in the report at the time of sentencing.
17 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
18 comment on this report.

19 WAIVER OF RIGHTS

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

- 22 1. The constitutional privilege against self-incrimination, including the right
23 to refuse to testify at trial, in which event the prosecution would not be
24 allowed to comment to the jury about my refusal to testify.
- 25 2. The constitutional right to a speedy and public trial by an impartial jury,
26 free of excessive pretrial publicity prejudicial to the defense, at which
27 trial I would be entitled to the assistance of an attorney, either appointed
28 or retained. At trial the State would bear the burden of proving beyond
a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who
would testify against me.

///

- 1 4. The constitutional right to subpoena witnesses to testify on my behalf.
2 5. The constitutional right to testify in my own defense.
3 6. The right to appeal the conviction with the assistance of an attorney,
4 either appointed or retained, unless specifically reserved in writing and
5 agreed upon as provided in NRS 174.035(3). I understand this means I
6 am unconditionally waiving my right to a direct appeal of this conviction,
7 including any challenge based upon reasonable constitutional,
8 jurisdictional or other grounds that challenge the legality of the
9 proceedings as stated in NRS 177.015(4). However, I remain free to
10 challenge my conviction through other post-conviction remedies
11 including a habeas corpus petition pursuant to NRS Chapter 34.

12 VOLUNTARINESS OF PLEA

13 I have discussed the elements of all of the original charge(s) against me with my
14 attorney and I understand the nature of the charge(s) against me.

15 I understand that the State would have to prove each element of the charge(s) against
16 me at trial.

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

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

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

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

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

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

3 DATED this 11 day of March, 2015

4 
5 CHRISTOPHER LEROY ROACH,
6 aka, Christopher Roach
7 Defendant

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24 AGREED TO BY:

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26
27 LEAH BEVERLY
28 Deputy District Attorney
Nevada Bar #012556

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
12 a. The removal from the United States through deportation;
13 b. An inability to reenter the United States;
14 c. The inability to gain United States citizenship or legal residency;
15 d. An inability to renew and/or retain any legal residency status; and/or
16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been
19 told by any attorney, no one can promise Defendant that this conviction will not
20 result in negative immigration consequences and/or impact Defendant's ability
21 to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
25 5. To the best of my knowledge and belief, the Defendant:
26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
28 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
c. Was not under the influence of intoxicating liquor, a controlled
substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

29 Dated: This 11 day of March, 2015.

30 
31 ATTORNEY FOR DEFENDANT

32 erg/L-5

1 **AINF**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **LEAH BEVERLY**
6 **Deputy District Attorney**
7 **Nevada Bar #012556**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **-vs-**

12 **CHRISTOPHER LEROY ROACH, aka,**
13 **Christopher Roach,**
14 **#2757657,**
15 **JEFFREY B. GERMAN, aka,**
16 **Jeffery Bernard German,**
17 **#1602073,**
18 **JAMES CURTIS IVEY, JR.,**
19 **#7010542**

20 **Defendants.**

CASE NO. C-14-300979-1

DEPT NO. XXIII

AMENDED
INFORMATION

18 **STATE OF NEVADA** }
19 **COUNTY OF CLARK** } ss:

20 **STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State**
21 **of Nevada, in the name and by the authority of the State of Nevada, informs the Court:**

22 **That the Defendant(s) above named, having committed the crimes of ROBBERY**
23 **WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 -**
24 **NOC 50138) and CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS**
25 **200.380, 199.480 - NOC 50147), on or between June 30, 2014 and July 1, 2014, within the**
26 **County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such**
27 **cases made and provided, and against the peace and dignity of the State of Nevada,**

28 **///**

EXHIBIT "1"

1 COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON

2 did wilfully, unlawfully, and feloniously take personal property, to-wit: a cellular
3 telephone and a fanny pack and contents and/or U. S. currency, two (2) credit and/or debit
4 cards, and a cellular telephone, from the person of BAYLIE KULL and/or EOLA ROBINSON
5 and/or DONNA DIMARIA and/or JESUS MEDINA, JR., or in their presence, by means of
6 force or violence, or fear of injury to, and without the consent and against the will of BAYLIE
7 KULL and/or EOLA ROBINSON and/or DONNA DIMARIA and/or JESUS MEDINA, JR.,
8 with use of a deadly weapon, to-wit: a firearm; Defendants being criminally liable under one
9 or more of the following principles of criminal liability, to-wit: (1) by directly committing this
10 crime; and/or (2) by aiding or abetting one another in the commission of this crime with the
11 intent to commit this crime, by providing counsel and/or encouragement, by the Defendants
12 acting in concert; and/or (3) pursuant to a conspiracy to commit this crime.

13 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

14 did wilfully, unlawfully, and feloniously conspire with each other to commit a robbery.

15 STEVEN B. WOLFSON
16 DISTRICT ATTORNEY
17 Nevada Bar #001565

18 BY

19 LEAH BEVERLY
20 Deputy District Attorney
21 Nevada Bar #012556

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27 DA#14F10476A-C/erg/L-5
28 LVMPD EV#1407014137
(TK6)

COPY

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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

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9 THE STATE OF NEVADA

10 Plaintiff,

11 vs.

12 CHRISTOPHER LEROY ROACH, aka
13 Christopher Roach,
14 JEFFREY B. GERMAN, aka Jeffery
15 Bernard German,
16 JAMES CURTIS IVEY, JR.,

17 Defendants.

CASE NO.: C300979-1
C300979-2
C300979-3

DEPT. XXIII

TRANSCRIPT OF PROCEEDINGS

18 BEFORE THE HONORABLE STEFANY MILEY, DISTRICT COURT JUDGE

19 WEDNESDAY MAY 6, 2015

20 **SENTENCING COUNTS 1 & 2**

21 APPEARANCES:

22 For the State:

23 NICOLE J. CANNIZZARO, ESQ.
24 Deputy District Attorney

25 APPEARANCES CONTINUED ON PAGE 2

1 For Defendant Christopher Roach: CAESAR V. ALMASE, ESQ.
2 For Defendant Jeffrey German: DAVID R. FISCHER, ESQ.
3
4 For Defendant James Ivey, Jr.: CARMINE JAMES COLUCCI, ESQ.
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25 RECORDED BY: MARIA GARIBAY, COURT RECORDER

1 LAS VEGAS, NEVADA, WEDNESDAY, MAY 6, 2015 at 10:58 A.M.

2
3 THE MARSHAL: We're ready to call page 6, C300979-1, Roach; and
4 C300979-2, German; and the top of page 4, C300979-3, Ivey.

5 THE COURT: All right.

6 So, Counsel, any legal cause or reason why we should not go forward
7 with your case?

8 MR. ALMASE: No, Your Honor.

9 THE COURT: All right.

10 So, by the State it's the same. They were all together so I'm assuming
11 the State has the same argument?

12 MS. CANNIZZARO: Yes, Your Honor, we do.

13 THE COURT: So I'll just let you address your general argument and what
14 you believe is appropriate for each Defendant.

15 MS. CANNIZZARO: Thank you, Your Honor.

16 Today, the State is going to be asking that Your Honor, as to all three
17 Defendants and as to Count 1, the robbery with use of a deadly weapon, impose a
18 term of 2 to 15 -- excuse me, 5 to 15 years on the robbery and then the deadly
19 weapon enhancement a consecutive 5 to 15 years, and then also on the conspiracy
20 to commit robbery, the 28 to 72 months. And we would ask that that run
21 consecutive as well.

22 And, Your Honor, I understand that that is -- quite a substantial request
23 but in terms of cases and in terms of danger to the community and in terms of when
24 you read a police report or reading through a case and you feel as though this is
25 somebody who really does deserve to have that maximum sentence imposed, I

1 think that this is absolutely that case.

2 Your Honor, in this case the facts -- and I'm gonna just go through them
3 'cause I think that they're quite compelling, in this case, Your Honor, on June 30th of
4 2014, Baylie Kull was walking home from work down the street when she was
5 approached by the Defendants. Then -- she was on her cell phone at that point.
6 They asked her how she was doing and when she turned around to sort of give
7 them directions and respond to them they -- I believe it was Mr. German actually
8 grabbed her arm and grabbed her cell phone. The three males then walked her over
9 and -- over I guess beyond an overpass where there was a fence. They pushed her
10 up against that fence. They stole her fanny pack which contained all of her personal
11 items. They stole her cell phone. They forced her to give over her PIN numbers and
12 her pass codes for her cell phones and her credit cards, debit cards, while at the
13 same time I believe it was Mr. Ivey had a -- gun in his waistband. And I'll kind of get
14 to that part a little bit -- later, but at the time she observes a firearm of some sort in
15 Mr. Ivey's pants and she's told don't scream, don't fight with us, you're gonna give
16 us all of your stuff, you're gonna give over all of your pass codes, all of you PIN
17 numbers or we will shoot you. And that's a very real threat for her.

18 After taking all of her items, she's then searched under her clothes,
19 over her breasts for any remaining items that she could possibly turn over to them.
20 They then force her to walk away into an entryway of, I think it's like an apartment
21 complex or apartment building of some sort into an entryway, she's forced to walk in
22 there and not to say anything, not to turn around, not to observe them and she's left
23 there as they flee.

24 Not even 24 hours after that, Your Honor, Ms. Eola Robinson is also
25 walking home. She's walking down the street. And as she's walking down the

1 street, she observes Mr. Roach cross the street. And when she crosses -- when
2 she observes him across the street she initially thinks nothing of it and then she
3 notices that two other males, Mr. German and Mr. Ivey, join him. They then again
4 come up to her, and she's unable to get a great glimpse at Mr. German or Mr. Ivey,
5 but they put their hands -- someone puts their hands over her eyes and one arm
6 around her neck and threaten her to turn over all of her items. When she refuses to
7 give her -- then her purse she is again told that she does not want to get shot over a
8 purse, again, threatening with a firearm.

9 Your Honor, these two ladies were just walking home. They're
10 strangers to these Defendants. They were minding their own business. And in fact,
11 Ms. Kull was going to give them directions to an area off of Twain that they were
12 requesting directions to. These are two women who faced a very violent and very
13 scary situation. And attached to the PSI there was a letter from Ms. Robinson
14 where she talks about how this has affected her and how it affects her on a regular
15 basis.

16 But, Your Honor, not to -- stop there, on that same day just hours later
17 Donna Dimaria and Jesus Medina are sitting in a car. They're boyfriend and
18 girlfriend. They're talking. And as they're sitting in the car, Ms. Medina, Dee Medina
19 -- or excuse me, Dimaria -- I'm gonna get that all confused, Dimaria observes that
20 there are three males who are loitering around. She says goodbye to her boyfriend.
21 He gets out of the car and as she locks the doors and attempts to drive away, she
22 looks out the window and sees that Mr. Ivey has a firearm pointed directly at Mr.
23 Medina's head. These three Defendants then approach the vehicle. They force
24 their way inside. Ms. Dimaria is forced to keep her head down while they put a hand
25 on the back of her neck and squeeze, telling her to give over her items that she has

1 at that point. Mr. Medina is also forced into the back seat where he is held at
2 gunpoint and told to give over -- I believe it was some sort of cross necklace that he
3 was wearing at that point.

4 After taking all of their items, they then flee as well. And when they're
5 apprehended they're apprehended because of a Find My iPhone App or Find My
6 Cell Phone App that is able to be tracked by detectives or officers. When they
7 actually find them, they observe what appear to be two legitimate firearms. Later on
8 its determined that they're I think BB guns which might be an argument that might
9 be proffered in mitigation of this, Your Honor, but to Ms. Kull, Ms. Robinson, Ms.
10 Dimaria, and Mr. Medina those were very -- real firearms. These are individuals
11 who -- all of them are strangers to these Defendants, all of them faced with what
12 they believed was deadly force and that doesn't change the danger of this crime.
13 Now to the extent that they're not gonna get shot with a real weapon, okay fine. But
14 when they decide to take what appeared to be real firearms, approach random
15 individuals in the community during this -- I think it's like a day -- two days and a half
16 or something like that, crime spree of these very violent robberies, that threat is very
17 real to these victims and I think that Ms. Robinson's letter really does indicate that.
18 She indicates that this is something that she does live with every day whenever
19 she's getting into her car. Remember, she's walking down the street -- whenever
20 she's out at night. This is something she has to live with for the rest of her life and
21 so too do these other victims. These are individuals who were just going about their
22 daily lives and were confronted in a very violent, very dangerous situation.

23 And so I think that the facts in this case, the fact that there are four
24 different victims, the fact that there are three different robberies that occur
25 throughout the course of this requires that they have this maximum sentence. This

1 isn't one random incident. It's not you know an accidental shoving in a grocery store
2 while they're trying to steal food or diapers or something like that. This is absolutely
3 -- when you talk about violent crimes and you talk about danger to the community
4 and you talk about individuals who deserve to have maximum penalties, this is it.
5 This is three different incidents, four different victims and so that's the -- a lot of the
6 reason for the State's request.

7 In addition, I would note that Mr. Roach has one prior felony. He was
8 actually on probation in that felony and that was revoked. He's actually, on that
9 case, was -- sort of find out from his juvenile history to district court as -- and treat it
10 as an adult in that case. And, Your Honor, he learned nothing from that if these
11 facts demonstrate anything at all. He learned nothing from that and instead
12 continued to engage in dangerous behavior.

13 As to Mr. Garman [sic], he has two prior felonies, Your Honor. And as
14 part of his negotiations, the State is not seeking habitual criminal treatment. But,
15 Your Honor, he is certainly somebody who definitely qualifies for that.

16 And -- finally I want to address Mr. Ivey because Parole and Probation
17 had recommended a lower sentence for him in their recommendations and I can
18 only speculate that that must be because he doesn't have any priors. But, Your
19 Honor, I don't think the fact that he doesn't have any priors mitigates any of the facts
20 or circumstances in this case whatsoever. His decision to engage in this violent and
21 dangerous conduct absolutely warrants a maximum sentence even though he
22 doesn't have the priors. I think even if you don't take their criminal history into
23 account, just this particular case warrants that. And so that's -- the State's request.

24 I think they -- all three have 309 days credit for time served. We are
25 asking for \$880.00 in restitution. That is for the items that were stolen from Ms.

1 Dimaria and Mr. Medina, \$100.00 to Jesus Medina and \$780.00 to Donna Dimaria,
2 and it's D-I-M-A-R-I-A. And I think I'll submit it on that, Your Honor.

3 THE COURT: Well, let's start with Mr. Colucci, go down the aisle. You
4 represent James Ivey.

5 MR. COLUCCI: Yes, I do.

6 Your Honor, as the State has acknowledged, Mr. Ivey has no prior
7 record. He comes from a very good family. He's a family man himself. He has a
8 wife and --

9 THE COURT: Are you Mr. Ivey?

10 THE DEFENDANT: Yes.

11 THE COURT: Okay.

12 MR. COLUCCI: He has a wife and three children. He has job skills that
13 would enable him to secure a good job when he gets out. He doesn't need to
14 engage in this kind of activity. And in the past he has not engaged in any type of
15 activity like this.

16 I would ask the Court to consider -- you know based on his job skills,
17 his job skill ability, his lack of a prior record, the fact that he has a family of his own
18 and good family support through his own parents, that the Court consider giving him
19 24 to 60 on Count 1 with the 16 month enhancement. And on Count 2, 12 to 36
20 which is what Parole and Probation recommended, and run that concurrent which is
21 also what Probation recommended.

22 He's not a career criminal. This is a one-time -- I don't know, just a one
23 single time in his life that he acted stupidly and I know that he regrets it. He'll tell
24 you how he feels about it. He has used his time in the jail to try to better himself as
25 best he could under the circumstances. I'd ask the Court to take that into

1 consideration. At least it shows that he is motivated.

2 And so with that, I would ask -- you to give him the 24 to 60 with a 16
3 month enhancement, and on Count 2, 12 to 36 and run that concurrent with 309
4 days credit for time served.

5 THE COURT: Mr. Ivey, anything you'd like to say?

6 DEFENDANT IVEY: I just want to apologize for my actions. I don't normally
7 do this. It was just a one-time thing and it will never happen again.

8 THE COURT: All right, thank you, Mr. Ivey.

9 Mr. Almase.

10 MR. ALMASE: With regard to Mr. Roach, Judge, a few things that I think
11 must be addressed here.

12 The Pre-Sentence Investigation Report, the recommendation is for all
13 told 5 -- approximately 5 to 21 years. And that was a bit of a shock to me because
14 typically in these -- types of cases the writer for P&P will ask for a -- whole lot more
15 than that, sometimes upwards of 9, 10 years, but in these situations I think the Court
16 should really take notice in what they see in Mr. Roach and what they wrote about --
17 in Mr. Roach's case. He has the one prior felony and this was when he was still a
18 juvenile and was certified up unfortunately. He's 22 years of age and has significant
19 mental health issues, Judge. I spent the last few months before sentencing getting
20 paperwork from Nevada Department of Corrections, from CCDC, from private
21 providers to see what exactly he's been suffering with -- and I chose not to forward
22 those on to the Court because I think there was some sensitive information there
23 and a lot of it was handwritten, not very discernible. But what I was able to gather
24 there is that he has suffered from long-term chronic depression called Dysthymia
25 and actually had attempted suicide on a number of occasions and was a very

1 troubled youth and a troubled young man obviously. I don't use this as an excuse
2 for what he did here and certainly he's taking responsibility for his actions. But it
3 explains, in a way, how he came here, how he got to this point in his life. You know,
4 in speaking with him and in living with this case for almost a year and all the
5 numerous times I've spoken with him, he -- it's mind-boggling to me that he would
6 be charged with these kinds of crimes. He's never shown any sort of
7 aggressiveness, any kind of violent tendencies, and I think a lot of it -- and I hate to
8 put the blame on other individuals, but I think a lot of it is because he is a follower
9 and this certainly wasn't -- there was no indication that he was the one who
10 orchestrated or came up with this plan or these ideas.

11 But be that as it may, he stands before you, Judge, at 22 years of age.
12 I'm asking that he be given the -- with regard to Count 1 and Count 2, all told 4 years
13 on the bottom -- 4 to 10 years and I think that's what fits given the circumstances.
14 Yes, these are robberies. Yes, those are violent crimes by definition under the NRS.
15 However, these individuals were not actually injured. Mr. Roach was involved, and
16 again he's taken responsibility for his actions, and despite what the State feels this
17 is not worth 12 years on the bottom which is what the State is recommending. Those
18 kinds of sentences are reserved for people where there's a loss of life or there's a
19 sexual assault. This did not occur. This is not that type of case.

20 And I think it bears mentioning also, State spoke about Ms. Robinson
21 having hands over her breasts; there was never any allegation nor in her interview
22 did she say that there was any sexual overtones here so that is -- that's something
23 that doesn't fit here and I would ask the Court not to take -- any umbrage to that.

24 What occurred here is regrettable and the victims here should be made
25 whole for the \$880.00 restitution. I think given Mr. Roach's past, his young age, the

1 actual events that took place here, 4 to 10 years is entirely appropriate and that's
2 what I'm asking for.

3 THE COURT: All right, thank you.

4 And Mr. German, anything you'd like to say?

5 MR. ALMASE: Mr. Roach, Judge.

6 THE COURT: I'm sorry, Mr. Roach.

7 DEFENDANT ROACH: Yeah, I'd like to apologize to the victims, to the
8 Court, for being here, my actions for the cases that brought me here. I got -- I know
9 I got mental issues and everything but I'm not gonna use that as a excuse either you
10 know for what I did. I know right from wrong. I know I made a mistake and I just say
11 sorry for the three -- or the four victims that's not here right now.

12 THE COURT: Okay, thank you.

13 Mr. Fischer, on behalf of your client, Mr. German.

14 MR. FISCHER: It's about Mr. German, Your Honor.

15 Your Honor, he is probably the one that has the most serious record
16 and his record amounts to two prior felonies and I would highlight for the Court that
17 his last felony was in 2007. I -- my interactions with Mr. German has been positive.
18 He's always been respectful and in my opinion he very quickly accepted
19 responsibility for what did happen and expressed remorse for what happened.

20 And I would ask the Court to -- in his case to follow the PSI's
21 recommendations. I think those are appropriate. And I -- agree with the comments
22 of Mr. Almase with regard to the recommendation -- the -- PSI writer's -- obviously in
23 a very good position after interviewing and taking a look at the totality here in
24 making their recommendation and I would ask the Court to consider the acceptance
25 of responsibility. Also, Mr. German has family support. His mother's in the

1 courtroom here today. She has been in contact with my office in the last few months
2 to discuss him and his life.

3 Your Honor, I will submit it on that.

4 THE COURT: All right, Mr. German, anything you'd like to say?

5 DEFENDANT GERMAN: Yes. I would like to say I've never made any
6 excuses for anything that I've done in my past and I'm not making any excuses. I
7 will take full responsibilities for my actions in what occurred in the situation at hand
8 and ask that the sentence that they are imposing, the 12 -- or the 5 be a 4 to 10.
9 Like I say I've [indiscernible] everything that I've done. I've never made excuses for
10 any of my actions. I took full responsibility which I'm taking now for it. And not only
11 have I put the victims through a lot of thing, I put my family and those that love me
12 through a lot also. And with that said that was -- that's all I would like to say.

13 THE COURT: All right.

14 Let's start with Mr. Ivey, and this is C300979-3.

15 Mr. Ivey, sir, the Court finds you guilty on Count 1, robbery with use of a
16 deadly weapon, a felony. The Court finds you guilty on Count 2, conspiracy to
17 commit robbery, a felony.

18 In accordance with the laws of the State of Nevada, the Court assesses
19 a \$25.00 administrative fee, a \$150.00 DNA analysis and testing fee, and a \$3.00
20 DNA administrative assessment fee.

21 Count 1, robbery with use of a deadly weapon, you're sentenced to a
22 minimum term of 60 months, a maximum sentence of 180 months. There's also an
23 equal and consecutive minimum term of 60 months for use of a deadly weapon and
24 an equal and consecutive maximum term of 180 months for use of a deadly
25 weapon. There is restitution on this Count in the amount of \$880.00 which will be

1 paid jointly and severally with your co-Defendants.

2 Count 2, conspiracy to commit robbery, a felony. The Court sentences
3 you to a minimum term of 13 months, a maximum sentence of 60 months. Count 2
4 will run concurrent with Count -- I'm sorry consecutive with Count 1. You will receive
5 309 days credit for time served.

6 Thank you.

7 Mr. Roach, sir, the Court finds you guilty on Count 1, robbery with use
8 of a deadly weapon, a felony. The Court finds you guilty on Count 2, conspiracy to
9 commit robbery, a felony.

10 In accordance with the laws of the State of Nevada, the Court assesses
11 a \$25.00 administrative assessment fee. There's also -- DNA was previously taken
12 and will not be required again. There's also a \$3.00 DNA administrative
13 assessment fee.

14 Sir, Count 1, robbery with use of -- a deadly weapon, the Court
15 sentences you to a minimum term of 60 months, a maximum sentence of 180
16 months. There is also an equal and consecutive minimum term of 60 months for
17 use of a deadly weapon and an equal and consecutive maximum term of 180
18 months for use of a deadly weapon.

19 Count 2, conspiracy to commit robbery, you're sentenced to a minimum
20 term of 13 months, a maximum sentence of 60 months. Count 2 will run
21 consecutive with Count 1. On Count 1 there's also restitution in the amount of
22 \$880.00. That amount will be paid jointly and severally with your co-Defendants --
23 hold on. You're entitled to 309 days credit for time served.

24 Yes, sir?

25 DEFENDANT ROACH: For the restitution, its 700 or whatever you said the --

1 THE COURT: \$880.00 in restitution?

2 DEFENDANT ROACH: Right. Where's that from?

3 THE COURT: That is -- she gave -- what was the breakdown? I -- let me
4 see. I wrote it down over here.

5 MS. CANNIZZARO: Yes, Your Honor. It's \$780.00 to Donna Dimaria for
6 items that were stolen from her and then \$100.00 to Jesus Medina for the damaged
7 necklace.

8 THE COURT: All right, thank you.

9 And again, Mr. Roach will receive 309 days credit for time served.

10 DEFENDANT ROACH: My -- Judge?

11 THE COURT: Yeah?

12 DEFENDANT ROACH: Also that I shouldn't be able to pay that because
13 what we -- it was nothing really stolen. The car -- whatever, car keys or whatever
14 was supposed to be missing, whatever, when I -- when they checked us or whatever
15 in the car, it was nothing there so I don't know why we should be --

16 THE COURT: You know what, you can --

17 DEFENDANT ROACH: -- I should --

18 THE COURT: -- address it with your attorney after sentencing if he feels the
19 restitution is improperly ordered, an amount, then your attorney can file a motion for
20 that.

21 Mr. German, sir, the Court finds you guilty on Count 1, robbery with use
22 of a deadly weapon, a felony. The Court finds you guilty on Count 2, conspiracy to
23 commit robbery, a felony.

24 In accordance with the laws of the State of Nevada the Court assesses
25 a \$25.00 administrative assessment fee. DNA was previously taken and will not be

1 required again. There's a \$3.00 DNA administrative assessment fee.

2 Count 1, robbery with use of a deadly weapon, you're sentenced to a
3 minimum of 60 months, a maximum sentence of 180 months. There's also an equal
4 and consecutive minimum term of 60 months for use of a deadly weapon and an
5 equal and consecutive maximum term of 180 months for use of a deadly weapon.
6 There's also restitution on this Count in the amount of \$880.00 that is joint and
7 several with your co-Defendants.

8 Count 2, conspiracy to commit robbery, a felony. The Court sentences
9 you to a minimum term of 13 months, a maximum sentence of 60 months. Count 2
10 will run consecutive with Count 1. You'll receive 800 -- I'm sorry, 309 days credit for
11 time served.

12 Thank you.

13 [Proceedings concluded at 11:20 a.m.]
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20

21 ATTEST: I do hereby certify that I have truly and correctly transcribed the
22 audio/video recording in the above-entitled case to the best of my ability.

23 Cynthia Georgilas
24 CYNTHIA GEORGILAS
25 Court Recorder/Transcriber
District Court Dept. XIII
702 671-4425


CLERK OF THE COURT

JOCP

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C300979-1

DEPT. NO. XXIII

CHRISTOPHER LEROY ROACH
aka Christopher Roach
#2757657

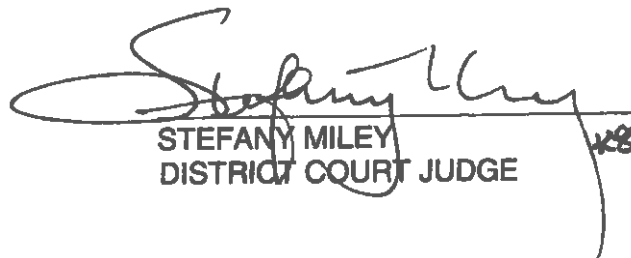
Defendant.

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; and COUNT 2 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; thereafter, on the 6th day of May, 2015, the Defendant was present in court for sentencing with counsel CAESAR V. ALMASE, ESQ., and good cause appearing,

1 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
2 addition to the \$25.00 Administrative Assessment Fee and \$880.00 Restitution to be
3 paid jointly and severally with Co-Defendants plus \$3.00 DNA Collection Fee, the
4 Defendant is sentenced to the Nevada Department of Corrections as follows: as to
5 COUNT 1 – a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM
6 parole eligibility of SIXTY (60) MONTHS plus a CONSECUTIVE term of ONE
7 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SIXTY (60)
8 MONTHS for the Use of a Deadly Weapon; and COUNT 2 - a MAXIMUM of SIXTY (60)
9 MONTHS with a MINIMUM parole eligibility of THIRTEEN (13) MONTHS;
10 CONSECUTIVE to COUNT 1; with THREE HUNDRED NINE (309) DAYS credit for time
11 served. The AGGREGATE TOTAL sentence is FOUR HUNDRED TWENTY (420)
12 MONTHS MAXIMUM with a MINIMUM of ONE HUNDRED THIRTY-THREE (133)
13 MONTHS. As the \$150.00 DNA Analysis Fee and Genetic Testing have been
14 previously imposed, the Fee and Testing in the current case are WAIVED.
15
16
17

18 DATED this 11 day of May, 2015
19
20

21 
22 STEFANY MILEY
23 DISTRICT COURT JUDGE
24
25
26
27
28

Tracie K. Lindeman
CLERK OF THE COURT

Christopher L. Roach
2757657
330 S. Casino Center Blvd.
LAS Vegas, NV. 89101

Electronically Filed
May 18 2015 10:04 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

District Court
Clark County, Nevada

DA
PP

The State of Nevada
Plaintiff,

1/s.

Christopher Leroy Roach, AKA
Defendant

Case No: C-14-300979-1

Dept No: XXIII

Notice of Appeal

RECEIVED
MAY 12 2015
CLERK OF THE COURT

Comes Now, Christopher L. Roach, the defendant in the above cited case, hereby appeals to the Supreme Court of Nevada (from the final judgement) from the order entered in this Action on the 6th day of May 2015. The Defendant was misled as per his plea agreement, *Boyerkin Vs. Alabama*, 395 U.S. 238. Defendant's attorney of record mis-advised him on sentencing: *Knight*, 611 F.2d 918; *Davis*, 212 F.2d 24; *McAlleney*, 539 F.2d 282; *Paletta*, 433 F.2d 594. Counsel *Cesar Almase* was ineffective *Strickland Vs. Washington*, 466 U.S. 668, 686 80 LED 2d 674 104 S.Ct 2052 (1984).

Certificate of Service

I Christopher Roach do solemnly swear that this Notice of Appeal is in-fact accurate and true to the best of my knowledge under the penalty of perjury, so help me God.

NRS 171.102 and NRS 208.165

I've mailed my Notice of Appeal etc. to the following:

Steven D. Grierson
Clerk of the Court
200 Lewis Ave 3rd Fl.
Las Vegas, NV. 89155-1160

Dated 5/6/2015

Respectfully Submitted

Christopher L. Roach
#2757657

X 

"God bless All"

(2)