

1 Case No. CR-FP-14-0635

2 Dept. No. 1

FILED
2015 JUN 29 PM 3:03

ELKO CO. DISTRICT COURT
Electronically Filed
Jul 01 2015 12:18 p.m.
Tracie K. Lindemanz
Clerk of Supreme Court

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5
6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

7
8 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

9
10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

NOTICE OF APPEAL

13 DEVON RAY HOCKEMIER,

14 Defendant.
15 _____/

16
17 COMES NOW, Defendant DEVON RAY HOCKEMIER, by and through
18 attorneys, LOCKIE & MACFARLAN, LTD., and appeals from the Judgment of
19 Conviction entered on June 9, 2015, in the Fourth Judicial District Court, Elko
20 County, Nevada.

21 DATED this 10 day of June, 2015.

22 LOCKIE & MACFARLAN, LTD.
23

24 By [Signature]
25 SHERBURN M. MACFARLAN, III
26 Nevada Bar No. 3999 or 2384
27 Attorneys for Defendant
28 919 Idaho Street
Elko, Nevada 89801
(775) 738-8084

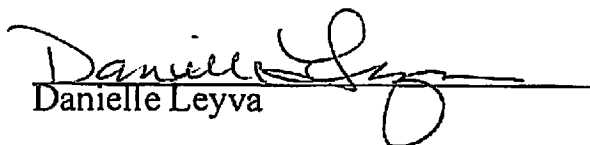
1 CERTIFICATE OF MAILING

2 Pursuant to NRCP 5(b), I hereby certify that I am an employee of Lockie &
3 Macfarlan, Ltd., Attorneys at Law, and that on the 29 of June, 2015, I mailed a
4 true and correct copy of the above and foregoing NOTICE OF APPEAL by placing
5 the same, postage prepaid, in the United States mail at Elko, Nevada, addressed as
6 follows:

7 Ms. Tracie K. Lindeman, Clerk
8 Supreme Court of Nevada
9 201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

10 Elko Co. District Attorney's Office
11 540 Court Street
12 2nd Floor
Elko, NV 89801

13 Devon Hockemier
14 c/o Elko Co. Jail
15 775 W. Silver St.
Elko NV 89801

16 
17 Danielle Leyva

Case No. CR-FP-14-0635

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ELKO CO DISTRICT CL.

CLERK _____ DEPUTY *BR*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

THE STATE OF NEVADA,

Plaintiff,

vs.

CASE APPEAL STATEMENT

DEVON RAY HOCKEMIER,

Defendant.

1. DEVON RAY HOCKEMIER is the appellant filing this case appeal statement.

2. The Honorable NANCY PORTER, District Judge of Department 1 of the Fourth Judicial District Court of the State of Nevada, issued the Judgment of Conviction which is being appealed.

3. The State of Nevada was the plaintiff; DEVON RAY HOCKEMIER was the defendant in the proceedings in the District Court.

4. The parties involved in this appeal are DEVON RAY HOCKEMIER, as appellant, and The State of Nevada as respondent.

5. Representing the appellant in this appeal is Sherburne M. Macfarlan, III of Lockie & Macfarlan, Ltd., 919 Idaho Street, Elko, Nevada 89801, (775) 738-8084. The respondent, State of Nevada, is represented by JONATHAN SCHULMAN, Elko

1 County Deputy District Attorney, 540 Court Stree, 2nd Floort, Elko, Nevada 89801,
2 (775) 738-3101.


3 6. The appellant was represented by appointed counsel in the District
4 Court.

5 7. The appellant is represented by appointed counsel in this appeal.

6 8. The proceedings commenced in District Court on August 28, 2014, when
7 the Criminal Information was filed.

8 DATED this 10 day of June, 2015.

9 LOCKIE & MACFARLAN, LTD.

10
11 By 
12 SHERBURNE M. MACFARLAN, III
13 Nevada Bar No. 3999
14 Attorney for Defendant
15 919 Idaho Street
16 Elko, Nevada 89801
17 (775) 738-8084
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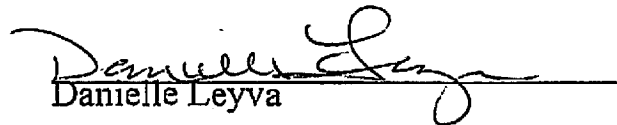
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4 I mailed a true and correct copy of the above and foregoing CASE APPEAL
5 STATEMENT by placing the same, postage prepaid, in the United States mail at
6 Elko, Nevada, addressed as follows:

7 Ms. Tracie K. Lindeman, Clerk
8 Supreme Court of Nevada
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Carson City, Nevada 89701-4702

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Elko NV 89801

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17 
18 Danielle Leyva

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26
27 LOCKIE & MACFARLAN, LTD.

Attorneys at Law

919 Idaho Street

Elko, Nevada 89801

(775) 738-8084

FAX: (775) 738-1928

1 Case No. CR-FP-14-0635

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ELKO CO DISTRICT COURT

CLERK _____ DEPUTY *br*

3
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5
6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO
8

9 THE STATE OF NEVADA,

10 Plaintiff,

11 vs.

12 DEVON RAY HOCKEMIER,

13 Defendant.
14 _____ /

REQUEST FOR ROUGH
DRAFT TRANSCRIPT

15 TO: JULIE ROWAN, TRANSCRIPTIONIST (775-745-2327)

16 DEVON RAY HOCKEMIER, defendant named above, requests preparation
17 of a rough draft transcript of certain portions of the proceedings before the district
18 court, as follows:

19 Dates of proceedings: MAY 21, 2015.

20 Portions of the transcript requested: Complete Transcript of the Sentencing
21 hearing.

22 This notice requests a transcript of only those portions of the district court
23 proceedings which counsel reasonably and in good faith believes are necessary to
24 determine whether appellate issues are present. Voir dire examination of jurors,
25 opening statements and closing arguments of trial counsel, and the reading of jury
26 instructions shall not be transcribed unless specifically requested above.

27 I recognize that I must personally serve a copy of this form on the above named
28 court reporter and opposing counsel, and that the above named court reporter shall

1 have twenty (20) days from the receipt of this notice to prepare and submit to the
2 district court the rough draft transcript requested herein.

3 DATED this 10 day of June, 2015..

4 LOCKIE & MACFARLAN, LTD.

5
6 By [Signature]
7 SHERBURNE M. MACFARLAN, III
8 Nevada Bar No. 3999
9 Attorney for Defendant
10 919 Idaho Street
11 Elko, Nevada 89801
12 (775) 738-8084
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1 CERTIFICATE OF MAILING

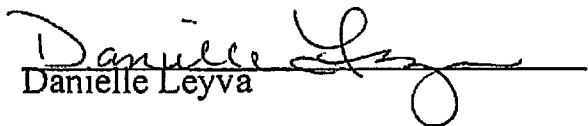
2 Pursuant to NRCP 5(b), I hereby certify that I am an employee of Lockie &
3 Macfarlan, Ltd., Attorneys at Law, and that on the 29 day of June, 2015,
4 I mailed a true and correct copy of the above and foregoing REQUEST FOR ROUGH
5 DRAFT TRANSCRIPT by placing the same, postage prepaid, in the United States
6 mail at Elko, Nevada, addressed as follows:

7 JULIE ROWAN
8 NEVADA DICTATION
9 PO BOX 4332
Carson City, Nevada 89702

10 Ms. Tracie K. Lindeman, Clerk
11 Supreme Court of Nevada
201 South Carson Street, Suite 201
12 Carson City, Nevada 89701-4702

13 Elko Co. District Attorney's Office
14 540 Court Street
2nd Floor
15 Elko, NV 89801

16 Devon Hockemier
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22 Danielle Leyva
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PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

PAGE 1
TIME 16:08

TYPE: FELONY - AGAINST PERSONS

STATUS: CLOSED

6/11/15

-----JUDGE -----
CURRENT: PORTER, NANCY

--PARTY #--

PL 001: NEVADA, STATE OF
VS.

-----ATTORNEYS-----
SCHULMAN, JONATHAN L

DF 002: HOCKEMIER, DEVON RAY
DOB: 11/24/92

MACFARLAN III, SHERBURNE M
GAUMOND, BENJAMIN C INAC
COLE, LORIEN K INAC

CHARGE 1: FP SEX ASSAULT UND 14	NRS	200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 2: FP LEWDNESS W/CHILD 14	NRS	201.230
DISPOSITION: JUDG OF CONV - PLEA DATE: 6/09/15		
CHARGE 3: FP LEWDNESS-OPEN & GROS	NRS	201.210
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 4: FP SEX ASSAULT UND 14	NRS	200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 5: FP LEWDNESS W/CHILD 14	NRS	201.230
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 6: FP LEWDNESS-OPEN & GROS	NRS	201.210
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 7: FP SEX ASSAULT UND 14	NRS	200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 8: FP LEWDNESS W/CHILD 14	NRS	201.230
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 9: FP LEWDNESS-OPEN & GROS	NRS	201.210
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 10: FP SEX ASSAULT UND 14	NRS	200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 11: FP LEWDNESS W/CHILD 14	NRS	201.230
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 12: FP LEWDNESS-OPEN & GROS	NRS	201.210
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 13: FP SEX ASSAULT UND 14	NRS	200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREMNT DATE: 2/18/15		
CHARGE 14: FP LEWDNESS W/CHILD 14	NRS	201.230
DISPOSITION: JUDG OF CONV - PLEA DATE: 6/09/15		
CHARGE 15: FP LEWDNESS-OPEN & GROS	NRS	201.210

PGM ID-DSPDOC
DATE 6/29/15

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DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

CHARGE 16: FP SEX ASSAULT UND 14 NRS 200.366(3)(c)
DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

CHARGE 17: FP LEWDNESS W/CHILD 14 NRS 201.230
DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

CHARGE 18: FP LEWDNESS-OPEN & GROS NRS 201.210
DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

CHARGE 19: FP KIDNAPING 1ST DEGREE NRS 200.310(1)
DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

CHARGE 20: FP KIDNAP/2ND DEGREE NRS 200.310(2)
DISPOSITION: MEMO OF PLEA AGREEMENT DATE: 2/18/15

ASSMNT 21: A DC GENETIC MARKER ASSMT DC GENETIC
DISPOSITION: JUDGE OF CONVICTION - PLEA DATE: 6/09/15

MAJOR EVENTS

8/28/14 FILE CHECKED OUT BY:	RODRIGUEZ	000
9/09/14 FILE CHECKED IN BY:	FLEURY	000
9/09/14 ARRAIGNMENT (DC)	FOR: 10/13/14 13:30 DC1SEC	000
10/08/14 FILE CHECKED OUT BY:	FLEURY	000
10/14/14 EARLY CASE CONF. DISPOSITION: CONTINUED	FOR: 1/22/15 13:30 DC1SEC	000
10/14/14 JURY TRIAL -- DAY 1 DISPOSITION: VACATED	FOR: 2/24/15 9:00 DC1SEC	000
10/14/14 JURY TRIAL AD'L DAYS DISPOSITION: VACATED	FOR: 2/25/15 9:00 DC1SEC	000
10/14/14 JURY TRIAL AD'L DAYS DISPOSITION: VACATED	FOR: 2/26/15 9:00 DC1SEC	000
10/14/14 JURY TRIAL AD'L DAYS DISPOSITION: VACATED	FOR: 2/27/15 9:00 DC1SEC	000
10/30/14 FILE CHECKED IN BY:	RODRIGUEZ	000
1/14/15 FILE CHECKED OUT BY:	FLEURY	000
1/16/15 EARLY CASE CONF.	FOR: 1/29/15 9:30 DC1SEC	000
2/03/15 FILE CHECKED IN BY:	PLUNKETT	000

PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

PAGE 3
TIME 16:08

2/06/15 FILE CHECKED OUT BY:	PLUNKETT 000
2/06/15 CHANGE OF PLEA	FOR: 2/12/15 16:00 DC1SEC 000
2/13/15 SENTENCING DISPOSITION: VACATED	FOR: 5/21/15 13:30 DC1SEC 000
2/13/15 SENTENCING	FOR: 5/21/15 13:30 DC1SEC 000
2/18/15 CHANGE OF PLEA	FOR: 3/16/15 13:30 DC1SEC 000
2/18/15 FILE CHECKED IN BY:	RODRIGUEZ000
3/11/15 FILE CHECKED OUT BY:	MERKLEY 000
3/18/15 FILE CHECKED IN BY:	PECK 000
5/13/15 FILE CHECKED OUT BY:	FLEURY 000
6/09/15 FILE CHECKED IN BY:	PECK 000
6/11/15 DATE CLOSED	DISPOSITION: FILE CLOSED

FILING DATE	EVENT	COMMENT	PROCEEDINGS EVENT DATE	ENTRY PERSON/P
4/30/14	CRIMINAL COMPLAINT			RODRIGUEZ001
5/01/14	WARRANT OF ARREST	ISSUED BY JP MASON SIMONS ON 05/01/2014		RODRIGUEZ000
6/19/14	NOTICE OF WITNESSES	DA'S EX PARTE FILING W/COURT GIVING NOTICE OF NUMBER OF WITNESSES FOR PRELIM HEARING		RODRIGUEZ001
6/20/14	BOOKING INFORMTN RPT	BOOKED 6/19/14 ON A WARRANT		RODRIGUEZ002
6/20/14	COPY(IES) RECEIVED	OF BOOKING SHEET SHOWING THAT DEF WAS BOOKED 6/19/14 ON A WARRANT		RODRIGUEZ002
6/20/14	COPY(IES) RECEIVED	OF WARRANT OF ARREST (ECSO "RECEIVED" STAMPED ON COPY)		RODRIGUEZ000
6/23/14	WARRANT OF ARREST	ORIGINAL WARRANT OF ARREST FILED		RODRIGUEZ002
6/23/14	APPL FOR APPT ATTY	APPLICATION FOR APPOINTMENT OF ATTORNEY		RODRIGUEZ002

PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

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TIME 16:08

6/23/14 ORD APPOINTING ATTY	RODRIGUEZ002
6/27/14 MOT TO WITHDRAW AS DEFENSE COUNSEL AND FOR THE APPT OF NEW COUNSEL AND SUBMISSION	RODRIGUEZ002
7/01/14 ORD ALLW WTDRL ATTY	RODRIGUEZ002
7/08/14 AMENDED COMPLAINT	RODRIGUEZ001
7/08/14 EX PARTE MOTION TO CON'T PRELIM HRG FILED BY LORIEN COLE ESQ	RODRIGUEZ002
7/08/14 MOT TO RELEASE ON OR FILED BY LORIEN COLE ESQ	RODRIGUEZ002
7/10/14 MOT TO WITHDRAW LORIEN COLE'S MOT TO WITHDRAW AS COUNSEL FOR DEF	RODRIGUEZ002
7/10/14 ORD ALLW WTDRL ATTY SHERBURNE MACFARLAN III, FROM LOCKIE AND MACFARLAN WAS APPOINTED TO REPRESENT DEF	RODRIGUEZ002
7/11/14 WAIVER DEF'S WAIVER OF RIGHT TO SPEEDY PRELIM HEARING	RODRIGUEZ002
7/14/14 REQUEST MACFARLAN'S REQUEST THE PREVIOUSLY FILED MOT FOT OR BE HELD IN ABEYANCE	RODRIGUEZ002
7/14/14 EX PARTE APPLICATION TO EMPLOY PRIVATE INVESTIGATOR	RODRIGUEZ002
7/15/14 ORD GRANTING EX PARTE APPL TO EMPLOY PRIVATE INVESTIGATOR	RODRIGUEZ002
7/15/14 COPY(IES) RECEIVED OF ORDER GRANTING EX PARTE APPL TO EMPLOY PRIVATE INVESTIGATOR FILED 7/15/14	RODRIGUEZ002
7/24/14 EX PARTE MOTION TO INSPECT AND COPY JV RECORDS	RODRIGUEZ002
7/28/14 MOT TO TRANSFER CASE MACFARLAN'S CONTINGENT MOT TRANSFER CASE TO JUVENILE COURT	RODRIGUEZ002
8/04/14 EX PARTE APPLICATION FOR PAYMENT OF PRIVATE INVESTIGATOR FEES	RODRIGUEZ002
8/05/14 ORD GRANTING MOTION	RODRIGUEZ000

PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

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TIME 16:08

TO INSPECT AND COPY JV RECORDS

8/05/14	ORD APPR FEES OD AUTHORIZING PAYMENT OF INVESTIGATIVE FEES	RODRIGUEZ000
8/06/14	OPPOSITION TO MOTION TO TRANSFER CASE TO JUVENILE COURT	RODRIGUEZ001
8/18/14	COMMITMENT	RODRIGUEZ000
8/18/14	ORD BINDING OVER -DC	RODRIGUEZ000
8/26/14	TRANSCRIPT-PRELIM HELD IN EJC ON 8/18/2014	RODRIGUEZ000
8/27/14	EX PARTE APPLICATION FOR PAYMENT OF PRIVATE INVESTIGATOR FEES	RODRIGUEZ002
8/28/14	FILE OPEN - DC CRIM FILE OPENED - DC CRIMINAL CASE REC'D FROM EJC ON 8/28/14 @ 9:05	RODRIGUEZ002
8/28/14	RECORD OF CT PROC.	RODRIGUEZ000
8/28/14	FILE CHECKED OUT BY: DC I for review/signature OF MACFARLAN'S ORD AUTHORIZING FEES FILE AND ORDER (WITH A RECEIVED STAMP ON THE BACK OF ORIGINAL AND COPY) PLACED IN DC1 PICK UP BOX @ 10:22	RODRIGUEZ000
8/28/14	CRIMINAL INFORMATION Certified copy issued PLEADING PLACED IN DC1 PICK UP BOX @ 11:11 8/29/14	RODRIGUEZ001
9/04/14	RECORD OF CT PROC. PLEADING PLACED IN DC1 PICK UP BOX @2:38PM	RODRIGUEZ000
9/09/14	FILE CHECKED IN BY:	FLEURY 000
9/09/14	ORD APPR ATTY FEES COPY IN LOCKIE AND MACFARLAN'S BOX	FLEURY 000
9/09/14	ARRAIGNMENT (DC)	FOR: 10/13/14 13:30 DC1SEC 000
10/08/14	FILE CHECKED OUT BY: DC I for review/signature	FLEURY 000
10/13/14	HRG - DC1-ARRAIGN	FLEURY 002
10/14/14	REQUEST - DISCLOSURE (FILE CHECKED OUT SENT PLEADING TO DC 1)	PECK 001
10/14/14	EARLY CASE CONF.	FOR: 1/22/15 13:30 DC1SEC 000

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DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

PAGE 6
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DISPOSITION: CONTINUED

10/14/14 JURY TRIAL -- DAY 1	FOR: 2/24/15	9:00	DC1SEC	000
DISPOSITION: VACATED				
JURY TRIAL - DAY 1				
10/14/14 JURY TRIAL AD'L DAYS	FOR: 2/25/15	9:00	DC1SEC	000
DISPOSITION: VACATED				
JURY TRIAL ADDITIONAL DAYS				
10/14/14 JURY TRIAL AD'L DAYS	FOR: 2/26/15	9:00	DC1SEC	000
DISPOSITION: VACATED				
JURY TRIAL ADDITIONAL DAYS				
10/14/14 JURY TRIAL AD'L DAYS	FOR: 2/27/15	9:00	DC1SEC	000
DISPOSITION: VACATED				
JURY TRIAL ADDITIONAL DAYS				
10/30/14 PRETRIAL ORDER				RODRIGUEZ000
10/30/14 FILE CHECKED IN BY:				RODRIGUEZ000
12/15/14 PROOF OF SERVICE				TIPTON 001
DECLARATION OF SERVICE on Dr Kristin Macleod 12/11/14				
1/06/15 MOT IN LIMINE				PECK 001
REGARDING THE COURT'S OBLIGATION TO CONDUCT VOLUNTARINESS HEARING WITH RESPECT TO THE DEF STATEMENTS				
1/08/15 NOTICE OF INTENT				PECK 001
TO USE EXPERT WITNESSES				
1/14/15 FILE CHECKED OUT BY:				FLEURY 000
DC I for review/signature				
1/16/15 EARLY CASE CONF.	FOR: 1/29/15	9:30	DC1SEC	000
1/29/15 HRG - DC1 CRHRG				FLEURY 002
1/29/15 MOTION				RODRIGUEZ001
WITHDRAWING MOTION MOT IN LIMINE RE: THE CRT'S OBLIGATION TO CONDUCT A VOLUNTARINESS HEARING W/ RESPECT TO THE DEF'S STATEMENTS PLEADING PLACED IN DC1 PICK UP BOX @ 3:12				
1/30/15 NOTICE OF MOTION				RODRIGUEZ001
NTC OF PENDING MOTIONS PLEADING PLACED IN DC1 PICK UP BOX @3:28				
2/03/15 FILE CHECKED IN BY:				PLUNKETT 000
2/04/15 LIST OF WITNESSES				PECK 001

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ELKO COUNTY COURT SYSTEM
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PAGE 7
TIME 16:08

JOINT EXHIBITS AND DISCOVERY BE OFFERED AS
EVIDENCE

2/06/15 MEMO OF PLEA AGREEMENT 7 PAGES	RODRIGUEZ002
2/06/15 FILE CHECKED OUT BY: DC I for review/signature	PLUNKETT 000
2/06/15 CHANGE OF PLEA CHANGE OF PLEA	FOR: 2/12/15 16:00 DC1SEC 000
2/11/15 REQUEST MEDIA REQUEST PLEADING PLACED IN DC1 PICK UP BOX @ 4:51	RODRIGUEZ000
2/11/15 ORDER ORDER REGARDING MEDIA REQUEST PLEADING PLACED IN DC1 PICK UP BOX @ 4:51	RODRIGUEZ000
2/12/15 HRG - DC1-COP/ARRAIG	FLEURY 002
2/12/15 TRANS CONF RPT - P&P	FLEURY 002
2/13/15 SENTENCING DISPOSITION: VACATED SENTENCING	FOR: 5/21/15 13:30 DC1SEC 000
2/13/15 SENTENCING SENTENCING	FOR: 5/21/15 13:30 DC1SEC 000
2/18/15 AMENDED PLEA AGREEMENT 7 PAGES PLEADING PLACED IN DC1 PICK UP BOX @ 2:40	RODRIGUEZ002
2/18/15 CHANGE OF PLEA CHANGE OF PLEA - second	FOR: 3/16/15 13:30 DC1SEC 000
2/18/15 ORD VACATING TRIAL	RODRIGUEZ000
2/18/15 FILE CHECKED IN BY:	RODRIGUEZ000
3/11/15 FILE CHECKED OUT BY: DC I for review/signature	MERKLEY 000
3/16/15 HRG - DC1-COP/ARRAIG	MERKLEY 002
3/18/15 FILE CHECKED IN BY:	PECK 000
5/13/15 FILE CHECKED OUT BY: DC I for review/signature	FLEURY 000
5/21/15 HRG - DC1-SENTENCE	FLEURY 002

PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

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5/21/15 REQUEST RODRIGUEZ000
MEDIA REQUEST
PLEADING HANDED TO DC1

5/21/15 ORDER RODRIGUEZ000
ORD RE: MEDIA REQUEST
PLEADING HANDED TO DC1

5/21/15 NOTIFICATN 176.0926 FLEURY 002
NOTIFICATION OF REGISTRATION REQUIREMENTS FILED IN
OPEN COURT AT 2:45PM

5/21/15 NOTICE OF JAKEMAN 002

6/09/15 FILE CHECKED IN BY: PECK 000

6/09/15 JUDG OF CONV - PLEA JAKEMAN 002
CT 2 & CT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS
OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS
201.230: 10 years to LIFE w/credit for 339 days
served as of 5/21/15 for Ct 2, 10 years to LIFE for
Ct 14 to run consecutive to Ct 2, aggregate term for
both counts is minimum of 20 years with maximum of
LIFE, \$25 admin fee, \$150 genetic testing fee,
submit to genetic marker test, \$855 psychosexual
evaluation fee, required to register as sex
offender, special sentence of lifetime supervision
(4 pgs)

6/10/15 FAX SENT RODRIGUEZ000
TO NV SEX OFFENDER REGISTRY (775) 687 3237 OF THE
PLEA AGREEMENT, CRIMINAL INFO, AND JOC

6/11/15 PAYMENT/AR UPDATE JAKEMAN 002
DISPOSITION:

Current A/R Account Info	
A/R SOURCE BALANCES	A/R ACCOUNT BALANCES
Amount Due \$175.00	Amount Due \$175.00
Amount Paid .00	Amount Paid .00
Susp/Wrt Off .00	Susp/Wrt Off .00
SRC NOW DUE .00	TOT NOW DUE .00
Last Pmt Date 0/00/00	Last Pmt Date 0/00/00
Last Pmt Amt .00	Last Pmt Amt .00
Next Due Date 7/01/15	Past Due .00
	Min Mon Pmt \$25.00

6/11/15 TRANSFER TO A/R TRANSFER TO A/R JAKEMAN 002

6/11/15 TRANS CONF RPT - DPS JAKEMAN 002
Copies of Notice of Conviction, Notification of
Registration & JOC faxed to DPS Sex Offender
Registry

PGM ID-DSPDOC
DATE 6/29/15

ELKO COUNTY COURT SYSTEM
CASE#: EC DC CR-FP-14-0000635

PAGE 9
TIME 16:08

6/11/15 FILE CLOSED

JAKEMAN 000

6/29/15 NOTICE OF APPEAL

RODRIGUEZ002

6/29/15 CASE APPEAL STATEMNT

RODRIGUEZ002

6/29/15 REQUEST - RD TRNSCPT

RODRIGUEZ002

PEOPLE INVOLVED

ENTERED	PERSON	PERSON TYPE	STATUS	ENTRY PERSON
8/28/14	GAUMOND, BENJAMIN C	ATT	INACTIVE	RODRIGUEZ
8/28/14	COLE, LORIEN K	ATT	INACTIVE	RODRIGUEZ

1 CASE NO. CR-FP-14-635

2 DEPT. NO. 1

FILED
2015 JUN -9 AM 10:30
ELKO CO DISTRICT COURT
CLERK _____ DEPUTY _____

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5
6 IN THE FOURTH JUDICIAL DISTRICT COURT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO
8

9 THE STATE OF NEVADA,

10 Plaintiff,

JUDGMENT OF CONVICTION
(Guilty Plea - Incarceration)

11 V.

12 DEVON RAY HOCKEMIER,

13 Defendant.
14 _____/

15 On March 16, 2015, above-named Defendant, DEVON RAY HOCKEMIER [who is further
16 described as follows: Date of birth: 11/24/1992; (age 22); Place of birth: Elko, Nevada] was arraigned and
17 entered a plea of guilty to the crimes described below and as more fully set forth in the criminal information
18 filed herein. Legal counsel present at Defendant's arraignment were Sherburne M. Macfarlan, III, Esq.,
19 representing Defendant, and Jonathan L. Schulman, Elko County Deputy District Attorney, representing the
20 State. At the time above-named Defendant entered his plea of guilty, this Court informed him of all
21 applicable constitutional rights, the elements of the crimes charged, and the maximum possible penalty for
22 said crimes. After being so informed, above-named Defendant stated that he understood all of the applicable
23 constitutional rights, the elements of the crimes charged and the maximum possible penalty for said crimes.
24 This Court then made a finding that Defendant had entered his plea freely and voluntarily, and with full
25 understanding of his constitutional rights, the nature of the charges and the consequences of his plea.

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DESCRIPTION OF CONVICTIONS

COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230

COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230

On May 21, 2015, above-named Defendant appeared before this Court for the purpose of Sentencing and entry of a final judgment of conviction in this matter. This Court, the State, and defense counsel had previously received a Pre-Sentence Report which had been prepared by the Division of Parole and Probation. Legal counsel present at Defendant's sentencing were Sherburne M. Macfarlan, III, Esq., representing Defendant, and Jonathan L. Schulman, Elko County Deputy District Attorney, representing the State. Also present was Annis Seopaul, representing the Division of Parole and Probation.

After hearing from all parties and allowing Defendant an opportunity to personally address the Court, this Court finds that the appropriate judgment in this case is and shall be as follows:

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SENTENCE TERMS

For the conviction of Count 2, Defendant is sentenced to a maximum term of LIFE in the Nevada Department of Corrections with the possibility of parole after serving a minimum of 10 years. Defendant is credited with 339 days heretofore served as computed to and including the date of this sentencing (May 21, 2015).

For the conviction of Count 14, Defendant is sentenced to a maximum term of LIFE in the Nevada Department of Corrections with the possibility of parole after serving a minimum of 10 years. Said sentence shall run consecutively to the sentence for Count 2. The aggregate term for both counts is a minimum of 20 years with a maximum of LIFE.

Pursuant to NRS 176.0913 the name, social security number, date of birth and any other information identifying Defendant shall be submitted to the central repository for Nevada records of criminal history. Defendant shall submit to a blood and saliva test, to be made by qualified persons. The tests must include analyses of his blood to determine genetic markers and of his saliva to determine its secretor status. The results of the tests shall be submitted to the central repository for Nevada records of criminal history.

25
26

FINANCIAL AND RESTITUTION REQUIREMENTS

Defendant is ordered to pay the administrative fee in the amount of \$25.00 as required by NRS 176.062. Said amount shall be deducted from any cash bail monies posted by Defendant before any remainder is returned upon the

1 exoneration of bail. It is further ordered that if Defendant has any monies in
2 the possession of the Elko County Jail, that said monies shall be delivered
directly to the Elko County Clerk and applied to this fee.

3 Defendant is ordered to pay the genetic testing fee of \$150.00 as required by
4 NRS 176.0915. Said amount shall be deducted from any cash bail monies
5 posted by Defendant before any remainder is returned upon the exoneration
of bail. It is further ordered that if Defendant has any monies in the
possession of the Elko County Jail, that said monies shall be delivered
6 directly to the Elko County Clerk and applied to this fee.

7 Defendant is ordered to pay \$855.00 for the psychosexual evaluation fee.

8 Any cash bail or monies in the possession of the Elko County Jail which
belong to Defendant shall be confiscated and applied to this debt.

9 OTHER REQUIREMENTS

10 Defendant is required to register as a sex offender pursuant to NRS 179D.441
11 through NRS 179D.495, prior to being released from custody.

12 Pursuant to NRS 176.0931, a special sentence of lifetime supervision
13 commences after any period of probation or any term of imprisonment and
any period of release on parole.


14 BAIL

15 IT IS HEREBY ORDERED that any bail bond previously posted for said Defendant shall be
16 exonerated. Any cash bail posted for said Defendant shall be applied first to fines and/or costs due
17 pursuant to this judgment and, unless otherwise agreed to by the parties, any amount remaining shall be
18 returned by the clerk to the person who posted said cash bail.

19 ENTRY OF JUDGMENT

20 IT IS FURTHER ORDERED that the clerk of the above-entitled Court enter this JUDGMENT
21 OF CONVICTION as part of the record in the above-entitled matter.

22 SO ORDERED this 5 day of June, 2015.

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25 NANCY PORTER
DISTRICT JUDGE - DEPARTMENT 1
26

1 CERTIFICATE OF HAND DELIVERY

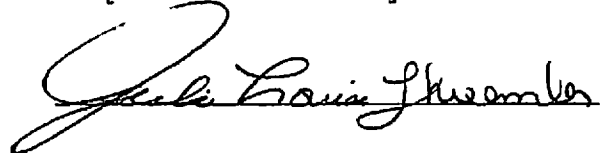
2 Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court,
3 Department 1, and that on this 9th day of June, 2015, I personally hand delivered a file stamped
4 copy of the foregoing **JUDGMENT OF CONVICTION** (Guilty Plea - Incarceration) addressed to:

5 Dept. of Parole and Probation
6 3920 E. Idaho Street
7 Elko, NV 89801
{ 1 File Stamped Copy}
[Box in Clerk's Office]

Elko County Sheriff's Office
775 W. Silver Street
Elko, NV 89801
{ 1 Certified Copy and 1 File Stamped Copy}
[Box in Clerk's Office]

8 Mark D. Torvinen, Esq.
9 Elko County District Attorney
540 Court Street, 2nd Floor
Elko, NV 89801
10 { 1 File Stamped Copy}
11 [Box in Clerk's Office]

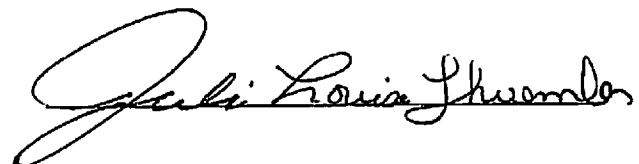
Sherburne M. Macfarlan, III, Esq.
Lockie & Macfarlan, Ltd.
919 Idaho Street
Elko, NV 89801
12 { 1 File Stamped Copy}
13 [Box in Clerk's Office]

14 

15 CERTIFICATE OF ELECTRONIC SERVICE

16 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Fourth Judicial District
17 Court, Department 1, Elko, Nevada, and that on this 9th day of June, 2015, I caused to be delivered
18 via electronic-mail, a file stamped copy of the foregoing **JUDGMENT OF CONVICTION** (Guilty Plea
19 - Incarceration), along with a copy of Defendant's Pre-Sentence Investigation Report addressed to:

20 Nevada Department of Corrections
Offender Management Division, Sentence Management
21 Attn: Shelly Williams, Records Supervisor
E-mail: skwilliams@doc.nv.gov
22 Attn: Kristy Rodriguez
E-mail: kwinters@doc.nv.gov

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**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: 10/13/14

Case No.: CR-FP-14-0000635

Dept: 1 – Elko County Jail

DEVON RAY HOCKEMIER,

Defendant.

State of Nevada represented by Robert J. Lowe, Esq.
Defendant present, in custody, and represented by
Sherburne M. Macfarlane, Esq.
Division of Parole and Probation represented by Lisa Elliott.
Court Clerk, Faye Fleury, present.

ARRAIGNMENT – NOT GUILTY

The Court noted the presence of the parties.

The matter was before the Court for an arraignment on the charges alleged in a Criminal Information filed on August 28, 2014. All parties indicated they were ready to proceed.

The Court asked if there was a Memorandum of Plea Agreement for the matter.

Defense counsel advised that there was not an Agreement and would waive the Defendants right to a speedy trial.

The State requested, according to NRS, a speedy trial due to the age of the victims.

The Court advised it was aware of the statutes.

A certified copy of the Criminal Information was presented to the Defendant and the formal reading was waived by the defense.

The name of the Defendant was correctly stated.

The Court inquired if the Defendant had been advised by Counsel regarding non citizenship.

Defendant advised he had been advised by Counsel.

The Court read the charging portion of the Criminal Information.

The Defendant understood the charges, was satisfied with the legal services rendered to date and was ready to proceed.

The Court asked the Defendant to enter pleas to COUNT 1: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 1; COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNTS 1 AND 2, COUNT 3: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 4: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 4, COUNT 5: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNTS 4 AND 5, COUNT 6: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 7: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 7, COUNT 8: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNTS 7 AND 8, COUNT 9: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 10: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 10, COUNT 11: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNTS 10 AND 11, COUNT 12: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 13: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 13, COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNTS 13 AND 14, COUNT 15: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 16: SEXUAL ASSAULT ON A CHILD UNDER THE AGE OF 14 YEARS, A CATEGORY A FELONY AS DEFINED BY

NRS 200.366(3)(c). IN THE ALTERNATIVE TO COUNT 16, COUNT 17: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. IN THE ALTERNATIVE TO COUNT 16 AND 17, COUNT 18: OPEN AND GROSS LEWDNESS, A GROSS MISDEMEANOR AS DEFINED BY NRS 201.210. COUNT 19: KIDNAPPING IN THE FIRST DEGREE, A CATEGORY A FELONY AS DEFINED BY NRS 200.310(1). IN THE ALTERNATIVE TO COUNT 19, COUNT 20: KIDNAPPING IN THE SECOND DEGREE, A CATEGORY B FELONY AS DEFINED BY NRS 200.310(2) The Defendant entered pleas of not guilty.

The Court advised the Defendant of his right to be tried within 60 days.

The Defendant waived the sixty-day rule.

The Court **ORDERED** a jury trial be set to begin on February 24, 2015, at 9:30 a.m. Four days were set aside for the trial. A status hearing/early settlement conference was set for January 22, 2015 at 1:30 p.m.

Court adjourned.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,
and Officers of the Court.

STATE OF NEVADA,

Plaintiff,

Date: 1/29/15

VS.

Case No.: CR-FP-14-0000635

Dept: 1

DEVON RAY HOCKEMIER,

Defendant.

State of Nevada represented by Jonathan Schulmer, Esq.
and Tanner Sharp, Esq.

Defendant present, in custody, and represented by
Sherburne M. Macfarlan III, Esq.
Court Clerk, Faye Fleury, present.

STATUS HEARING

The Court noted the presence of the parties.

The matter was before the Court for a status hearing.

Defense advised they were waiting for an offer from the State.

The State advised there may be an offer, but they needed to confer with the victim's family.

The Court inquired as to pending motion in limine regarding voluntariness.

The State would request to withdraw the motion in limine.

Defense advised he did not believe it would be refilling that motion.

The Court advised a Senior Judge would be presiding over the trial.

Court adjourned.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: 2/12/15

Case No.: CR-FP-14-0000635

Dept: 1

DEVON RAY HOCKEMIER,

Defendant.

State of Nevada represented by Jonathan Schulman, Esq.
and Tanner Sharp, Esq.

Defendant present, in custody, and represented by
Sherburne M. Macfarlane, Esq.

Division of Parole and Probation represented by Anise Seopaul.
Court Clerk, Faye Fleury, present.

CHANGE OF PLEA – GUILTY – PLEA AGREEMENT

The Court noted the presence of the parties.

The matter was before the Court for a change of plea arraignment on a Criminal Information filed on August 28, 2015. All parties indicated they were ready to proceed.

Defendant was sworn.

The Court noted that a Memorandum of Plea Agreement was filed on February 6, 2015.

A certified copy of the Criminal Information was previously presented to the Defendant and the formal reading was waived by the defense.

The Court read the charging portion of the Criminal Information.

The Court inquired if the victims and their family were aware and agreement to the plea deal?

The State advised it had spoken with the victims and family and they were in agreement.

The State cited the elements of the crimes and the potential penalties involved.

The Defendant understood the charges, was satisfied with the legal services rendered to date, understood that sentencing was wholly within the discretion of the Court and was ready to proceed.

The Court noted that a 7-page Memorandum of Plea Agreement with an attached Certificate of Counsel was filed on February 6, 2015. The Court canvassed the Defendant concerning execution of the document.

Defense counsel placed the terms of the Plea Agreement on the record. Both parties agreed to waive attachment of the Criminal Information. All parties concurred.

The Court reviewed the Defendant's Constitutional Rights and the Defendant waived the same.

The Court asked the Defendant to enter pleas to COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. The Defendant entered pleas of guilty following the terms of the Plea Agreement.

The Defendant gave an explanation of how the crime occurred.

The Court found there was a factual basis for the Defendant's plea and canvassed the Defendant regarding the plea.

The Court stated its findings and accepted the Defendant's guilty plea based upon the Memorandum of Plea Agreement, Certificate of Counsel and statements made in open Court.

The Court **ORDERED** a Presentence Investigation Report be due on or before April 27, 2015. Counsel to contact court staff to set sentencing date. Trial date was vacated by the Court.

Court adjourned.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: 3/16/15

Case No.: CR-FP-14-0000635

Dept: 1 – Elko County Jail

DEVON RAY HOCKEMIER,

Defendant.

State of Nevada represented by Jonathan Schulman, Esq.
Defendant present, in custody, and represented by
Sherburne MacFarlan III, Esq.
Division of Parole and Probation represented by Annis Seopaul.
Court Clerk, Michele Merkley, present.

ARRAIGNMENT – GUILTY – PLEA AGREEMENT

The Court noted the presence of the parties.

The matter was before the Court for a change of plea arraignment on a Criminal Information filed on August 28, 2015. All parties indicated they were ready to proceed.

The Court advised this was a second arraignment and the reason was that the parties came to the understanding that the Defendant was not eligible for probation as previously thought at the time of the first arraignment.

The Defendant was sworn.

The Court read the portion of the Criminal Information that the Defendant was pleading guilty to.

The State cited the elements of the crimes and the potential penalties involved.

The Defendant understood the charges, was satisfied with the legal services rendered to date, understood that sentencing was wholly within the discretion of the Court and was ready to proceed.

The Court noted that a 7 page Amended Memorandum of Plea Agreement with an attached Certificate of Counsel was filed on February 28, 2015. The Court canvassed the Defendant concerning execution of the document.

Defense counsel placed the terms of the Plea Agreement on the record. Both parties agreed to waive attachment of the Criminal Information. All parties concurred.

The Court reviewed the Defendant's Constitutional Rights and the Defendant waived the same.

The Court asked the Defendant to enter pleas to COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230.

The Defendant entered pleas of guilty following the terms of the Plea Agreement.

The Defendant gave an explanation of how the crime occurred.

The Court found there was a factual basis for the Defendant's plea and canvassed the Defendant regarding the plea.

The Court stated its findings and accepted the Defendant's guilty plea based upon the Memorandum of Plea Agreement, Certificate of Counsel and statements made in open Court.

The Court advised it had previously ordered a Presentence Investigation Report due on or before April 27, 2015. Sentencing will still be May 21, 2015 at 1:30 p.m.

Court adjourned.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: 5/21/15

Case No.: CR-FP-14-0000635

Dept: 1

DEVON RAY HOCKEMIER,

Defendant.

State of Nevada represented by Jonathan Schulman, Esq.
and Tanner Sharp, Esq.

Defendant present, in custody, and represented by
Sherburne M. MacFarlan III, Esq.

Division of Parole and Probation represented by Annis Seopaul.
Court Clerk, Faye Fleury, present.

SENTENCING HEARING

The Court noted the presence of the parties.

The Court noted that the Defendant last appeared in Court on March 16, 2015 and entered a plea of guilty to COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230.

The matter was before the Court for the entry of judgment and the imposition of sentence. All parties indicated they were ready to proceed.

The Defendant advised the Court that he had received the Presentence Investigation Report, reviewed the same with counsel and understood the recommendations contained therein.

Defense counsel made corrections to the psychosexual evaluation that was attached to the report.

Neither the State nor the Division made corrections to the report.

The State advised it had witnesses to testify in this matter.

Hydie Overholser was sworn and examined on direct by Mr. Sharp. No cross examination by the Defense. Witness excused.

Charles Bridge was sworn and examined on direct by Mr. Sharp. No cross examination by the Defense. Witness excused.

The State offered Plaintiffs exhibit, Defendant Interview - Audio, for admission. There being no objection the Court **ORDERED** Plaintiffs Exhibit 1, be admitted.

The State further requested the Court play the audio recording for the Court.

Plaintiffs Exhibit 1, Audio Interview, was played for the Court.

The State presented its position for sentencing.

Defense counsel presented a recommendation on behalf of the Defendant.

The Court advised the Defendant of his right to make a statement on his own behalf.

The Defendant did address the Court.

The matter being submitted;

The Court **ORDERED** a Judgment of Conviction be entered against the Defendant finding the Defendant guilty of COUNT 2: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230. COUNT 14: LEWDNESS WITH A CHILD UNDER 14 YEARS OF AGE, A CATEGORY A FELONY AS DEFINED BY NRS 201.230.

The Court **FURTHER ORDERED** the Defendant to pay a \$25.00 administrative assessment fee, a \$150.00 genetic testing fee and submit to test to determine his genetic markers and be sentenced for Count 2 to serve a maximum term of life Nevada Department of Corrections with minimum parole eligibility after 10 years and for Count 14 to serve a maximum term of life in the Nevada Department of Corrections with minimum parole eligibility after 10 years. The sentences are to be served consecutively.

The Court **FURTHER ORDERED** the Defendant to pay the cost of the psychosexual evaluation in the amount of \$855.00.

The Court advised the Defendant regarding the requirements of sex offenders and the Defendant read and signed the Notification of Registration Requirements.

Court adjourned.

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Life 339

Life / 10

PGM ID-EXEXIPS
DATE 6/29/2015

ELKO COUNTY COURT SYSTEM
EXHIBIT DATA FOR:

PAGE 1

NEVADA, STATE OF

CRFP140000635-001

EXHIBIT #	EXHIBIT DESCRIPTION	LOCATE	LOGGED	BY	DISP
1	COPY OF MEDICAL REPORT FROM WASHOE CO	ENV V	8/28/14	BR	
2	COPY OF EPD INITIAL REPORT BY DET HES	ENV V	8/28/14	BR	
1 SENTENCING	AUDIO CD INTERVIEW WITH DEFENDANT	ENV V	5/21/15	BR	E

Case No. CR-FP-14-635

Dept. No. 1

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

DEVON RAY HOCKEMIER,
Appellant,

vs.

FAST TRACK DOCUMENTS


STATE OF NEVADA,
Respondent,

The following copies of documents have been sent to the Supreme Court on June 29, 2015, pursuant to the Supreme Court Rule 250 6(a):

1. Notice of Appeal filed on 06/29/2015
2. Case Appeal Statement filed on 06/29/2015
3. Request for Rough Draft Transcript filed on 06/29/2015
4. Case History begun 08/28/2014
5. Judgment of Conviction filed on 06/09/2015
6. Court Minutes - Arraignment - Not Guilty held on 10/13/2014
7. Court Minutes - Status Hearing held on 02/12/2015
8. Court Minutes - Arraignment - Guilty - Plea Agreement held on 03/16/2015
9. Court Minutes - Sentencing Hearing held on 05/21/2015
10. Appellant Exhibits
11. Respondent Exhibits

Dated June 29, 2015

Submitted by:


KELLY J. ANTONUCCI
DEPUTY CLERK

Case No. CR-FP-14-635

Dept. No. 1

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

DEVON RAY HOCKEMIER,

Appellant,

vs.

CLERK'S CERTIFICATION

STATE OF NEVADA,

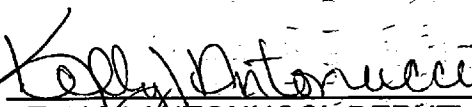
Respondent,

/

I, CAROL FOSMO, the duly elected, acting and qualified County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed are true, full and correct copies of certain documents in Action No. CRFP-14-635, Dept. 1, DEVON RAY HOCKEMIER, Appellant, vs. STATE OF NEVADA, Respondent, as appears on file and of record in my office.

WITNESS My Hand and Seal of said Court on June 29, 2015.

CAROL FOSMO, ELKO COUNTY CLERK

By 
KELLY J ANTONUCCI, DEPUTY CLERK

CERTIFICATE OF SERVICE

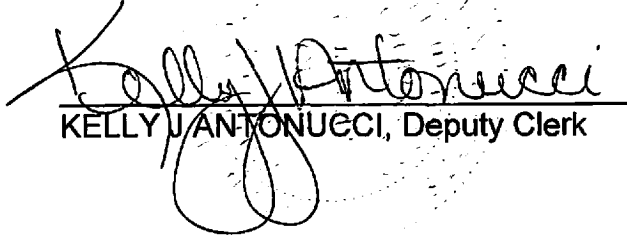
I hereby certify that I caused to be sent electronically and/or mailed a certified copy of the annexed documents in Action No. CR-FP-14-635, Dept. 1, DEVON RAY HOCKEMIER, Appellant, vs. STATE OF NEVADA, Respondent, as appears on file and of record in this Court, to the following:

SHERBURNE MACFARLAN III, ESQ
(ATTORNEY'S BOX)

JONATHAN L SCUHLMAN, ESQ
lwatson@elkocountynv.net
csmith@elkocountynv.net
afitch@elkocountynv.net

Catherine Cortez Masto
Nevada Attorney General
Attn: Criminal Division
100 North Carson Street
Carson City, NV 89710-4717

DATED this 30 day of June, 2015


KELLY J ANTONUCCI, Deputy Clerk