

CLERK OF THE COURT

Electronically Filed  
Aug 07 2015 03:11 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

1 **NOASC**  
2 **MATTHEW D. CARLING, ESQ.**  
3 Nevada Bar No.: 007302  
4 1100 S. Tenth Street  
5 Las Vegas, NV 89101  
6 (702) 419-7330 (Office)  
7 (702) 446-8065 (Fax)  
8 CedarLegal@gmail.com  
9 *Attorneys for Petitioner,*  
10 **DELARIAN K. WILSON**

11 **DISTRICT COURT**  
12 **CLARK COUNTY, NEVADA**

13 \* \* \* \* \*

14  
15  
STATE OF NEVADA,  
Plaintiff,  
  
-vs-  
  
DELARIAN K. WILSON,  
Defendant.

Case No. 07C232494-1

Dept. No. IX

16  
17 **NOTICE OF APPEAL**  
18

19 TO: THE STATE OF NEVADA

20 TO: STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and  
21 DEPARTMENT 9 OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE  
22 OF NEVADA, IN AND FOR THE COUNTY OF CLARK.

23  
24 NOTICE is hereby given that DELARIAN K. WILSON, presently incarcerated at the  
25 Southern Desert Correctional Center, appeals to the Supreme Court of the State of Nevada from  
26 the an Order denying his Petition for a Writ of Habeas Corpus (Post-Conviction) entered on or  
27 about July 22, 2015.

28 DATED this 4<sup>th</sup> day of August, 2015.  
29

CARLING LAW OFFICE, PC

/s/ Matthew D. Carling

Nevada Bar No.: 007302

*Attorneys for Petitioner,*

DELARIAN K. WILSON

**DECLARATION OF MAILING**

MATTHEW D. CARLING, ESQ., hereby declares that he is, and was when the herein described mailing took place, a citizen of the United States, over 21 years of age; that on the 4<sup>th</sup> day of August, 2015, Declarant deposited in the United States mail at Cedar City, Utah, a copy of the Notice of Appeal in the above-mention case, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to the following:

Delarian K. Wilson (#1022177)  
Southern Desert Corrections Center  
P.O. Box 208  
Indian Springs, Nevada 89070

STEVEN B. WOLFSON, ESQ.  
Clark County District Attorney  
200 Lewis Avenue  
Las Vegas, Nevada 89101

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 4<sup>th</sup> day of August, 2015.

CARLING LAW OFFICE, PC

/s/ Matthew D. Carling

Nevada Bar No.: 007302

*Attorneys for Petitioner,*

DELARIAN K. WILSON

  
CLERK OF THE COURT

ASTA  
MATTHEW D. CARLING, ESQ.  
Nevada Bar No.: 007302  
1100 S. Tenth Street  
Las Vegas, NV 89101  
(702) 419-7330 (Office)  
(702) 446-8065 (Fax)  
[CedarLegal@gmail.com](mailto:CedarLegal@gmail.com)  
*Attorneys for Petitioner,*  
DELARIAN K. WILSON

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \* \*

STATE OF NEVADA,  
Plaintiff,  
  
-vs-  
  
DELARIAN K. WILSON,  
Defendant.

Case No. 07C232494-1  
  
Dept. No. IX

**CASE APPEAL STATEMENT  
(NRAP 3(d)(4))**

- 1. Name of appellant filing this case appeal statement:**  
DeLarian K. Wilson
- 2. Identify the judge issuing the decision, judgment, or order appealed from:**  
Judge Jennifer Togliatti.
- 3. Identify all parties to the proceedings in the district court:**  
DeLarian K. Wilson  
  
The State of Nevada
- 4. Identify all parties involved in this appeal:**

DeLarian K. Wilson

The State of Nevada

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

MATTHEW D. CARLING  
Nevada Bar #007302  
1100 S. Tenth Street  
Las Vegas, NV 89101  
(702) 419-7330  
*Counsel for Appellant,*  
DeLarian K. Wilson

RYAN J. MACDONALD  
Deputy District Attorney  
Nevada Bar #0012615  
P.O. Box 552212  
Las Vegas, NV 89101-2212  
*Counsel for Appellee,*  
State of Nevada

**6. Indicate whether appellant was represented by appointed or retained counsel in the district court:** Appointed

**7. Indicate whether appellant is represented by appointed or retained counsel on appeal:** Appointed

**8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:** N/A

**9. Indicate the date the proceedings commenced in the district court:**

Information filed April 20, 2007.

Dated this 4<sup>th</sup> day of August, 2015.

CARLING LAW OFFICE, PC

/s/ Matthew D. Carling

MATTHEW D. CARLING, ESQ.

Nevada Bar No.: 007302

*Court-Appointed Attorney for Defendant,*

DELARIAN K. WILSON

1 **CERTIFICATE OF SERVICE**

2  
3 I hereby certify that, on this 4<sup>th</sup> day of August, 2015, I sent a true and correct copy of the  
4 above CASE APPEAL STATEMENT to the following parties:

5 Steven B. Wolfson, Esq.  
6 Clark County District Attorney  
7 Post Conviction Unit  
8 [jennifer.garcia@clarkcountynyda.com](mailto:jennifer.garcia@clarkcountynyda.com)  
9

10 CARLING LAW OFFICE, PC

11  
12 /s/ Matthew D. Carling  
13 MATTHEW D. CARLING, ESQ.  
14 *Court-Appointed Attorney for Defendant,*  
15 DELARIAN K. WILSON  
16

17 **CERTIFICATE OF MAILING**

18 I hereby certify that on August 4, 2015, I served a copy of the REQUEST FOR  
19 ROUGH DRAFT TRANSCRIPTS OF DISTRICT COURT PROCEEDINGS to Dept. 9 Court  
20 Reporter by mailing a copy *via* first class mail, postage thereon fully prepaid, to the following:

Court Reporter  
Dept. 9  
200 Lewis Avenue  
Las Vegas, Nevada 89101

Delarian K. Wilson (#1022177)  
Southern Desert Corrections Center  
P.O. Box 208  
Indian Springs, Nevada 89070

21 CARLING LAW OFFICE, PC

22  
23 /s/ Matthew D. Carling  
24 MATTHEW D. CARLING, ESQ.  
25 *Court-Appointed Attorney for Defendant,*  
26 DELARIAN K. WILSON  
27

  
CLERK OF THE COURT

**REQT**  
MATTHEW D. CARLING, ESQ.  
Nevada Bar No.: 007302  
1100 S. Tenth Street  
Las Vegas, NV 89101  
(702) 419-7330 (Office)  
(702) 446-8065 (Fax)  
[CedarLegal@gmail.com](mailto:CedarLegal@gmail.com)  
*Attorneys for Petitioner,*  
DELARIAN K. WILSON

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \* \*

STATE OF NEVADA,

Plaintiff,

Case No. 07C232494-1

-vs-

Dept. No. IX

DELARIAN WILSON,

Defendant.

TO: COURT REPORTER – DEPARTMENT NO. 9

DELARIAN K. WILSON, Defendant named above, requests preparation of a rough draft transcript of certain portions of the proceedings before the district court, as follows:

DATE	JUDGE	PORTION	ORIGINAL PLUS <sup>1</sup>
05/06/15	Togliatti, Jennifer	All	2

This notice requests a transcript of only those portions of the District Court proceedings which counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present. Voir dire examination of jurors, opening statements and closing

<sup>1</sup> Original Rough Draft to be filed with the District Court, two certified copies to be served on Mr. Carling, and original certificate of service to be filed with the Nevada Supreme Court. NRAP 3C(3)(E).

1 arguments of trial counsel, and the reading of jury instructions shall not be transcribed unless  
2 specifically requested above.

3 I recognize that I must personally serve a copy of this form on the above named court  
4 reporter and opposing counsel, and that the above named court reporter shall have twenty (20)  
5 days from the receipt of this notice to prepare and submit to the district court the transcript  
6 requested herein. I further certify that the defendant is indigent and therefore exempt from  
7 paying a deposit.

8 DATED this 4<sup>th</sup> day of August, 2015.

9  
10 CARLING LAW OFFICE, PC

11  
12 /s/ Matthew D. Carling

13 MATTHEW D. CARLING, ESQ.

14 Nevada Bar No.: 007302

15 *Court-Appointed Attorney for Defendant,*

16 DELARIAN K. WILSON  
17

18 **CERTIFICATE OF SERVICE**  
19

20 I hereby certify that, on this 4<sup>th</sup> day of August, 2015, I sent a true and correct copy of the  
21 above REQUEST FOR ROUGH DRAFT TRANSCRIPTS OF DISTRICT COURT  
22 PROCEEDINGS to the following parties:

23 Steven B. Wolfson, Esq.  
24 Clark County District Attorney  
25 Post Conviction Unit  
26 Jennifer.Garcia@clarkcountyda.com  
27

28 CARLING LAW OFFICE, PC

29  
30 /s/ Matthew D. Carling

31 MATTHEW D. CARLING, ESQ.

32 *Court-Appointed Attorney for Defendant,*

33 DELARIAN K. WILSON

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Court Reporter  
Dept. 9  
200 Lewis Avenue  
Las Vegas, Nevada 89101

CARLING LAW OFFICE, PC

Page 3 of 3

DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

**The State of Nevada vs Delarian K Wilson**

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§

Location: **Department 9**  
Judicial Officer: **Togliatti, Jennifer**  
Filed on: **04/19/2007**  
Case Number History:  
Cross-Reference Case Number: **C232494**  
Defendant's Scope ID #: **1966773**  
Lower Court Case # Root: **07FH00317**  
Lower Court Case Number: **07FH00317A**  
Supreme Court No.: **60309**  
**64617**

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**CASE INFORMATION**

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<b>Offense</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type: Felony/Gross Misdemeanor</b>
1. ROBBERY	F	01/01/1900	<b>Case Flags: Bail Set</b> <i>Bail Set at \$404000.00</i> <b>Appealed to Supreme Court</b> <b>Custody Status - Nevada</b> <b>Department of Corrections</b>
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
2. ROBBERY	F	01/01/1900	
2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
3. SEXUAL ASSAULT	F	01/01/1900	
3. SEXUAL ASSUALT	F	01/01/1900	
4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
5. ASSAULT.	F	01/01/1900	
5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
6. ROBBERY	F	01/01/1900	
6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
7. ROBBERY	F	01/01/1900	
7. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
8. ASSAULT.	F	01/01/1900	
8. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
9. ROBBERY	F	01/01/1900	
9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
10. KIDNAPPING IN FIRST DEGREE	F	01/01/1900	
10. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900	
10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
11. BURGLARY.	F	01/01/1900	
12. SEXUAL ASSAULT	F	01/01/1900	
12. SEXUAL ASSUALT	F	01/01/1900	
12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
13. SEXUAL ASSAULT	F	01/01/1900	
13. SEXUAL ASSUALT	F	01/01/1900	
13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900	
14. SEXUAL ASSAULT	F	01/01/1900	
14. SEXUAL ASSUALT	F	01/01/1900	
14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	M	01/01/1900	

**DEPARTMENT 9**  
**CASE SUMMARY**  
**CASE No. 07C232494-1**

15. SEXUAL ASSAULT	F	01/01/1900
15. SEXUAL ASSAULT	F	01/01/1900
15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
16. COERCION. UNLAWFUL FOR ANY PERSON TO FORCE ANOTHER TO DO OR ABSTAIN FROM	F	01/01/1900
16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
17. SEXUAL ASSAULT	F	01/01/1900
17. SEXUAL ASSAULT	F	01/01/1900
17. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
18. OPEN OR GROSS LEWDNESS	F	01/01/1900
18. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900

**Related Cases**

07C232494-2 (Multi-Defendant Case)

**Statistical Closures**

09/23/2008 USJR Reporting Statistical Closure  
06/26/2008 USJR Reporting Statistical Closure  
07/16/2008 USJR Reporting Statistical Closure

DATE	CASE ASSIGNMENT
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**Current Case Assignment**

Case Number	07C232494-1
Court	Department 9
Date Assigned	01/05/2015
Judicial Officer	Togliatti, Jennifer

PARTY INFORMATION
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<b>Defendant</b>	<b>Wilson, Delarian K</b>	<i>Lead Attorneys</i> <b>Carling, Matthew D.</b> <i>Retained</i> 702-419-7330(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
------	------------------------------	-------

01/01/1900	<b>Disposition</b> (Judicial Officer: User, Conversion) 15. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. ROBBERY Guilty PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty	

DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

	PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. ROBBERY Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSUALT Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. ASSAULT. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 6. ROBBERY Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 7. ROBBERY Not Guilty PCN: Sequence:


DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 7. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 8. ASSAULT. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 8. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 9. ROBBERY Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. KIDNAP WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 11. BURGLARY. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT Not Guilty PCN: Sequence:








DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 15. SEXUAL ASSAULT Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 15. SEXUAL ASSAULT Not Guilty PCN: Sequence:







DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 16. COERCION. UNLAWFUL FOR ANY PERSON TO FORCE ANOTHER TO DO OR ABSTAIN FROM Not Guilty PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:	
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01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 17. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 18. OPEN OR GROSS LEWDNESS Not Guilty PCN: Sequence:	
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 18. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence:	
04/19/2007	Information <i>INFORMATION Fee \$0.00</i>	07C232494-10001.tif pages
04/20/2007	Hearing <i>INITIAL ARRAIGNMENT</i>	07C232494-10002.tif pages
04/20/2007	 Information <i>INFORMATION</i>	07C232494-10003.tif pages
		07C232494-




DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

04/25/2007	 Criminal Bindover <i>CRIMINAL BINDOVER</i>	10004.tif pages
05/09/2007	<b>Initial Arraignment</b> (9:00 AM) Events: 04/20/2007 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: Lore Vanderbusse/lv Relief Clerk: Lorraine Williams Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>	
05/09/2007	Hearing <i>ARRAIGNMENT CONTINUED</i>	07C232494- 10006.tif pages
05/16/2007	<b>Arraignment Continued</b> (9:00 AM) Events: 05/09/2007 Hearing <i>ARRAIGNMENT CONTINUED Court Clerk: Lore Vanderbusse/lv Relief Clerk: Lorraine Williams Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>	
05/17/2007	 Motion <i>DEFT'S O.R. RELEASE/BAIL REDUCTION /5</i>	07C232494- 10009.tif pages
05/22/2007	<b>Motion for Own Recognizance Release/Setting Reasonable Bail</b> (8:30 AM) Events: 05/17/2007 Motion <i>DEFT'S O.R. RELEASE/BAIL REDUCTION /5 Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
05/22/2007	Hearing <i>CONFIRMATION OF COUNSEL (KOHN)</i>	07C232494- 10010.tif pages
05/23/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	07C232494- 10011.tif pages
05/23/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	07C232494- 10012.tif pages
05/24/2007	<b>Motion for Confirmation of Counsel</b> (8:30 AM) Events: 05/22/2007 Hearing <i>CONFIRMATION OF COUNSEL (KOHN) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
05/25/2007	Hearing <i>STATUS CHECK: TRIAL DATE</i>	07C232494- 10013.tif pages
05/31/2007	<b>Status Check</b> (8:30 AM) Events: 05/25/2007 Hearing <i>STATUS CHECK: TRIAL DATE Court Clerk: Theresa Lee Reporter/Recorder: Jackie Nelson Heard By: James Bixler</i>	
06/08/2007	 Bond <i>BOND - #AS250K-1339 - \$93,000.00</i>	07C232494- 10014.tif pages
06/08/2007	 Bond <i>BOND - #AS100K-2709 - \$100,000.00</i>	07C232494- 10015.tif pages
06/08/2007	 Bond	07C232494-




DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

	<i>BOND - #AS250K-1338 - \$215,000.00</i>	10016.tif pages
06/28/2007	<b>CANCELED Calendar Call</b> (8:30 AM) <i>Vacated</i>	
07/02/2007	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
08/16/2007	 <b>Request</b> <i>EX PARTE MOTION TO APPOINT INVESTIGATOR AND FOR FEES IN EXCESS OF STATUTORY LIMIT LIMIT- RELATED PARTYID: 07C232494_0001</i>	07C232494- 10019.tif pages
08/29/2007	 <b>Ex Parte Order</b> <i>EX PARTE ORDER - RELATED PARTYID: 07C232494_0001</i>	07C232494- 10020.tif pages
11/01/2007	<b>Calendar Call</b> (8:30 AM) <i>CALENDAR CALL Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
11/05/2007	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
01/24/2008	<b>Calendar Call</b> (8:30 AM) <i>CALENDAR CALL Court Clerk: Theresa Lee/tl Relief Clerk: Rebecca Foster Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
01/28/2008	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
03/06/2008	 <b>Motion</b> <i>DEFT'S MTN TO SEVER DEFTS/14</i>	07C232494- 10025.tif pages
03/11/2008	 <b>Motion</b> <i>DEFT'S MTN TO SUPPRESS /15</i>	07C232494- 10026.tif pages
03/11/2008	 <b>Motion</b> <i>DEFT'S JOINDER TO MTN TO SEVER DEFTS /16</i>	07C232494- 10027.tif pages
03/17/2008	 <b>Motion</b> <i>DEFT'S MTN TO SUPPRESS STATEMENT/17</i>	07C232494- 10028.tif pages
03/18/2008	<b>Motion to Sever</b> (8:30 AM) Events: 03/06/2008 Motion <i>DEFT'S MTN TO SEVER DEFTS/14 Heard By: James Bixler</i>	
03/18/2008	<b>Joinder</b> (8:30 AM) Events: 03/11/2008 Motion <i>DEFT'S JOINDER TO MTN TO SEVER DEFTS /16 Heard By: James Bixler</i>	
03/18/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (3/18/08) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
03/22/2008	<b>Motion</b>	07C232494- 10029.tif pages

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**CASE SUMMARY**  
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<i>ALL PENDING MOTIONS (3/18/08)</i>		
03/24/2008	 Opposition <i>STATES OPPOSITION TO DEFENDANT WILSONS MOTION TO SUPPRESS STATEMENT</i>	07C232494-10030.tif pages
03/24/2008	 Opposition <i>STATES OPPOSITION TO DEFENDANT WESLEYS MOTION TO SUPPRESS FRUITS OF ILLEGAL SEARCH SEARCH</i>	07C232494-10031.tif pages
03/25/2008	<b>Motion to Sever</b> (8:30 AM) <i>DEFT'S MTN TO SEVER DEFTS/14 Heard By: James Bixler</i>	
03/25/2008	<b>Motion to Suppress</b> (8:30 AM) Events: 03/11/2008 Motion <i>DEFT'S MTN TO SUPPRESS /15</i>	
03/25/2008	<b>Joinder</b> (8:30 AM) <i>DEFT'S JOINDER TO MTN TO SEVER DEFTS /16 Heard By: James Bixler</i>	
03/25/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (3/25/08) Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Heard By: James Bixler</i>	
03/25/2008	 Motion <i>DEFT'S MTN TO CONTINUE /1</i>	07C232494-10032.tif pages
03/26/2008	Motion <i>ALL PENDING MOTIONS (3/25/08)</i>	07C232494-10033.tif pages
03/27/2008	<b>Calendar Call</b> (8:30 AM) <i>CALENDAR CALL</i>	
03/27/2008	<b>Motion to Sever</b> (8:30 AM) <i>DEFT'S MTN TO SEVER DEFTS/14 Heard By: James Bixler</i>	
03/27/2008	<b>Joinder</b> (8:30 AM) <i>DEFT'S JOINDER TO MTN TO SEVER DEFTS /16 Heard By: James Bixler</i>	
03/27/2008	<b>Motion to Suppress</b> (8:30 AM) Events: 03/17/2008 Motion <i>DEFT'S MTN TO SUPPRESS STATEMENT/17 Heard By: James Bixler</i>	
03/27/2008	<b>Motion to Continue</b> (8:30 AM) Events: 03/25/2008 Motion <i>DEFT'S MTN TO CONTINUE /1 Heard By: James Bixler</i>	
03/27/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (3/27/08) Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Heard By: James Bixler</i>	
03/27/2008	<b>Motion to Suppress</b> (1:30 PM) <i>DEFT'S MTN TO SUPPRESS /15</i>	
03/27/2008	Hearing <i>STATUS CHECK: CHANGE OF PLEA</i>	07C232494-10034.tif pages

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03/27/2008	Hearing <i>FRANKS HEARING (DO NOT POST)</i>	07C232494-10035.tif pages
03/27/2008	Motion <i>ALL PENDING MOTIONS (3/27/08)</i>	07C232494-10038.tif pages
03/28/2008	<b>Motion to Suppress</b> (9:00 AM) <i>DEFT'S MTN TO SUPPRESS STATEMENT/17 Heard By: James Bixler</i>	
03/28/2008	<b>Status Check</b> (9:00 AM) Events: 03/27/2008 Hearing <i>STATUS CHECK: CHANGE OF PLEA</i>	
03/28/2008	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 3/28/08 Relief Clerk: Nora Pena Reporter/Recorder: Lee Bahr Heard By: James Bixler</i>	
03/28/2008	Motion <i>ALL PENDING MOTIONS 3/28/08</i>	07C232494-10039.tif pages
03/28/2008	 Memorandum <i>GUILTY PLEA MEMORANDUM/AGREEMENT</i>	07C232494-10040.tif pages
03/28/2008	 Information <i>AMENDED INFORMATION</i>	07C232494-10042.tif pages
03/28/2008	 Notice of Witnesses and/or Expert Witnesses <i>NOTICE OF WITNESSES AND/OR EXPERT WITNESSES</i>	07C232494-10045.tif pages
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:	
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. ASSAULT. Charges Amended/Dropped PCN: Sequence:	
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:	
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. ROBBERY Charges Amended/Dropped PCN: Sequence:	
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped	

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PCN: Sequence:

03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 7. ROBBERY Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 7. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 8. ASSAULT. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 8. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 9. ROBBERY Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 10. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 11. BURGLARY. Charges Amended/Dropped PCN: Sequence:







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03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 12. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 13. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 14. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 15. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:


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03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 16. COERCION. UNLAWFUL FOR ANY PERSON TO FORCE ANOTHER TO DO OR ABSTAIN FROM Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 17. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 17. SEXUAL ASSAULT Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 17. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 18. OPEN OR GROSS LEWDNESS Charges Amended/Dropped PCN: Sequence:
03/28/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 18. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
03/31/2008	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>
03/31/2008	<b>Motion to Suppress</b> (1:30 PM) <i>DEFT'S MTN TO SUPPRESS /15</i>
03/31/2008	<b>Hearing</b> (1:30 PM) Events: 03/27/2008 Hearing <i>FRANKS HEARING (DO NOT POST) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>

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04/01/2008	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
04/01/2008	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
04/01/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT CHANGE OF PLEA AS TO DEFENDANT WILSON</i>	07C232494- 10046.tif pages
04/02/2008	<b>CANCELED Jury Trial</b> (10:00 AM) <i>Vacated</i>	
04/04/2008	Conversion Case Event Type <i>SENTENCING</i>	07C232494- 10047.tif pages
04/07/2008	 Notice of Witnesses and/or Expert Witnesses <i>NOTICE OF WITNESSES AND/OR EXPERT WITNESSES - RELATED PARTYID: 07C232494_0002</i>	07C232494- 10048.tif pages
04/09/2008	<b>CANCELED Hearing</b> (10:30 AM) <i>Vacated - per Judge</i> <i>FRANKS HEARING (DO NOT POST) Heard By: James Bixler</i>	
04/09/2008	<b>Jury Trial</b> (1:00 PM) <i>Trial Vacated Deft. Wilson Pled guilty 3/28/08</i>	
04/10/2008	<b>Jury Trial</b> (9:00 AM) <i>TRIAL BY JURY Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>	
04/10/2008	 Information <i>SECOND AMENDED INFORMATION</i>	07C232494- 10049.tif pages
04/10/2008	 Jury List <i>DISTRICT COURT JURY LIST</i>	07C232494- 10051.tif pages
04/11/2008	<b>Jury Trial</b> (10:00 AM) <i>TRIAL BY JURY Heard By: James Bixler</i>	
04/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	07C232494- 10050.tif pages
04/14/2008	<b>Jury Trial</b> (10:00 AM) <i>TRIAL BY JURY Relief Clerk: Roshonda Mayfield Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>	
04/14/2008	 Amended Jury List <i>AMENDED CRIMINAL JURY LIST</i>	07C232494- 10054.tif pages
04/15/2008	<b>Jury Trial</b> (9:30 AM) <i>TRIAL BY JURY Relief Clerk: Nora Pena Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>	
04/16/2008	<b>Jury Trial</b> (10:00 AM) <i>TRIAL BY JURY Heard By: James Bixler</i>	

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04/17/2008	<b>Jury Trial</b> (10:00 AM) <i>TRIAL BY JURY Heard By: James Bixler</i>	
04/18/2008	<b>Jury Trial</b> (10:00 AM) <i>Deft Wilson pled guilty 3/28/08 Trial date VACATED</i>	
04/18/2008	Conversion Case Event Type <i>SENTENCING</i>	07C232494-10052.tif pages
04/18/2008	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>	07C232494-10053.tif pages
04/18/2008	 Judgment <i>VERDICT</i>	07C232494-10055.tif pages
04/21/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OPENING STATEMENT OF MR LANDIS</i>	07C232494-10056.tif pages
04/24/2008	 Order <i>ORDER FOR EXPEDITION OF TRANSCRIPT</i>	07C232494-10059.tif pages
04/28/2008	 Motion <i>DEFT WESLEY'S MTN FOR NEW TRIAL/32</i>	07C232494-10060.tif pages
04/28/2008	 Request <i>MOTION FOR WITHDRAWAL OF COUNSEL - RELATED PARTYID: 07C232494_0002</i>	07C232494-10061.tif pages
04/28/2008	 Request <i>MOTION FOR EXTENSION OF TIME - RELATED PARTYID: 07C232494_0002</i>	07C232494-10062.tif pages
04/28/2008	 Notice <i>NOTICE OF MOTION - RELATED PARTYID: 07C232494_0001</i>	07C232494-10063.tif pages
05/01/2008	 Motion <i>DEFT'S PRO PER MTN FOR BAIL PENDING/33 (VK/NO MTN EXISTS)</i>	07C232494-10064.tif pages
05/01/2008	 Request <i>MOTION FOR BAIL PENDING SENTENCING APPEAL</i>	07C232494-10065.tif pages
05/01/2008	Motion <i>DEFT WESLEY'S PRO PER MTN FOR BAIL PEND SENTENCING/APPEAL</i>	07C232494-10069.tif pages
05/08/2008	<b>Motion</b> (8:30 AM) Events: 04/28/2008 Motion <i>DEFT WESLEY'S MTN FOR NEW TRIAL/32 Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>	
05/10/2008	Hearing	07C232494-10066.tif pages

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*CONFIRMATION OF COUNSEL (PRIVATE COUNSEL)*

05/10/2008	Motion <i>RESET SENTENCING DATE</i>	07C232494- 10067.tif pages
05/13/2008	<b>Sentencing</b> (8:30 AM) Events: 04/04/2008 Conversion Case Event Type <i>SENTENCING Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Heard By: JOHN MCGROARTY</i>	
05/17/2008	Motion <i>RESET SENTENCING DATE</i>	07C232494- 10068.tif pages
05/22/2008	<b>Motion</b> (8:30 AM) <i>DEFT WESLEY'S MTN FOR NEW TRIAL/32 Heard By: James Bixler</i>	
05/22/2008	<b>CANCELED Motion</b> (8:30 AM) Events: 05/01/2008 Motion <i>Vacated</i>	
05/22/2008	<b>Motion for Confirmation of Counsel</b> (8:30 AM) Events: 05/10/2008 Hearing <i>CONFIRMATION OF COUNSEL (PRIVATE COUNSEL) Heard By: James Bixler</i>	
05/22/2008	<b>Hearing</b> (8:30 AM) Events: 05/10/2008 Motion <i>RESET SENTENCING DATE Heard By: James Bixler</i>	
05/22/2008	<b>Hearing</b> (8:30 AM) Events: 05/17/2008 Motion <i>RESET SENTENCING DATE Heard By: James Bixler</i>	
05/22/2008	<b>Motion</b> (8:30 AM) Events: 05/01/2008 Motion <i>DEFT WESLEY'S PRO PER MTN FOR BAIL PEND SENTENCING/APPEAL Heard By: James Bixler</i>	
05/22/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (5/22/08) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
05/22/2008	Motion <i>ALL PENDING MOTIONS (5/22/08)</i>	07C232494- 10070.tif pages
05/22/2008	Conversion Case Event Type <i>SENTENCING</i>	07C232494- 10071.tif pages
06/03/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS JUDGMENT AND SENTENCING</i>	07C232494- 10072.tif pages
06/05/2008	<b>CANCELED Sentencing</b> (8:30 AM) Events: 04/18/2008 Conversion Case Event Type <i>Vacated</i>	
06/05/2008	 Points and Authorities	07C232494- 10073.tif pages





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	<i>SUPPLEMENTAL POINTS AND AUTHORITIES TO MOTION FOR NEW TRIAL - RELATED PARTYID: 07C232494_0002</i>	
06/10/2008	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 07C232494_0002</i>	07C232494-10074.tif pages
06/18/2008	 Opposition <i>STATES OPPOSITION TO DEFTS MTN FOR NEW TRIAL</i>	07C232494-10075.tif pages
06/19/2008	<b>Motion</b> (8:30 AM) <i>DEFT WESLEY'S MTN FOR NEW TRIAL/32 Heard By: James Bixler</i>	
06/19/2008	<b>Motion</b> (8:30 AM) <i>DEFT WESLEY'S PRO PER MTN FOR BAIL PEND SENTENCING/APPEAL Heard By: James Bixler</i>	
06/19/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (6/19/08) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
06/19/2008	Motion <i>ALL PENDING MOTIONS (6/19/08)</i>	07C232494-10076.tif pages
06/24/2008	 PSI <i>Amended PSI</i>	
06/26/2008	<b>Motion</b> (8:30 AM) <i>DEFT WESLEY'S MTN FOR NEW TRIAL/32 Heard By: James Bixler</i>	
06/26/2008	<b>Motion</b> (8:30 AM) <i>DEFT WESLEY'S PRO PER MTN FOR BAIL PEND SENTENCING/APPEAL Heard By: James Bixler</i>	
06/26/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (6/26/08) Court Clerk: Theresa Lee Reporter/Recorder: Lee Bahr Heard By: James Bixler</i>	
06/26/2008	Motion <i>ALL PENDING MOTIONS (6/26/08)</i>	07C232494-10080.tif pages
07/03/2008	<b>Sentencing</b> (8:30 AM) Events: 05/22/2008 Conversion Case Event Type <i>SENTENCING Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
07/03/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANTS PRO PER MOTION FOR BAIL PENDING SENTENCING/APPEAL DEFENDANTS MOTION FOR NEW TRIAL SENTENCING/APPEAL DEFENDANTS MOTION FOR NEW TRIAL</i>	07C232494-10077.tif pages
07/03/2008	 Memorandum <i>SENTENCING MEMORANDUM - RELATED PARTYID: 07C232494_0002</i>	07C232494-10078.tif pages
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. ROBBERY	

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	Guilty PCN: Sequence:
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. ROBBERY Guilty PCN: Sequence:
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Guilty PCN: Sequence:
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
07/03/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Guilty PCN: Sequence:
07/03/2008	<b>Sentence</b> (Judicial Officer: User, Conversion) 1. ROBBERY Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 72 Months to Maximum 180 Months Placement: NSP Converted Disposition: Sentence# 0002: Minimum 72 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0003: CREDIT FOR TIME SERVED Minimum 500 Days to Maximum 500 Days Converted Disposition: Sentence# 0004: RESTITUTION Amount: \$3196.00 Converted Disposition: Sentence# 0005: LIFETIME SUPERVISION Converted Disposition:










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	Sentence# 0006: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0007: ADMINISTRATION FEE Amount: \$25.00	
07/03/2008	<b>Sentence</b> (Judicial Officer: User, Conversion) 2. ROBBERY Adult Adjudication Converted Disposition: Sentence# 0001: Minimum 72 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 72 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001	
07/03/2008	<b>Sentence</b> (Judicial Officer: User, Conversion) 3. SEXUAL ASSAULT Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0003 and Sentence#: 0001	
07/16/2008	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	07C232494-10083.tif pages
07/16/2008	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>	07C232494-10084.tif pages
07/16/2008	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	07C232494-10085.tif pages
07/18/2008	 Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>	07C232494-10086.tif pages
07/18/2008	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>	07C232494-10087.tif pages
07/18/2008	Judgment <i>JUDGMENT OF CONVICTION/RESTITUTION</i>	07C232494-10088.tif pages
07/18/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52104) - RELATED PARTYID: 07C232494_0001</i>	07C232494-10089.tif pages
07/21/2008	 Statement	07C232494-10090.tif pages


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	<i>CASE APPEAL STATEMENT</i>	
07/22/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52104) - RELATED PARTYID: 07C232494_0001</i>	07C232494-10091.tif pages
07/24/2008	 Statement <i>CASE APPEAL STATEMENT</i>	07C232494-10092.tif pages
07/24/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52127)</i>	07C232494-10093.tif pages
07/24/2008	 Statement <i>CASE APPEAL STATEMENT</i>	07C232494-10094.tif pages
07/24/2008	 Statement <i>CASE APPEAL STATEMENT - RELATED PARTYID: 07C232494_0001</i>	07C232494-10095.tif pages
07/24/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52104) - RELATED PARTYID: 07C232494_0001</i>	07C232494-10096.tif pages
07/25/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52127)</i>	07C232494-10097.tif pages
08/05/2008	 Notice of Appeal <i>NOTICE OF APPEAL (SC 52104) - RELATED PARTYID: 07C232494_0001</i>	07C232494-10098.tif pages
08/06/2008	 Statement <i>CASE APPEAL STATEMENT</i>	07C232494-10099.tif pages
08/14/2008	 Statement <i>CASE APPEAL STATEMENT - RELATED PARTYID: 07C232494_0002</i>	07C232494-10100.tif pages
09/03/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS</i>	07C232494-10101.tif pages
09/05/2008	 Motion <i>STATE'S MTN TO CORRECT ILLEGAL SENTENCE /42</i>	07C232494-10103.tif pages
09/10/2008	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 07C232494_0001</i>	07C232494-10104.tif pages
09/13/2008	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>	07C232494-10105.tif pages
09/15/2008	 Ex Parte <i>EX PARTE APPLICATION TO APPOINT ATTORNEY OF RECORD TO REPRESENT DEFT NARCUS S WESLEY DURING APPEAL PROCESS WESLEY DURING APPEAL PROCESS-</i>	07C232494-10106.tif pages















DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

	<i>RELATED PARTYID: 07C232494_0002</i>	
09/16/2008	<b>Motion</b> (8:30 AM) Events: 09/05/2008 Motion <i>STATE'S MTN TO CORRECT ILLEGAL SENTENCE /42 Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: Bixler, James</i>	
09/16/2008	Motion <i>EX-PARTE MTN FOR COURT APPOINTMENT</i>	07C232494- 10107.tif pages
09/17/2008	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT - RELATED PARTYID: 07C232494_0001</i>	07C232494- 10108.tif pages
09/23/2008	<b>Motion</b> (8:30 AM) <i>STATE'S MTN TO CORRECT ILLEGAL SENTENCE /42 Heard By: James Bixler</i>	
09/23/2008	<b>Motion for Appointment</b> (8:30 AM) Events: 09/16/2008 Motion <i>EX-PARTE MTN FOR COURT APPOINTMENT Heard By: James Bixler</i>	
09/23/2008	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS (9/23/08) Court Clerk: Theresa Lee Reporter/Recorder: Bill Nelson Heard By: James Bixler</i>	
09/23/2008	Motion <i>ALL PENDING MOTIONS (9/23/08)</i>	07C232494- 10110.tif pages
10/07/2008	 Request <i>REQUEST FOR TRANSCRIPT OF PROCEEDINGS - RELATED PARTYID: 07C232494_0002</i>	07C232494- 10112.tif pages
10/08/2008	 Judgment <i>AMENDED JUDGMENT OF CONVICTION</i>	07C232494- 10111.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494- 10113.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494- 10114.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494- 10115.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - REGARDING SENTENCING</i>	07C232494- 10116.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494- 10117.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - SENTENCING</i>	07C232494- 10118.tif pages














DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494-10119.tif pages
11/12/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - SENTENCING</i>	07C232494-10120.tif pages
12/05/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494-10121.tif pages
12/05/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494-10122.tif pages
12/05/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - JURY TRIAL</i>	07C232494-10123.tif pages
12/05/2008	 Certificate <i>CERTIFICATE OF DELIVERY TO THE SUPREME COURT COURTHOUSE</i>	07C232494-10126.tif pages
12/09/2008	 Certificate <i>CERTIFICATE OF DELIVERY TO THE SUPREME COURT COURTHOUSE</i>	07C232494-10124.tif pages
12/09/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - CHANGE OF PLEA AS TO DEFENDANT WILSON</i>	07C232494-10125.tif pages
08/07/2009	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>	07C232494-10128.tif pages
04/12/2010	 Judgment <i>CLERK'S CERTIFICATE/JUDGMENT AFFIRMED</i>	07C232494-10132.tif pages
06/28/2010	 Conversion Case Event Type <i>ATTORNEY TIME AND COSTS - RELATED PARTYID: 07C232494_0002</i>	07C232494-10133.tif pages
08/05/2010	 Motion for Order Filed By: Defendant Wilson, Delarian K <i>Motion for An Order Instructing the Attorney of Record to Provide Petitioner with a Complete and Copy of the Case File in the Above Entitled Cases Number</i>	
08/17/2010	 <b>Motion for Order</b> (8:30 AM) (Judicial Officer: Bixler, James) Events: 08/05/2010 Motion for Order <i>Motion for An Order Instructing the Attorney of Record to Provide Petitioner with a Complete and Copy of the Case File in the Above Entitled Cases Number</i>	
08/20/2010	 Certificate of Mailing Filed By: Defendant Wilson, Delarian K	
10/01/2010	 Request	






DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

	Filed by: Defendant Wilson, Delarian K <i>Defendant's Pro Per Request for Transcripts/Court Proceedings</i>
10/13/2010	 Opposition to Motion <i>Opposition to Defendant's Request for Transcripts/Court Proceedings</i>
10/19/2010	 <b>Request</b> (8:30 AM) (Judicial Officer: Bixler, James) Events: 10/01/2010 Request <i>Defendant's Pro Per Request for Transcripts / Court Proceedings</i>
10/27/2010	 Motion Filed By: Defendant Wilson, Delarian K <i>Defendant's Motion to Appoint Post Conviction Relief Counsel</i>
11/01/2010	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendants Request for Transcripts/Court Proceedings</i>
11/23/2010	 Opposition to Motion <i>Opposition to Defendant's Motion to Appoint Post-Conviction Relief Counsel</i>
11/30/2010	 <b>Motion</b> (8:30 AM) (Judicial Officer: Bixler, James) <b>11/30/2010, 12/14/2010</b> Events: 10/27/2010 Motion <i>Defendant's Motion to Appoint Post Conviction Relief Counsel</i>
12/14/2010	<b>Confirmation of Counsel</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>Confirmation of Counsel (Court Appointment)</i>
12/14/2010	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Bixler, James)
12/17/2010	 Receipt <i>Receipt of File</i>
01/13/2011	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>BRIEFING SCHEDULE</i>
06/15/2011	 Notice of Change of Hearing
10/04/2011	 <b>Decision</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>Argument/Decision</i>
10/10/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Wilson, Delarian K
10/13/2011	 Order Filed By: Plaintiff State of Nevada <i>Application and Order for Transcripts</i>
10/13/2011	 Order Filed By: Plaintiff State of Nevada <i>Application and Order for Transcripts</i>

DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**










11/01/2011	 Response <i>Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Dismiss</i>
11/17/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Status Check - Heard 01/13/2011</i>
11/29/2011	 <b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Bixler, James) <b>11/29/2011, 12/13/2011</b> Events: 10/10/2011 Petition for Writ of Habeas Corpus
12/05/2011	 Reply <i>Reply to State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Dismiss</i>
12/13/2011	<b>CANCELED</b> <b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Bixler, James) <i>Vacated - per Clerk dual setting</i>
01/06/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
01/18/2012	 Notice of Entry of Decision and Order
01/30/2012	 Motion to Reconsider Filed By: Defendant Wilson, Delarian K <i>Motion For Clarification And/Or Reconsideration Of Denial Of Defendant's Petition For Writ Of Habeas Corpus (Post-Conviction)</i>
02/14/2012	 <b>Motion (8:30 AM)</b> (Judicial Officer: Bixler, James) <b>02/14/2012, 03/13/2012</b> <i>Motion For Clarification And/Or Reconsideration Of Denial Of Defendant's Petition For Writ Of Habeas Corpus (Post-Conviction)</i>
02/21/2012	 Notice of Appeal (criminal) Party: Defendant Wilson, Delarian K <i>Notice Of Appeal</i>
02/21/2012	 Order Filed By: Defendant Wilson, Delarian K <i>Order Staying The Findings of Fact, Conclusions of Law, and Order</i>
02/24/2012	 Opposition to Motion <i>Opposition to Defendant's Motion for Clarification and/or Reconsideration of Denial of Defendant's Petition for Writ of Habeas Corpus</i>
03/01/2012	 Order for Production of Inmate <i>Order for Production of Inmate Delarian Kameron Wilson BAC #1022177</i>
09/27/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Hearing - Reporter's Transcript of Proceedings 12/13/11</i>

DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

09/27/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Hearing - Reporter's Transcript of Proceedings 3/13/12</i>
05/23/2013	 Motion Filed By: Plaintiff State of Nevada <i>Motion To Place On Calendar</i>
06/04/2013	 <b>Motion</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>Motion To Place On Calendar</i>
07/11/2013	 <b>Hearing</b> (10:30 AM) (Judicial Officer: Bixler, James) <i>Deft's Petition for Writ of Habeas Corpus</i>
08/06/2013	 Order Filed By: Plaintiff State of Nevada <i>Order for Transcript</i>
09/23/2013	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings Writ 7/11/13</i>
11/12/2013	 Findings of Fact, Conclusions of Law and Order
11/19/2013	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
11/21/2013	 <b>Request</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>Deft's request to Correct Deft's Reply to State's Opposition to Deft's Writ of Habeas Corpus</i>
11/21/2013	 Order Filed By: Defendant Wilson, Delarian K <i>Order for Transcript</i>
12/10/2013	 Notice of Appeal (criminal) Party: Plaintiff State of Nevada <i>Notice Of Appeal</i>
12/10/2013	 Case Appeal Statement Filed By: Plaintiff State of Nevada <i>Case Appeal Statement</i>
08/06/2014	 Motion Filed By: Defendant Wilson, Delarian K <i>Motion To Withdraw Due To Conflict</i>
08/19/2014	 <b>Motion to Withdraw as Counsel</b> (8:30 AM) (Judicial Officer: Thompson, Charles) <i>Defendants' Motion To Withdraw Due To Conflict</i>
09/04/2014	 <b>Confirmation of Counsel</b> (8:30 AM) (Judicial Officer: Bixler, James) <i>Confirmation of Counsel (Court Appointed)</i>
01/05/2015	Case Reassigned to Department 9

DEPARTMENT 9  
**CASE SUMMARY**  
**CASE NO. 07C232494-1**

*District Court Case Reassignment 2015*

02/09/2015	 Supplemental <i>Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/06/2015	 Response <i>Response to and Motion to Dismiss Defendant's "Supplemental" Petition for Writ of Habeas Corpus (Post-Conviction)</i>
03/26/2015	 Stipulation and Order <i>Stipulation to Enlarge Briefing Schedule and Order</i>
04/20/2015	 Reply <i>Reply to State's Response and Motion to Dismiss Defendant's Supplemental Petition for Writ of Habeas Corpus (Post Conviction)</i>
04/23/2015	 <b>Argument</b> (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Argument: Writ</i>
05/06/2015	 <b>Status Check</b> (3:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Decision</i>
07/22/2015	 Findings of Fact, Conclusions of Law and Order
07/24/2015	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
08/04/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
08/04/2015	 Case Appeal Statement <i>Case Appeal Statement</i>
08/04/2015	 Request <i>Request for Rough Draft Transcripts</i>

**DATE**

**FINANCIAL INFORMATION**

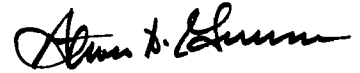
<b>Defendant</b> Wilson, Delarian K	
Total Charges	175.00
Total Payments and Credits	0.00
<b>Balance Due as of 8/5/2015</b>	<b>175.00</b>

ORIGINAL

FCL

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
JAMES R. SWEETIN  
Chief Deputy District Attorney  
Nevada Bar #005144  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

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CLERK OF THE COURT

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
Plaintiff,

-vs-

DELARIAN WILSON,  
#1966773

Defendant.

CASE NO: 07C232494-2

DEPT NO: IX

**FINDINGS OF FACT, CONCLUSIONS OF**

**LAW AND ORDER**

DATE OF HEARING: MAY 6, 2015  
TIME OF HEARING: 9:00 AM

THIS CAUSE having come on for hearing before the Honorable JENNIFER TOGLIATTI, District Judge, on the 6th day of May, 2015, the Petitioner not being present, represented by MATTHEW D. CARLING, ESQ., the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through SARAH OVERLY, Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

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//

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1 **FINDINGS OF FACT**

2 **CONCLUSIONS OF LAW**

3 This is Petitioner Delarian Wilson's "Supplemental" Petition for Writ of Habeas Corpus  
4 (Post-Conviction). On March 28, 2008, the State charged Petitioner by way of Amended  
5 Information with two counts of Robbery with Use of a Deadly Weapon and one count of  
6 Sexual Assault. Petitioner pled guilty to the charges the same day. On July 3, 2008, Petitioner  
7 was sentenced to 72 to 180 months plus an equal and consecutive term of 72 to 180 months  
8 for the use of a deadly weapon on each of Counts 1 and 2, respectively, and life imprisonment  
9 with a minimum parole eligibility of 10 years with respect to Count 3. Counts 1, 2, and 3 were  
10 to run consecutive to one another. The Court further imposed a special sentence of lifetime  
11 supervision and mandatory registration as a sex offender should Petitioner ever be released.  
12 Petitioner received 500 days credit for time served. The Judgment of Conviction was entered  
13 on July 18, 2008. On July 7, 2009, the Nevada Supreme Court affirmed Petitioner's conviction,  
14 and Remittitur issued on August 4, 2009.

15 On July 10, 2010, within one year after remittitur issued, Petitioner sent his counsel a  
16 letter stating that Petitioner had "learned via [Petitioner's] mother that [Petitioner] was denied  
17 relief on [Petitioner's] direct appeal as of April 2010," and requesting a copy of Petitioner's  
18 case file. See Motion for Order filed 08/05/2010, p. 7. On July 29, 2010, also within one year  
19 of the issuance of remittitur, Petitioner sent a Proper Person letter to the Nevada Supreme  
20 Court regarding "counsel and time for filing an appeal in the matter." See Nevada Supreme  
21 Court Case No. 52104.

22 On October 27, 2010, Petitioner filed a Motion to Appoint Post-Conviction Counsel,  
23 and on December 14, 2010, this court granted the request and Keith Brower, Esq., was  
24 confirmed as counsel. On October 10, 2011, over two years after remittitur issued from  
25 Petitioner's direct appeal, Mr. Brower filed a Petition for Writ of Habeas Corpus (Post-  
26 Conviction) ("First Petition") on Petitioner's behalf. Mr. Brower alleged trial counsel had  
27 provided ineffective assistance of counsel on appeal in part by failing to provide Petitioner  
28 with a copy of his case file. At that time, Mr. Brower was apparently under the impression that

1 this Court's granting Petitioner's motion to appoint post-conviction counsel indicated that the  
2 Court had found good cause to overcome the one-year procedural bar applicable to Petitioner's  
3 First Petition pursuant to NRS 34.726. However, no such finding had in fact been made. The  
4 State filed its Response and Motion to Dismiss Defendant's Petition on November 1, 2011,  
5 arguing that the Petition was procedurally time-barred. On December 13, 2011, this Court  
6 agreed and denied the Petition, finding it had been procedurally barred even before Mr. Brower  
7 was appointed.

8 On January 6, 2012, the court filed its Findings of Fact, Conclusions of Law & Order,  
9 stating Petitioner had failed to establish good cause to overcome the procedural bar. On  
10 January 30, 2012, Petitioner filed a "Motion for Clarification and/or Reconsideration of Denial  
11 of Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)," requesting that the  
12 court clarify its reasoning for the denial of Defendant's First Petition in the presence of  
13 Petitioner. Petitioner also challenged the court's finding that his Petition was time-barred,  
14 arguing that his appellate counsel, Mr. Oronoz, neglected to inform Petitioner of the status of  
15 his appeal such that Petitioner "could not be aware of the need to file a petition to avoid the  
16 procedural time-bar." See Motion to Reconsider, 1/30/2012, p. 2.

17 On February 21, 2012, before the Court could hear Petitioner's Motion to Reconsider,  
18 Petitioner appealed the denial of the First Petition to the Nevada Supreme Court. The same  
19 day, this Court entered an Order staying its Findings of Fact, Conclusions of Law & Order  
20 until such time as Petitioner's Motion for Reconsideration could be heard. The matter  
21 convened for hearing on March 13, 2012, and this Court ordered the matter be taken off  
22 calendar until an order from the Nevada Supreme Court regarding Petitioner's appeal had  
23 issued. See District Court Minutes, 03/13/2012. However, on January 18, 2013, before such  
24 order could issue, Petitioner filed a Notice of Voluntary Withdrawal of Appeal. See Nevada  
25 Supreme Court Case No. 60309. Petitioner has represented that this withdrawal was a result  
26 of his wish to withdraw his guilty plea, rather than continue to pursue an appeal from the denial  
27 of his First Petition.

28 //

1 On May 23, 2013, Petitioner filed a motion to place the matter back on calendar. On  
2 July 11, 2013, an evidentiary hearing was held on the First Petition, despite this Court's  
3 previous denial. At the hearing, Mr. Brower informed the court that "Defendant does not wish  
4 to withdraw his plea..." and that he "withdrew the appeal because we're trying to address the  
5 reconsideration of the time-bar issue, which is the whole reason we're here." See Reporter's  
6 Transcript 07/11/13, p. 3-4. The State called the Court's attention to the letter written by  
7 Petitioner in July of 2010, in which he admits he knew the Nevada Supreme Court denied his  
8 appeal, as evidence that Petitioner became aware that remittitur issued within the one year time  
9 period in which to properly file a petition for post-conviction relief. Id. at p. 15. Petitioner  
10 testified and admitted that he learned his appeal was denied before the one year time period  
11 had expired. Id. at p. 21. This Court found Petitioner had actual knowledge of the denial in  
12 July of 2010, before the one year period had run, and there was no good cause to overcome  
13 the time bar. Accordingly, this Court denied the First Petition for the second time, and entered  
14 its Findings of Fact, Conclusions of Law & Order on November 12, 2013. On December 10,  
15 2013, Petitioner again appealed the denial of his First Petition to the Nevada Supreme Court,  
16 and once again voluntarily withdrew the appeal on May 12, 2014.

17 On August 19, 2014, Mr. Brower withdrew as counsel. On September 4, 2014, Matthew  
18 Carling, Esq., was confirmed as counsel. On February 9, 2015, Mr. Carling filed the instant  
19 "Supplemental" Petition for Writ of Habeas Corpus (Post-Conviction)("Petition"). The State  
20 filed its Response and Motion to Dismiss on March 6, 2015. Petitioner filed a Reply on April  
21 20, 2015. This Court heard argument on the matter on May 6, 2015, and hereby denies the  
22 "Supplemental" Petition for the following reasons.

23 The instant Petition is not a "Supplemental" Petition, but is in fact simply a second,  
24 untimely petition for post-conviction relief. While counsel for a petitioner for a writ of habeas  
25 corpus may serve "supplemental" pleadings after being appointed, this is true only where the  
26 petitioner has filed a Proper Person Petition for Writ of Habeas Corpus necessitating counsel's  
27 appointment. See NRS 34.750. Here, Petitioner's only prior attempt at post-conviction relief  
28 was filed by previous counsel over three years ago. Accordingly, there is nothing

1 “supplemental” in nature about the instant Petition.

2 Like Petitioner’s first attempt at post-conviction relief, the instant Petition is  
3 procedurally barred without good cause. The mandatory provisions of NRS 34.726(1) state  
4 that “[u]nless there is good cause shown for delay, a petition that challenges the validity of a  
5 judgment or sentence must be filed within 1 year...after the Supreme Court issues its  
6 remittitur.” As Remittitur issued from Petitioner’s Direct Appeal on August 4, 2009, the instant  
7 Petition was filed more than four years too late. Therefore, absent a showing of good cause,  
8 Petitioner’s Petition must be dismissed as time-barred pursuant to NRS 34.726(1).

9 Petitioner has failed to demonstrate good cause to overcome the procedural bar. To do  
10 so, a defendant has the burden of pleading and proving specific facts that demonstrate good  
11 cause for his failure to present his claim in earlier proceedings or comply with the statutory  
12 requirements. See Hogan v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993);  
13 Phelps v. Nevada Dep’t of Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988). “To  
14 establish good cause, appellants must show that an impediment external to the defense  
15 prevented their compliance with the applicable procedural rule.” Clem v. State, 119 Nev. 615,  
16 621, 81 P.3d 521, 525 (2003); see also Hathaway v. State, 119 Nev. 248, 251, 71 P.3d 503,  
17 506 (2003); Pellegrini v. State, 117 Nev. 860, 887, 34 P.3d 519, 537 (2001).

18 Just as he failed to demonstrate good cause to overcome the procedural bar when this  
19 Court twice considered Petitioner’s first untimely petition, Petitioner has again failed to  
20 demonstrate good cause to overcome the time bar four years later. To the extent Petitioner  
21 alleges trial counsel’s failure to keep him apprised of the status of his direct appeal and provide  
22 him a copy of his case file constitutes good cause, the Nevada Supreme Court has clarified  
23 that generally, excuses such as the lack of assistance of counsel when preparing a petition, as  
24 well as the failure of trial counsel to forward a copy of the file to a petitioner do not constitute  
25 good cause. See Phelps, 104 Nev. at 660, 764 P.2d at 1306, superseded by statute on other  
26 grounds as recognized in Nika v. State, 120 Nev. 600, 607, 97 P.3d 1140, 1145 (2004); Hood  
27 v. State, 111 Nev. 335, 890 P.2d 797 (1995). Moreover, Petitioner admitted that he became  
28 aware of the denial of his appeal within the one year time period for appropriately filing a

1 petition for post-conviction relief. Petitioner also fails to demonstrate good cause based on Mr.  
2 Brower's alleged ineffectiveness, as Petitioner enjoys no constitutional right to post-  
3 conviction counsel and therefore such counsel's performance cannot constitute good cause to  
4 overcome the procedural bar. Brown v. McDaniel, 130 Nev. \_\_\_, \_\_\_, 331 P.3d 867, 869  
5 (2014). Accordingly, Petitioner has not demonstrated an impediment external to the defense  
6 that would excuse the significant delay in filing, and his Petition is therefore procedurally  
7 barred pursuant to NRS 34.726.

8 Furthermore, the instant Petition is barred by the doctrine of laches. NRS 34.800 creates  
9 a rebuttable presumption of prejudice to the State if "[a] period exceeding five years [elapses]  
10 between the filing of a judgment of conviction, an order imposing a sentence of imprisonment  
11 or a decision on direct appeal of a judgment of conviction and the filing of a petition  
12 challenging the validity of a judgment of conviction..." As more than five years have elapsed  
13 between the issuance of remittitur and the filing of the instant Petition, NRS 34.800 directly  
14 applies in this case. Accordingly, the instant Petition is summarily denied.

15 **ORDER**

16 THEREFORE, IT IS HEREBY ORDERED that the Petition for Post-Conviction  
17 Relief shall be, and is, hereby denied.

18 DATED this 21<sup>st</sup> day of July, 2015.

19   
20 DAVID BARKER

DISTRICT JUDGE

21 *for Hon. Jennifer Togliatti*

22 STEVEN B. WOLFSON  
23 Clark County District Attorney  
Nevada Bar #001565

24 BY  for

25 SARAH OVERLY  
26 Deputy District Attorney  
Nevada Bar #012842

**CERTIFICATE OF SERVICE**

I hereby certify that service of the above and foregoing was made this 15TH day of  
JULY 2015, to:

MATTHEW CARLING, ESQ.  
cedarlegal@gmail.com

BY /s/ HOWARD CONRAD  
Secretary for the District Attorney's Office  
Special Victims Unit

hjc/SVU

**Howard Conrad**

---

**From:** Howard Conrad  
**Sent:** Wednesday, July 15, 2015 2:20 PM  
**To:** 'cedarlegal@gmail.com'  
**Subject:** 07FH0317-FCL-(Wilson\_Delarian\_05\_06\_2015)-001  
**Attachments:** 07FH0317-FCL-(Wilson\_Delarian\_05\_06\_2015)-001.pdf

THE STATE OF NEVADA,  
Plaintiff,

-VS-

DELARIAN WILSON,  
#1966773

Defendant.

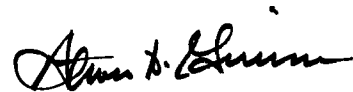
CASE NO: 07C232494-2

DEPT NO: XXIV

**FINDINGS OF FACT, CONCLUSIONS OF**

**LAW AND ORDER**

DATE OF HEARING: MAY 6, 2015  
TIME OF HEARING: 9:00 AM



CLERK OF THE COURT

NEO

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

DELARIAN K. WILSON,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 07C232494-1

Dept No: IX

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

**PLEASE TAKE NOTICE** that on July 22, 2015, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on July 24, 2015.

STEVEN D. GRIERSON, CLERK OF THE COURT



Heather Ungermann, Deputy Clerk

CERTIFICATE OF MAILING

I hereby certify that on this 24 day of July 2015, I placed a copy of this Notice of Entry in:

- ☒ The bin(s) located in the Regional Justice Center of:  
Clark County District Attorney's Office  
Attorney General's Office – Appellate Division-
- ☒ The United States mail addressed as follows:  
Delarian Wilson # 1022177      Matthew D. Carling  
P.O. Box 208      51 East 400 North, Bldg. #1  
Indian Springs, NV 89070      Cedar City, UT 84721



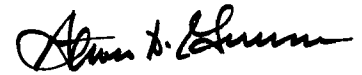
Heather Ungermann, Deputy Clerk

ORIGINAL

FCL

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
JAMES R. SWEETIN  
Chief Deputy District Attorney  
Nevada Bar #005144  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

Electronically Filed  
07/22/2015 02:41:51 PM



CLERK OF THE COURT

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
Plaintiff,

-vs-

DELARIAN WILSON,  
#1966773

Defendant.

CASE NO: 07C232494-2

DEPT NO: IX

**FINDINGS OF FACT, CONCLUSIONS OF**

**LAW AND ORDER**

DATE OF HEARING: MAY 6, 2015  
TIME OF HEARING: 9:00 AM

THIS CAUSE having come on for hearing before the Honorable JENNIFER TOGLIATTI, District Judge, on the 6th day of May, 2015, the Petitioner not being present, represented by MATTHEW D. CARLING, ESQ., the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through SARAH OVERLY, Deputy District Attorney, and the Court having considered the matter, including briefs, transcripts, arguments of counsel, and documents on file herein, now therefore, the Court makes the following findings of fact and conclusions of law:

//

//

//



1 this Court's granting Petitioner's motion to appoint post-conviction counsel indicated that the  
2 Court had found good cause to overcome the one-year procedural bar applicable to Petitioner's  
3 First Petition pursuant to NRS 34.726. However, no such finding had in fact been made. The  
4 State filed its Response and Motion to Dismiss Defendant's Petition on November 1, 2011,  
5 arguing that the Petition was procedurally time-barred. On December 13, 2011, this Court  
6 agreed and denied the Petition, finding it had been procedurally barred even before Mr. Brower  
7 was appointed.

8 On January 6, 2012, the court filed its Findings of Fact, Conclusions of Law & Order,  
9 stating Petitioner had failed to establish good cause to overcome the procedural bar. On  
10 January 30, 2012, Petitioner filed a "Motion for Clarification and/or Reconsideration of Denial  
11 of Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)," requesting that the  
12 court clarify its reasoning for the denial of Defendant's First Petition in the presence of  
13 Petitioner. Petitioner also challenged the court's finding that his Petition was time-barred,  
14 arguing that his appellate counsel, Mr. Oronoz, neglected to inform Petitioner of the status of  
15 his appeal such that Petitioner "could not be aware of the need to file a petition to avoid the  
16 procedural time-bar." See Motion to Reconsider, 1/30/2012, p. 2.

17 On February 21, 2012, before the Court could hear Petitioner's Motion to Reconsider,  
18 Petitioner appealed the denial of the First Petition to the Nevada Supreme Court. The same  
19 day, this Court entered an Order staying its Findings of Fact, Conclusions of Law & Order  
20 until such time as Petitioner's Motion for Reconsideration could be heard. The matter  
21 convened for hearing on March 13, 2012, and this Court ordered the matter be taken off  
22 calendar until an order from the Nevada Supreme Court regarding Petitioner's appeal had  
23 issued. See District Court Minutes, 03/13/2012. However, on January 18, 2013, before such  
24 order could issue, Petitioner filed a Notice of Voluntary Withdrawal of Appeal. See Nevada  
25 Supreme Court Case No. 60309. Petitioner has represented that this withdrawal was a result  
26 of his wish to withdraw his guilty plea, rather than continue to pursue an appeal from the denial  
27 of his First Petition.

28 //

1 On May 23, 2013, Petitioner filed a motion to place the matter back on calendar. On  
2 July 11, 2013, an evidentiary hearing was held on the First Petition, despite this Court's  
3 previous denial. At the hearing, Mr. Brower informed the court that "Defendant does not wish  
4 to withdraw his plea..." and that he "withdrew the appeal because we're trying to address the  
5 reconsideration of the time-bar issue, which is the whole reason we're here." See Reporter's  
6 Transcript 07/11/13, p. 3-4. The State called the Court's attention to the letter written by  
7 Petitioner in July of 2010, in which he admits he knew the Nevada Supreme Court denied his  
8 appeal, as evidence that Petitioner became aware that remittitur issued within the one year time  
9 period in which to properly file a petition for post-conviction relief. Id. at p. 15. Petitioner  
10 testified and admitted that he learned his appeal was denied before the one year time period  
11 had expired. Id. at p. 21. This Court found Petitioner had actual knowledge of the denial in  
12 July of 2010, before the one year period had run, and there was no good cause to overcome  
13 the time bar. Accordingly, this Court denied the First Petition for the second time, and entered  
14 its Findings of Fact, Conclusions of Law & Order on November 12, 2013. On December 10,  
15 2013, Petitioner again appealed the denial of his First Petition to the Nevada Supreme Court,  
16 and once again voluntarily withdrew the appeal on May 12, 2014.

17 On August 19, 2014, Mr. Brower withdrew as counsel. On September 4, 2014, Matthew  
18 Carling, Esq., was confirmed as counsel. On February 9, 2015, Mr. Carling filed the instant  
19 "Supplemental" Petition for Writ of Habeas Corpus (Post-Conviction)("Petition"). The State  
20 filed its Response and Motion to Dismiss on March 6, 2015. Petitioner filed a Reply on April  
21 20, 2015. This Court heard argument on the matter on May 6, 2015, and hereby denies the  
22 "Supplemental" Petition for the following reasons.

23 The instant Petition is not a "Supplemental" Petition, but is in fact simply a second,  
24 untimely petition for post-conviction relief. While counsel for a petitioner for a writ of habeas  
25 corpus may serve "supplemental" pleadings after being appointed, this is true only where the  
26 petitioner has filed a Proper Person Petition for Writ of Habeas Corpus necessitating counsel's  
27 appointment. See NRS 34.750. Here, Petitioner's only prior attempt at post-conviction relief  
28 was filed by previous counsel over three years ago. Accordingly, there is nothing

1 “supplemental” in nature about the instant Petition.

2 Like Petitioner’s first attempt at post-conviction relief, the instant Petition is  
3 procedurally barred without good cause. The mandatory provisions of NRS 34.726(1) state  
4 that “[u]nless there is good cause shown for delay, a petition that challenges the validity of a  
5 judgment or sentence must be filed within 1 year...after the Supreme Court issues its  
6 remittitur.” As Remittitur issued from Petitioner’s Direct Appeal on August 4, 2009, the instant  
7 Petition was filed more than four years too late. Therefore, absent a showing of good cause,  
8 Petitioner’s Petition must be dismissed as time-barred pursuant to NRS 34.726(1).

9 Petitioner has failed to demonstrate good cause to overcome the procedural bar. To do  
10 so, a defendant has the burden of pleading and proving specific facts that demonstrate good  
11 cause for his failure to present his claim in earlier proceedings or comply with the statutory  
12 requirements. See Hogan v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993);  
13 Phelps v. Nevada Dep’t of Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988). “To  
14 establish good cause, appellants must show that an impediment external to the defense  
15 prevented their compliance with the applicable procedural rule.” Clem v. State, 119 Nev. 615,  
16 621, 81 P.3d 521, 525 (2003); see also Hathaway v. State, 119 Nev. 248, 251, 71 P.3d 503,  
17 506 (2003); Pellegrini v. State, 117 Nev. 860, 887, 34 P.3d 519, 537 (2001).

18 Just as he failed to demonstrate good cause to overcome the procedural bar when this  
19 Court twice considered Petitioner’s first untimely petition, Petitioner has again failed to  
20 demonstrate good cause to overcome the time bar four years later. To the extent Petitioner  
21 alleges trial counsel’s failure to keep him apprised of the status of his direct appeal and provide  
22 him a copy of his case file constitutes good cause, the Nevada Supreme Court has clarified  
23 that generally, excuses such as the lack of assistance of counsel when preparing a petition, as  
24 well as the failure of trial counsel to forward a copy of the file to a petitioner do not constitute  
25 good cause. See Phelps, 104 Nev. at 660, 764 P.2d at 1306, superseded by statute on other  
26 grounds as recognized in Nika v. State, 120 Nev. 600, 607, 97 P.3d 1140, 1145 (2004); Hood  
27 v. State, 111 Nev. 335, 890 P.2d 797 (1995). Moreover, Petitioner admitted that he became  
28 aware of the denial of his appeal within the one year time period for appropriately filing a

1 petition for post-conviction relief. Petitioner also fails to demonstrate good cause based on Mr.  
2 Brower's alleged ineffectiveness, as Petitioner enjoys no constitutional right to post-  
3 conviction counsel and therefore such counsel's performance cannot constitute good cause to  
4 overcome the procedural bar. Brown v. McDaniel, 130 Nev. \_\_\_, \_\_\_, 331 P.3d 867, 869  
5 (2014). Accordingly, Petitioner has not demonstrated an impediment external to the defense  
6 that would excuse the significant delay in filing, and his Petition is therefore procedurally  
7 barred pursuant to NRS 34.726.

8 Furthermore, the instant Petition is barred by the doctrine of laches. NRS 34.800 creates  
9 a rebuttable presumption of prejudice to the State if "[a] period exceeding five years [elapses]  
10 between the filing of a judgment of conviction, an order imposing a sentence of imprisonment  
11 or a decision on direct appeal of a judgment of conviction and the filing of a petition  
12 challenging the validity of a judgment of conviction..." As more than five years have elapsed  
13 between the issuance of remittitur and the filing of the instant Petition, NRS 34.800 directly  
14 applies in this case. Accordingly, the instant Petition is summarily denied.

15 **ORDER**

16 THEREFORE, IT IS HEREBY ORDERED that the Petition for Post-Conviction  
17 Relief shall be, and is, hereby denied.

18 DATED this 21<sup>st</sup> day of July, 2015.

19   
20 DAVID BARKER

21 DISTRICT JUDGE

22 *for Hon. Jennifer Togliatti*

23 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

24 BY  for

25 SARAH OVERLY  
26 Deputy District Attorney  
Nevada Bar #012842

**CERTIFICATE OF SERVICE**

I hereby certify that service of the above and foregoing was made this 15TH day of  
JULY 2015, to:

MATTHEW CARLING, ESQ.  
cedarlegal@gmail.com

BY /s/ HOWARD CONRAD  
Secretary for the District Attorney's Office  
Special Victims Unit

hjc/SVU

**Howard Conrad**

---

**From:** Howard Conrad  
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**Subject:** 07FH0317-FCL-(Wilson\_Delarian\_05\_06\_2015)-001  
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THE STATE OF NEVADA,  
Plaintiff,

-VS-

DELARIAN WILSON,  
#1966773

Defendant.

CASE NO: 07C232494-2

DEPT NO: XXIV

**FINDINGS OF FACT, CONCLUSIONS OF**

**LAW AND ORDER**

DATE OF HEARING: MAY 6, 2015  
TIME OF HEARING: 9:00 AM

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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 17, 2010**

07C232494-1

The State of Nevada vs Delarian K Wilson

**August 17, 2010**

**8:30 AM**

**Motion for Order**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Melissa Benson

**RECORDER:**

**REPORTER:** Bill Nelson

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Mr. Nones present on behalf of Deft. Mr. Fattig present on behalf of State.

COURT ORDERED, motion GRANTED. Counsel to provide files to Deft. directly as he is pro per.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 19, 2010**

07C232494-1

The State of Nevada vs Delarian K Wilson

**October 19, 2010****8:30 AM****Request****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**Fattig, John T  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Deft not present, incarcerated NDC. Record Reflect, Mr. Oronoz is off the case and sent deft his file. Deft is now in proper person and has filed a motion for transcripts. He is serving a 20 year sentence in NDC. Court stated, deft needs to identify what possible writ issues he is pursuing and needs to explain in his motion why these transcripts will benefit him in pursuing his issues in support of the Writ. COURT ORDERED, motion DENIED WITHOUT PREJUDICE. Clerk to send deft a copy of the court minutes from today.

NDC

CLERK'S NOTE: A copy of this minute order is placed in the U.S. Mail to Deft at Delarian Wilson; ID Number 1022177; Ely State Prison; P.O.Box 1989; Ely, Nevada 89301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 30, 2010**

07C232494-1

The State of Nevada vs Delarian K Wilson

**November 30, 2010 8:30 AM**

**Motion**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Theresa Lee

**RECORDER:**

**REPORTER:** Bill Nelson

**PARTIES**

**PRESENT:**

Kramer, Kristen B.

Attorney

Oronoz, James A

Attorney

State of Nevada

Plaintiff

Wilson, Delarian K

Defendant

**JOURNAL ENTRIES**

- Deft not present, incarcerated NDC. Mr. Oronoz requested permission to approach the Bench, COURT SO ORDERED. Court noted, no direct appeal was taken on this case, and the time has expired. Court stated, independent counsel may want to review this case and ORDERED, matter CONTINUED two weeks, Clerk to contact Drew Christensen's office to appoint counsel to review the file and determine if a Lozada hearing is necessary.

NDC

12/14/10 8:30 A.M. CONFIRMATION OF COUNSEL (COURT APPOINTED APPELLATE COUNSEL),...DEFT'S MOTION TO APPOINT POST CONVICTION RELIEF COUNSEL

CLERK'S NOTE: Clerk notified Drew Christensen's office via e-mail. (tl)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 14, 2010**

07C232494-1

The State of Nevada vs Delarian K Wilson

**December 14, 2010      8:30 AM****All Pending Motions****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Phyllis Irby**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**

Fattig, John T  
Oronoz, James A  
State of Nevada

Attorney  
Attorney  
Plaintiff

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO APPOINT POST CONVICTION RELIEF  
COUNSEL...CONFIRMATION OF COUNSEL (COURT APPOINTMENT)

Deft not present. Court noted, Deft doesn't need to be present, Mr. Brower is going to be here to take a look at this matter; he will be appointed at that time. Mr. Oronoz is WITHDRAWN AS COUNSEL. Mr. Brower doesn't have any conflicts and can accept APPOINTMENT. Therefore, Mr. Brower is hereby APPOINTED AS COUNSEL. Mr. Brower to obtain file and look over. COURT ORDERED, MATTER CONTINUED for status check on briefing schedule.

NDC

1-13-11 8:30 AM STATUS CHECK: BRIEFING SCHEDULE (DEPT. XXIV)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 13, 2011**

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07C232494-1

The State of Nevada vs Delarian K Wilson

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**January 13, 2011****8:30 AM****Status Check****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Tia Everett**RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brower, Keith

Attorney

Schifalacqua, Barbara

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Bob Cangemi, Court Report, present.

Colloquy regarding scheduling. COURT ORDERED, Briefing Schedule set as follows; Defendant's Opening Brief shall be due on or before 4/25/2011; State's Response shall be due on or before 7/25/2011; Defendant's Reply shall be due on or before 9/26/2011 and matter Set for Argument.

NDC

10/04/2011 8:30 AM ARGUMENT/DECISION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 04, 2011**

07C232494-1

The State of Nevada vs Delarian K Wilson

**October 04, 2011****8:30 AM****Decision****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**

Brower, Keith

Attorney

Fattig, John T

Attorney

Luzaich, Elissa

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Deft not present, incarcerated NDC. CONFERENCE AT THE BENCH at the request of Mr. Brower. Court stated in Ms. Luzaich's absence, the Court will set an abbreviated briefing schedule. Mr. Brower stated he has one issue to brief on Deft's motion to withdraw his guilty plea. COURT ORDERED, Mr. Brower to file Deft's Post Conviction Writ of Habeas Corpus to be filed by 10/10/11, State will have 45 days to file their response by 11/28/11, one week for Mr. Brower to file a reply by 12/5/11 and the matter is set for argument on 12/13/11.

Ms. Luzaich now present and was given the dates of the briefing schedule.

NDC

12/13/11 AT 8:30 A.M. DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 29, 2011**

07C232494-1

The State of Nevada vs Delarian K Wilson

**November 29, 2011 8:30 AM**

**Petition for Writ of Habeas  
Corpus**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Theresa Lee

**RECORDER:**

**REPORTER:** Robert Cangemi

**PARTIES**

<b>PRESENT:</b>	Schwartzter, Michael J.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft neither present nor represented by counsel. COURT ORDERED, matter TRAILED for Mr. Brower's presence.

LATER, Court recalled matter and due to the hour and Court's calendar, COURT ORDERED, matter CONTINUED. Court Staff to notify counsel.

NDC

12/13/11 AT 8:30 A.M. SAME

CLERK'S NOTE: Court's Law Clerk notified Mr. Brower this date and spoke to him personally regarding the continuance date. (tl)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 13, 2011**

07C232494-1

The State of Nevada vs Delarian K Wilson

**December 13, 2011 8:30 AM**

**Petition for Writ of Habeas  
Corpus**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Theresa Lee

**RECORDER:**

**REPORTER:** Robert Cangemi

**PARTIES**

<b>PRESENT:</b>	Brower, Keith	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft not present. Arguments by counsel. COURT ORDERED, the Court FINDS the writ is time barred, and on the merits deft does not prevail, therefore, the Writ is DENIED. Mr. Brower requested the record reflect the Writ was already time barred before he ever was appointed on the case. Further comment by the Court regarding the facts of the case. Upon Inquiry by Mr. Brower, COURT ORDERED, Mr. Brower is to continue is APPOINTMENT on this case for the appeal.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 14, 2012**

07C232494-1

The State of Nevada vs Delarian K Wilson

**February 14, 2012****8:30 AM****Motion****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**

Brower, Keith

Attorney

Fattig, John T

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Deft neither present nor represented. Court noted, an Order to Transport deft was signed, however, deft was not brought to court. Court queried the State if they could have him present on Thursday. Mr. Fattig stated Mr. Brower did not serve him with the motion, therefore, State is asking for three weeks to file a written response, and is not sure deft needs to be present. COURT ORDERED, State will have until 3/6/12 to file a response, and the motion is CONTINUED. Clerk to notify Mr. Brower. FURTHER ORDERED, State to prepare an Order to Transport deft.

LATER, Court recalled matter, Keith Brower now present, and informed the Court he has to file his Appeal by next Tuesday, and not sure if a motion to reconsider stays the running of the appeal time. He will research the matter. COURT ORDERED, motion CONTINUED 30 days, State will file their response by 3/6/12. Court advised Mr. Brower if he has any issues with regard to time frames and has to calendar the matter, he may do so with one days notice.

NDC

3/13/12 AT 8:30 A.M. SAME

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

07C232494-1

The State of Nevada vs Delarian K Wilson

**March 13, 2012****8:30 AM****Motion****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Robert Cangemi**PARTIES****PRESENT:**

Brower, Keith

Attorney

Heap, Hilary

Attorney

Luzaich, Elissa

Attorney

State of Nevada

Plaintiff

Wilson, Delarian K

Defendant

**JOURNAL ENTRIES**

- Deft Wilson present in custody. Court noted this is on to deft's motion to clarify denial of his Writ. Mr. Brower stated deft was not present at the hearing on the Writ. In reviewing some of the procedural issues, a Stay may not work. The Appeal filed with the Supreme Court has not directed him to consider staying the final decision. State's position is that until the Supreme Court makes a decision on the appeal, this Court cannot reconsider its' ruling. Mr. Brower stated deft was not present when the Writ was heard. He has had difficulty getting deft transported to District Court, and requested Court order deft transported for all hearings. Deft was represented by Mr. Oronoz, and he never notified deft when his Writ was denied. Argument by deft. Court informed deft the Court will make sure he is present at all hearings. COURT ORDERED, matter taken OFF CALENDAR until Mr. Brower has an order from the Supreme Court on what to do. Mr. Brower stated his original thought was to have this Court reconsider. Upon inquiry by deft., Court informed deft this Court has to wait until the Supreme Court sends this matter back to District Court to reconsider. Ms. Luzaich appeared after court and advised of the proceedings.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

07C232494-1

The State of Nevada vs Delarian K Wilson

**June 04, 2013****8:30 AM****Motion****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**Brooks, Parker  
Brower, Keith  
State of NevadaAttorney  
Attorney  
Plaintiff**JOURNAL ENTRIES**

- Deft not present, incarcerated NDC. Statement by Mr. Brower regarding the history of this case. This case needs to be set for evidentiary hearing on Deft's Writ of Habeas Corpus. The Court ruled on Deft's petition without him being present. Mr. Brooks stated this is Ms. Luzaich's case, and she takes no position on the matter. This Court STAYED the Findings of Fact, and Conclusions of Law because deft was not present, and ORDERED, matter set for hearing on Deft's Petition for Writ of Habeas Corpus. State to prepare an Order to Transport deft.

NDC

7/11/13 @ 10:30 A.M. HEARING: Deft's Petition for Writ of Habeas Corpus

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

07C232494-1

The State of Nevada vs Delarian K Wilson

**July 11, 2013****10:30 AM****Hearing****HEARD BY:** Bixler, James**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Theresa Lee**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**

Brower, Keith

Attorney

Luzaich, Elissa

Attorney

State of Nevada

Plaintiff

Wilson, Delarian K

Defendant

**JOURNAL ENTRIES**

- Deft present in custody, incarcerated NDC. Court noted, deft filed this Writ alleging ineffective assistance of counsel. Argument by Mr. Brower in support of deft's Writ. Mr. Brower stated deft does not wish to withdraw his plea, but the co-deft went to trial, and statements were made at the time of his sentencing that deft Wilson could not counter because he did not take his case to trial. Both depts were sentenced at the same time. Mr. Brower stated Mr. Oronoz represented deft up through sentencing. The reason for the Writ is the "time bar delay" issue. The Court based its decision at the sentencing, based upon what was presented at the co-deft's trial. Ms. Luzaich argued that deft should appeal the "time bar issue", and if the Supreme Court agrees with the deft, then counsel can come back and argue the merits. She further argued, that this Court cannot rule on the merits, deft has to appeal to the Supreme Court and let them make the decision. Mr. Brower called Delarian Kameron Wilson as a witness, sworn and testified. Court stated its findings and ORDERED, the Writ is DENIED. Mr. Brower requested the Findings updated based on the testimony presented today, and requested a copy of the transcript, and remain on the case, COURT SO ORDERED. Mr. Brower stated he would prepare an order to that effect.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 21, 2013**

07C232494-1

The State of Nevada vs Delarian K Wilson

**November 21, 2013      8:30 AM      Request**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Theresa Lee  
Teresa Slade

**RECORDER:**

**REPORTER:** Bill Nelson

**PARTIES**

<b>PRESENT:</b>	Brower, Keith	Attorney
	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

**JOURNAL ENTRIES**

- Order for Transcript FILED and SIGNED IN OPEN COURT.

Defendant not present. Mr. Brower advised, he filed a reply to the Supreme Court and attached the wrong Pre-sentence Investigation (PSI) report in error. COURT directed counsel the PSI will be deleted, then the reply can be re-filed, and ORDERED, matter OFF CALENDAR.

NDC

CLERKS NOTE: Subsequent to Court the attachment was stricken.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 19, 2014**

07C232494-1

The State of Nevada vs Delarian K Wilson

**August 19, 2014**

**8:30 AM**

**Motion to Withdraw as  
Counsel**

**HEARD BY:** Thompson, Charles

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Theresa Lee

**RECORDER:**

**REPORTER:** Bill Nelson

**PARTIES**

**PRESENT:**

Brower, Keith

Clowers, Shanon

State of Nevada

Attorney

Plaintiff

**JOURNAL ENTRIES**

- Deft not present, incarcerated NDC. Mr. Brower advised the Court that he represented deft on a Post-Conviction matter, and argued in support of his motion. COURT ORDERED, motion GRANTED, Mr. Brower is WITHDRAWN as counsel, and the matter is referred to Drew Christensen at the Office of Court Appointed Lawyers for appointment of counsel.

NDC

9/4/14 @ 8:30 A.M. CONFIRMATION OF COUNSEL (COURT APPOINTED)

CLERK'S NOTE: An e-mail was sent to Drew Christensen by Clerk (tl) on 8/19/14 at 10:20 a.m. for appointment of counsel (tl).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 04, 2014**

07C232494-1

The State of Nevada vs Delarian K Wilson

**September 04, 2014 8:30 AM**

**Confirmation of Counsel**

**HEARD BY:** Bixler, James

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Dania Batiste

**RECORDER:**

**REPORTER:**

Bill Nelson

**PARTIES**

**PRESENT:**

PORTZ, KENNETH  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Also Present: Alyssa Engler, Esq. Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Ms. Engler advised the Court she is present to accept appointment on behalf of Mr. Matthew Carling, Esq., Bar Number 7302; additionally, Mr. Carling has requested a briefing schedule.

COURT ORDERED, Briefing Schedule is SET as follows: defense to file the original Writ or a supplemental to the Writ on or before Thursday, 12/4/2014; State to file its opposition no later than Tuesday, 2/2/2015; defense to reply by Wednesday, 3/4/2015; matter is SET for argument.

NDC

3/10/2015 8:30 am Argument: Writ

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 23, 2015**

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07C232494-1

The State of Nevada vs Delarian K Wilson

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**April 23, 2015****9:00 AM****Argument****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Athena Trujillo**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Sarah Overly, Deputy District Attorney, present for the State of Nevada.  
Matthew Carling, Esq. present on behalf of Defendant Wilson.  
Defendant Wilson not present.

Mr. Carling advised the case is very complex and that he has filed a second petition on behalf of the Defendant. Further, Mr. Carling requested the Defendant's appeal be reinstated as it was filed timely. State argued that the petition was not timely and should be denied COURT ORDERED, matter UNDER ADVISEMENT and SET for Status Check on the Department's chamber calendar.

NDC

05/06/15 9:00 AM STATUS CHECK: DECISION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 06, 2015**

07C232494-1

The State of Nevada vs Delarian K Wilson

**May 06, 2015****3:00 AM****Status Check****HEARD BY:** Togliatti, Jennifer**COURTROOM:****COURT CLERK:** Athena Trujillo**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- This Court having considered the Defendant s Supplemental Writ of Habeas Corpus, all related pleadings, arguments, and the Court record first FINDS that the instant Writ is not a Supplemental Writ to the first Writ of Habeas Corpus filed years ago, but instead a Second Writ of Habeas Corpus. Further, this Court FINDS that this Second writ is time-barred, and Defendant puts forth not good cause for the delay. As previously established in the record in this case, Defendant was on notice of the denial of his appeal in July of 2010, before the time of the deadline for the first Writ which was filed a year late. Four years later, Defendant has failed to overcome the procedural bar. Additionally, Mr. Brower s appointment four months after the time period for filing and his conduct as post-conviction counsel does not make this Petition Supplemental, nor timely. This Court agrees with the State s position in its Response and Motion to Dismiss and as a result ORDERS the State s Motion to Dismiss GRANTED for the reasons stated herein. Court ORDERS the District Attorney to prepare the Findings of Fact and Conclusions of Law and Order which tracks the language of the State s Response and Motion to Dismiss, and this minute order.

CLERK'S NOTE: A copy of this minute order has been e-mailed to: Sarah Overly, Deputy District Attorney and Matthew Carling, Esq.

State's EXHIBITS Franks HEARING

CASE NO. C 232494

Date	Offered	OBJ	Admitted	Date
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[illegible]

## VAULT EXHIBIT FORM

CASE NO: C232494	HEARING DATE:: 4/9/08
DEPT. NO. XXIV	JUDGE : JAMES BIXLER
	CLERK : THERESA LEE
	REPORTER LEE BAHR
PLAINTIFF THE STATE OF NEVADA	JURY FEES: N/A
	COUNSEL FOR PLAINTIFF: E. LUZAICH/S. KOLLINS, DDAS
DEFENDANT NARCUS WESLEY	
	COUNSEL FOR DEFENDANT: C. LANDIS/J. BANKS, DPDS

Date Offered	Objection	Date Admitted
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[illegible]

# State's EXHIBITS

CASE NO. C232494

Date Offered OBJ Admitted Date

✓ 1. Photograph	4/11	✓	no obj	✓	4/11
✓ 2. Photograph		✓		✓	
✓ 3. photograph		✓		✓	
✓ 4. photograph		✓		✓	
✓ 5. Photograph		✓		✓	
✓ 6. photograph		✓		✓	
✓ 7. photograph		✓		✓	
✓ 8. photograph		✓		✓	
✓ 9. photograph		✓		✓	
✓ 10. photuGraph		✓		✓	
✓ 11. photograph		✓		✓	
✓ 12 photograph		✓		✓	
✓ 13. photograph		✓		✓	
✓ 14. photograph		✓		✓	
✓ 15. photograph		✓		✓	
✓ 16. photograph		✓		✓	
✓ 17. phototGraph		✓		✓	
✓ 18. photograph		✓		✓	
✓ 19. photograph		✓		✓	
✓ 20. photograph	✓	✓	✓	✓	✓
✓ 21. CD- 9/11 Call	4/14	✓	NO OBJ	✓	4/14
22. Photograph					
✓ 23. Photograph	4/14	✓	NO OBJ	✓	4/14

# State's EXHIBITS

CASE NO. C232494

Date Offered OBJ Admitted Date

✓ 24. Photograph	4/14	✓	NO OBJ	✓	4/14
✓ 25. Photograph	4/14	✓	NO OBJ	✓	4/14
✓ 26. Envelope: Sexual Assault Kit	4/14	✓	NO OBJ	✓	4/14
✓ 27. Envelope: Fingerprint lifts from Lotion Bottle	4/14	✓	NO OBJ	✓	4/14
✓ 28. Envelope: Lotion bottle	4/14	✓	NO OBJ	✓	4/14
✓ 29. Photograph - ATM Drive Through	4/15	✓	NO OBJ	✓	4/15
✓ 30. Photograph w/ number 8744	4/15	✓	NO OBJ	✓	4/15
✓ 31. Photograph w/ ironing board + iron		✓		✓	
✓ 32. Photograph w/ suitcase + coat		✓		✓	
✓ 33. Photograph w/ Lats		✓		✓	
✓ 34. Photograph w/ arm + Linner + condom		✓		✓	
✓ 35. Photograph w/ Trojan condom		✓		✓	
✓ 36. Photograph of Expedia.com itinerary		✓		✓	
✓ 37. Photograph of cash voucher 55066096		✓		✓	
✓ 38. Photograph of cash voucher 55066097		✓		✓	
✓ 39. Photograph of black T-shirt	✓	✓	✓	✓	✓
✓ 40. Circus - circus room paperwork	4/15	✓	NO OBJ	✓	4/15
✓ 41. Latent Print - Left middle + ring fingers of Wilson	4/15	✓	✓	✓	4/15
✓ 42. Evidence Bag + content	4/15	✓	NO OBJ	✓	4/15
✓ 43. CD - Deft's interview	4/15	✓	✓	✓	4/15
✓ 44. Photo of Delarian Wilson	4/15	✓	NO OBJ	✓	4/15
✓ 45-A. CD - last track of Deft's interview	4/16	✓	NO OBJ	✓	4/16

**DEFT'S EXHIBITS**

A, B, C not evidence in this trial **CAS**

CASE NO. C232494

ABC Does not go to the jury

Date	Offered	OBJ	Admitted	Date
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[illegible]

## EXHIBITS

**CASE NO.**

Date \_\_\_\_\_

Offered OBJ

Admitted

Date \_\_\_\_\_

[illegible]

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; REQUEST FOR  
ROUGH DRAFT TRANSCRIPT; DISTRICT COURT DOCKET ENTRIES; FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER; NOTICE OF ENTRY OF FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

DELARIAN K. WILSON,

Defendant(s).

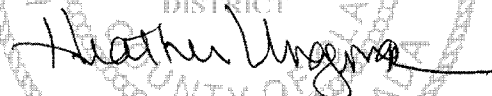
Case No: C232494-1

Dept No: IX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 5 day of August 2015.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk