

CLERK OF THE COURT

Electronically Filed  
Nov 10 2015 11:14 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

1 TRAVIS E. SHETLER, ESQ.  
Nevada Bar No. 004747  
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Attorney for Defendant  
5

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA

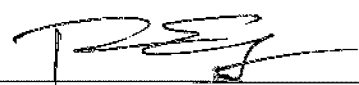
8 STATE OF NEVADA	)	CASE NO.: C-14-298879-1
	)	Dept. No.: VI
9 Plaintiff,	)	
	)	
10 v.	)	
	)	<u>NOTICE OF APPEAL</u>
11 GENARO RICHARD PERRY,	)	
#1456173	)	
	)	
12 Defendant.	)	
13	)	

14 Notice is hereby given that Petitioner GENARO RICHARD  
15 PERRY, Petitioner above named, hereby appeals to the Supreme  
16 Court of Nevada from the jury verdict in this action on the 1st  
17 day of October, 2015.

18  
19 Dated this 4<sup>th</sup> day of November, 2015  
20

21 LAW OFFICE OF TRAVIS SHETLER

22  
23  
24 By:

  
25 TRAVIS E. SHETLER, ESQ.  
Nevada State Bar No. 4747  
26 844 East Sahara Avenue  
Las Vegas, NV 89101  
27 Attorney for Petitioner  
GENARO RICHARD PERRY  
28

1 TRAVIS E. SHETLER, ESQ.  
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Counsel for Petitioner  
5 GENARO RICHARD PERRY

6  
7 DISTRICT COURT  
8 CLARK COUNTY NEVADA

9 STATE OF NEVADA

10 Plaintiff,

11 v.

12 GENARO RICHARD PERRY,  
13 #1456173

14 Defendant.

)  
)  
) Case No. A-13-692122-C  
)  
)  
)

15 CASE APPEAL STATEMENT  
16

17 CASE APPEAL STATEMENT

- 18 1. The name of appellant filing this case appeal  
19 statement is GENARO RICHARD PERRY.  
20 2. JUDGE ELLISA F. CADISH, was the Judge issuing the  
21 judgment appealed.  
22 3. THE STATE OF NEVADA and myself are the extent of the  
23 parties to the proceedings in the District Court.  
24 4. GENARO RICHARD PERRY is the only party involved in  
25 this appeal.  
26 5. TRAVIS E. SHETLER, ESQ., LAW OFFICE OF TRAVIS SHETLER,  
27 844 East Sahara Avenue, Las Vegas, Nevada, 89104,  
28 represented Petitioner GENARO RICHARD PERRY in  
District Court.



DEPARTMENT 6  
**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

State of Nevada  
vs  
Genaro Perry

§	Location:	Department 6
§	Judicial Officer:	Cadish, Elissa F.
§	Filed on:	06/19/2014
§	Cross-Reference Case	C298879
§	Number:	
§	Defendant's Scope ID #:	1456173
§	ITAG Booking Number:	1400025770
§	ITAG Case ID:	1599129
§	Lower Court Case # Root:	14F07966
§	Lower Court Case Number:	14F07966X

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY WITH USE OF A DEADLY WEAPON	F	05/01/2014		
2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON	F	05/01/2014	Case Flags:	<b>Bail Set</b>
3. GRAND LARCENY AUTO	F	05/01/2014		<b>Appealed to Supreme Court</b>
4. ASSAULT WITH A DEADLY WEAPON	F	05/01/2014		<b>Custody Status - In Custody</b>
5. COERCION	F	05/01/2014		<b>Charge Description Updated</b>
6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE	F	05/01/2014		<b>In Custody - CCDC</b>
7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION	F	05/01/2014		

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	C-14-298879-1
Court	Department 6
Date Assigned	06/19/2014
Judicial Officer	Cadish, Elissa F.





PARTY INFORMATION

<b>Defendant</b>	<b>Perry, Genaro Richard</b>	<i>Lead Attorneys</i> <b>Shetler, Travis E</b> <i>Retained</i> 702-866-0091(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

06/19/2014	 Criminal Bindover <i>Criminal Bindover</i>
06/25/2014	 Information <i>Information</i>
06/25/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
06/26/2014	 <b>Initial Arraignment</b> (1:00 PM) (Judicial Officer: De La Garza, Melisa)

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE NO. C-14-298879-1**













06/29/2014	 Reporters Transcript <i>Reporter's Transcript of Waiver of Preliminary Hearing 06-19-14</i>
07/03/2014	 Supplemental Witness List <i>Supplemental Notice of Expert Witnesses</i>
07/03/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
07/09/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
07/21/2014	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
07/28/2014	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
09/22/2014	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
09/23/2014	 Stipulation and Order <i>Stipulation and Order to Continue Trial</i>
09/29/2014	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
10/16/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/16/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
10/17/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/17/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/17/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
10/17/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
11/24/2014	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
12/01/2014	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
01/08/2015	 Supplemental Witness List <i>Supplemental Notice of Witnesses</i>

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

02/09/2015	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
02/17/2015	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
02/18/2015	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>02/18/2015, 02/23/2015</b> <i>Status Check Negotiations</i>
04/27/2015	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>04/27/2015, 04/29/2015</b>
05/04/2015	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
05/06/2015	 <b>Jury Trial</b> (1:30 PM) (Judicial Officer: Cadish, Elissa F.) <b>05/06/2015-05/07/2015</b>
05/14/2015	 Supplemental Witness List <i>Second Supplemental Notice of Expert Witnesses</i>
06/15/2015	 Motion <i>Motion to Admit Evidence Pursuant to NRS 48.045</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order

DEPARTMENT 6  
**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

*Order Releasing Medical Records*

07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/20/2015	 Opposition <i>State's Opposition to Defendant's Motion to Admit Evidence Pursuant to NRS 48.045</i>
08/05/2015	 Notice of Motion <i>State's Notice of Motion and Motion to Admit Evidence Pursuant to NRS 48.045</i>
08/11/2015	 Opposition to Motion <i>Opposition to State's Motion to Admit Evidence Pursuant to NRS 48.045</i>
08/31/2015	 <b>Motion to Admit Evidence</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>08/31/2015, 09/17/2015</b> <i>Motion to Admit Evidence Pursuant to NRS 48.045</i>
09/17/2015	<b>Petrocelli Hearing</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
09/17/2015	<b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
09/21/2015	 <b>Calendar Call</b> (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
09/28/2015	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
09/29/2015	 <b>Bench Trial</b> (1:30 PM) (Judicial Officer: Cadish, Elissa F.) <b>09/29/2015-10/01/2015</b>
10/01/2015	 Verdict
10/01/2015	 Stipulation and Order Filed by: Plaintiff State of Nevada <i>Stipulation and Order</i>
10/01/2015	 Instructions to the Jury
11/04/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
11/16/2015	<b>Sentencing</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 26, 2014**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**June 26, 2014      1:00 PM      Initial Arraignment**

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

**COURT CLERK:** Dania Batiste  
Deborah Miller

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Roberts, Tara M.	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- DEFT. PERRY ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY (COC)

7/21/2014 9:30 A.M. Calendar Call (Dept. 6)

7/28/2014 10:00 A.M. Jury Trial (Dept. 6)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 21, 2014**

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

**July 21, 2014      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- Mr. Stephens advised he has provided discovery to defense counsel, the Clark County Detention Center (CCDC) records and jail phone calls; the victim is still seeking treatment for the injuries, so all of the medical records are not available to be provided to defense counsel; the State is ready for trial, but if the defense would like a continuance due to all the discovery not being disclosed, and discovery is ongoing, the State is not opposed if the defense needs a continuance. Mr. Smillie advised he has discussed matters with the Deft. in regards to the lack of medical records; the injury to the eye is significant and may be important for use prior to going to trial; the Deft. has invoked, but counsel does not wish to proceed to trial until the records are received and the Deft. is being detained on other matters. Colloquy regarding the continuance of the over flow eligible trial to the September stack. Court noted that in light of the short trial setting and discovery being provided, the defense would like a continuance with the understanding the Deft. will waive to allow the setting. Upon the inquiry of the Court, the Deft. stated he will WAIVE speedy to allow the September 29th setting. COURT ORDERED, trial VACATED and CONTINUED.

**CUSTODY**

9-22-14 9:30 AM CALENDAR CALL

9-29-14 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 22, 2014**

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

**September 22, 2014    9:30 AM      Calendar Call**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Shetler advised they are not ready for trial, and there is a stipulation for a continuance of the trial as there are outstanding medical issues and they don't have the victim's medical records. Colloquy regarding the continuance of the over flow eligible trial. There being no opposition, COURT ORDERED, trial VACATED and CONTINUED.

**CUSTODY**

11-24-14    9:30 AM    CALENDAR CALL

12-1-14    10:00 AM    JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 24, 2014**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**November 24, 2014      9:30 AM      Calendar Call**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	DiGiacomo, Sandra	Attorney
	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Digiacomo advised there is no opposition to the requested continuance by the defense. Mr. Smiley requested a continuance advising they've tried, and continue to try working with the approved county vendor list for a medical exert which is needed on the case; one has yet to be obtained, and which is necessary due to the substantial bodily injury charge. Court stated, good cause is found for the continuance. Colloquy regarding the continuation of the trial. COURT ORDERED, trial CONTINUED.

**CUSTODY**

2-9-15    9:30 AM    CALENDAR CALL

2-17-15 10:00 AM    JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**February 09, 2015      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- Mr. Shelter advised he has a doctor authorized to do work on the exact extent of the victims injuries, he does not yet have the report, or a date for when the report will be complete, parties have discussed a trial setting in early May, and a 7-10 day status check is requested to attempt to resolve things. Mr. Stephens advised the case is over flow eligible. COURT ORDERED, trial CONTINUED; proceedings SET for status check.

**CUSTODY**

2-18-15 8:30 AM STATUS CHECK: NEGOTIATIONS

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 18, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**February 18, 2015      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cannizzaro, Nicole J.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Shetler advised there is an agreement that needs to be finalized in writing and signed. COURT ORDERED, matter CONTINUED

CUSTODY

2-23-15 8:30 AM STATUS CHECK: NEGOTIATIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 23, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**February 23, 2015      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed  
                                 Adrienne Theeck

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Defendant not present

At the request of Mr. Shetler and there being no opposition, COURT ORDERED, proceedings STAND as calendared; matters may be re calendared for entry of plea should an agreement be reached.

**CUSTODY**

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 27, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**April 27, 2015      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- Mr. Stephens announced the State is ready to proceed to trial; 7-9 witnesses, 4-5 days, zero out of state witnesses, and the trial is Overflow eligible. Mr. Shetler announced the defense is ready. COURT ORDERED, proceedings CONTINUED to determine if this case will be heard by this Court, or if it will be sent to Overflow.

**CUSTODY**

4-29-15    8:30 AM    CALENDAR CALL

55-4-15    10:00 AM    JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 29, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**April 29, 2015      8:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Mr. Shetler announced he is ready to proceed to trial and advised he has spoken with Ms. Baharav and there's a doctor they will both use for testimony, but he will not be available until Friday and the CSI will not be available until Thursday; it's requested the trial begin Wednesday and will be done by Friday. Ms. Sudano stated she and Ms. Baharav have trials next week and they are looking at getting the trial done. Colloquy regarding trial logistics. COURT ORDERED, case to trial May 5th @ 1:30 PM; by Friday counsel are to provide proposed jury instructions in Word to Judicial Executive Assistant (J.E.A.), and unless there are an unusual number of exhibits they can be brought in at time of trial to be marked.

**CUSTODY**

5-5-15 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 06, 2015**

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

**May 06, 2015**

**1:30 PM**

**Jury Trial**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Colloquy regarding scheduling, witness testimony, and proceedings going forward. Ms. Baharav stated parties have discussed the potential stipulation to the medical records in lieu of live testimony, and noted concerns by defense counsel that they would like to be heard prior to the witnesses. Court stated the issue will be discussed at the end of the day. Colloquy regarding instructions, peremptory challenges, the jury selection process and alleged relationship between the Defendant and victim. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Introductory comments by the Court. Roll of prospective jurors called and sworn by the Clerk. Introductions on behalf of the State by Ms. Baharav and on behalf of the Defendant by Mr. Shetler as to the names of prospective witnesses to be called and the general nature of the case. General voir dire of prospective jurors by the Court. COURT ORDERED, matter CONTINUED to May 7th @ 1 PM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 07, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**May 07, 2015**

**1:00 PM**

**Jury Trial**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Nora Pena

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURORS: Ms. Baharav advised the State is down to five witnesses. Mr. Shetler advised the expert doctor is not available and he asked to continue the matter to have a doctor present to testify. Ms. Baharav advised the State is prepared to go forward without the doctor and the Defense was going to use their doctor. Mr. Shetler stated there is two sides to the argument, his client is more comfortable to have a doctor take the stand and he wanted the doctor to review the medical records. Ms. Baharav stated she is comfortable for no doctor to take the stand and they can use the medical records; also they have agreed to use the records as they are and Mr. Shetler would discuss this with his client. Court noted if they don't stipulate for the records to come in without the doctor then the State may have a problem. Mr. Shetler advised he would to review this with his client. Court reviewed the time of the case and noted the Deft has been in custody close to a year; therefore, if this case continues her next criminal stack is June/July and September. Court advised she will step out and reminded counsel this case is overflow eligible. Mr. Shetler stated he will be on vacation in July. Matter trailed.

MATTER RECALLED: Mr. Shetler asked to continue the trial to have an expert witness. Court indicated to Mr. Shetler that he knew his doctor would not be available and that he would be using the State's witness but he also cannot be here for the trial and Deft understands that he will be four months more in custody. Court suggested counsel talk about another negotiation. Upon Court's inquiry, Defendant advised he agreed to continue the trial date because of not having a doctor present and he understands that counsel has a vacation scheduled in July but he would like to keep this Judge. Court advised this case may go to overflow and that this case is scheduled the same week as her trial for War Machine. COURT ORDERED, Trial VACATED and Trial date RESET. State's exhibits returned to Ms. Baharav. Court asked the Marshal to advised the jury panel they are dismissed.

CUSTODY

9/21/15 9:30 AM CALENDAR CALL

9/28/15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 31, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**August 31, 2015      8:30 AM      Motion to Admit Evidence**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Court noted the State s motion did not make the calendar, but it can be addressed. Mr. Shetler stated he spoke about it with the State. Colloquy. Arguments by counsel. Ms. Sudano moved for a Petrocelli hearing. COURT SO ORDERED; State s motion will not be heard as it s contingent on the door being opened, and should it come up will be taken up outside the presence. Court stated this will be the only matter calendared and requested counsel be on time.

**CUSTODY**

9-17-15 8:30 AM PETROCELLI HEARING...DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 17, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**September 17, 2015      8:30 AM**

**All Pending Motions**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045...PETROCELLI HEARING

Colloquy regarding calendared matters and the lack of a need for the Petrocelli Hearing. Arguments by counsel. Court stated findings and ORDERED, motion GRANTED in the limited extent described in connection with the self defense defense. Mr. Shetler stated he has spoken with the Defendant and they are comfortable with a Bench Trial. Colloquy regarding the scheduling of the trial. Ms. Sudano stated the State is ready to go forward; and barring any emergency, there should be no issues. COURT ORDERED, request for Bench Trial GRANTED; matters to be discussed further at the calendar call.

9-21-15 9:30 AM CALENDAR CALL

**C-14-298879-1**

9-28-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 21, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**September 21, 2015    9:30 AM      Calendar Call**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Parties announced ready. Ms. Sudano advised four to five days, seven to nine witnesses and one out of state witness. COURT ORDERED, trial date STANDS. Mr. Shetler advised Deft. requested that he inquire as to waiving jury panel. Ms. Sudano advised the State will not stipulate to waive jury panel. Colloquy. Court instructed counsel to have jury instructions to chambers by Wednesday.

**CUSTODY**

**9/28/15 1:30 PM JURY TRIAL**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 29, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**September 29, 2015      1:30 PM      Bench Trial**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Court noted parties have agreed to a Non-Jury Trial with this Court as the trier of fact, rather than a Jury. Ms. Sudano and Mr. Shetler concurred. Court noted the Defendant is in custody, and a ruling will be issued based upon the facts of the law; proceedings were continued previously due to the unavailability of the doctor, who is now available. Ms. Sudan concurred. Colloquy regarding proceedings going forward. Opening statement on behalf of the State by Ms. Sudano, and on behalf of the Defendant by Mr. Shetler. Mr. Shetler advised parties have stipulated to the admission of State's Exhibits 1-37. COURT SO ORDERED. Exclusionary Rule INVOKED. Testimony and Exhibits presented (See Worksheet). Colloquy regarding proceedings going forward. Court advised the Defendant as to his constitutional rights as to any testimony. COURT ORDERED, matter CONTINUED TO September 30th @ 10:30 AM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 30, 2015**

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C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

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**September 30, 2015      1:00 PM      Bench Trial**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Shelley Boyle

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Colloquy regarding scheduling. Testimony and exhibits presented, (see worksheets). State rests. Court advised Deft. of his right not to testify. Colloquy regarding instructions and scheduling. Defense rests. Further colloquy regarding scheduling. COURT ORDERED, Matter CONTINUED.

**CUSTODY**

**CONTINUED TO:** 10/01/15 10:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 01, 2015**

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

**October 01, 2015      10:00 AM      Bench Trial**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Shelley Boyle**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Stipulation and Order FILED IN OPEN COURT

Ms. Sudano requested the Stipulation and Order be signed as both parties agree to WAIVE a trial by jury; Stipulation and Order SIGNED IN OPEN COURT. Argument by counsel regarding the self-defense instructions. Instructions settled. Upon Court's inquiry, Mr. Shetler made no objection to the Verdict Form, stating he reviewed it with Deft. Colloquy regarding the parties agreeing to the Court reading the Instructions in-chambers. Instructions read in-chambers. Closing statements by Ms. Sudano. Closing arguments by Mr. Shetler. At the hour of 12:00 p.m. the Court retired to deliberate. At the hour of 12:58 p.m. the Court returned with its VERDICT in accordance with the written Verdict Form which was FILED IN OPEN COURT. COURT FINDS Deft. GUILTY as follows: COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON, COUNT 2 - FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON, COUNT 3 - GRAND LARCENY AUTO, COUNT 4 - ASSAULT WITH A DEADLY WEAPON, COUNT 5 - COERCION, COUNT 6 - BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE, and

COUNT 7 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION. COURT ORDERED Deft. REMANDED into CUSTODY WITHOUT BAIL, matter REFERRED to the Division of Parole and Probation (P&P) and SET for Sentencing.

CUSTODY

11/16/15 8:30 A.M. SENTENCING

CLERK'S NOTE: This Minute Order was corrected to reflect seven guilty charges. sb/ 11/04/15

STATE'S

EXHIBITS

CASE NO. C298879

Date Offered OBJ Admitted Date

1	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15
2	"	"	✓	"	✓	"
3	"	"	✓	"	✓	"
4	"	"	✓	"	✓	"
5	"	"	✓	"	✓	"
6	"	"	✓	"	✓	"
7	"	"	✓	"	✓	"
8	"	"	✓	"	✓	"
9	"	"	✓	"	✓	"
10	"	"	✓	"	✓	"
11	"	"	✓	"	✓	"
12	"	"	✓	"	✓	"
13	"	"	✓	"	✓	"
14	"	"	✓	"	✓	"
15	"	"	✓	"	✓	"
16	"	"	✓	"	✓	"
17	"	"	✓	"	✓	"
18	"	"	✓	"	✓	"
19	"	"	✓	"	✓	"
20	"	"	✓	"	✓	"
21	"	"	✓	"	✓	"
22	"	"	✓	"	✓	"
23	"	"	✓	"	✓	"
24	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15

STATE'S

## EXHIBITS

CASE NO. CZ98879

Date	Offered	OBJ	Admitted	Date
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[illegible]

\* Exhibits originally marked for 5/6/15. Judge ordered all exhibits returned. See minutes for 5/7/15. Exhibits are now marked as 9/29/15.



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

TRAVIS E. SHETLER, ESQ.  
844 E. SAHARA AVE.  
LAS VEGAS, NV 89104

DATE: November 6, 2015  
CASE: C298879

RE CASE: STATE OF NEVADA vs. GENARO RICHARD PERRY

NOTICE OF APPEAL FILED: November 4, 2015

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL (INCLUDING CASE APPEAL STATEMENT - UNFILED); DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

GENARO RICHARD PERRY,

Defendant(s).

Case No: C298879

Dept No: VI

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 6 day of November 2015.

Steven D. Grierson, Clerk of the Court

*Mary Kielty*

Mary Kielty, Deputy Clerk