

IN THE SUPREME COURT OF THE STATE OF NEVADA

LESEAN COLLINS

Electronically Filed
May 16 2016 09:05 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

Appellant,

vs.

THE STATE OF NEVADA

Respondent.

Docket No. 69269

Direct Appeal From A Judgment of Conviction
Eighth Judicial District Court
The Honorable Kathleen Delaney, District Judge
District Court No. 25

**APPELLANT'S APPENDIX
VOLUME 11 OF 11**

JoNeil Thomas
State Bar #4771
Deputy Special Public Defender
David M. Schieck
State Bar #0824
Special Public Defender
330 South 3rd Street
Las Vegas, NV 89155
(702) 455-6265
Attorneys for Collins

1	Motion in Limine to Preclude References To the Deceased as the “Victim” (1/28/10)	117-19
1	Motion to Allow Jury Questionnaire (1/28/10)	110-12
1	Motion to Bar Improper Prosecutorial Argument (1/28/10)	124-41
1	Motion to Compel Disclosure of Existence and Substance of Expectations, Of Actual Receipt of Benefits or Preferential Treatment for Cooperation With Prosecution (1/28/10)	106-09
2	Motion to Continue Jury Trial (10/30/13)	391-94
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2	Motion to Disqualify the Clark County District Attorney’s Office (7/17/14)	422-39
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2	Motion to Exclude Other Evidence of Arson Charges and Any Allegations Related Thereto as Bad Act Evidence or Irrelevant Prior Criminal Activity (7/18/14)	440-49
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 24, 2009**

09C252804

The State of Nevada vs Lesean T Collins

March 24, 2009**10:30 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Nora
Pena
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Special Public Defender	Attorney
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Mr. Bindrup requested a continuance. Mr. Tomsheck noted there is no Information filed. COURT ORDERED, matter CONTINUED.

CUSTODY

3/26/09 10:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 26, 2009**

09C252804

The State of Nevada vs Lesean T Collins

March 26, 2009**10:30 AM****Arraignment Continued**

**ARRAIGNMENT
CONTINUED Court
Clerk: Tia Everett/te
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- DEFT. COLLINS ARRAIGNED and PLED NOT GUILTY. Mr. Bindrup informed the Court Defendant would not waive or invoke his right at this time and requested matter be set for status check in Department IX. COURT ORDERED, matter Set for Status Check. Additionally, Mr. Bindrup advised the State has agreed to allow Defendant thirty days to file any necessary writs. FURTHER ORDERED, counsel shall have thirty days from today's date or the filing of the Preliminary Hearing Transcript to file any writs deemed appropriate.

CUSTODY

4/13/09 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 13, 2009**

09C252804

The State of Nevada vs Lesean T Collins

April 13, 2009**9:00 AM****Status Check**

**STATUS CHECK:
TRIAL SETTING
Relief Clerk: Nora
Pena
Reporter/Recorder:
Yvette Lester Heard
By: Togliatti, Jennifer**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bindrup, Scott L.

Collins, Lesean T

Special Public Defender

Tomsheck, Joshua L.

Attorney

Defendant

Attorney

Attorney

JOURNAL ENTRIES

- Mr. Bindrup advised Deft. would like to make a motion but told him he will put it on calendar and they just need a trial date but he needs a second continuance because it was indicated the family will get other counsel. Court advised Deft. must waive his trial date. Mr. Bindrup stated yes, Deft. is willing to do that and he will be invoking his trial rights, he just needs to get a speedy setting and two weeks to hire other counsel. Court advised the Deft. he has not waived or invoked his trial rights and explained his rights or he can refuse. Mr. Bindrup requested two weeks for a status check. Upon Court's inquiry, Deft. stated yes, he understands and would like two weeks.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor **COURT MINUTES** **April 27, 2009**

09C252804 The State of Nevada vs Lesean T Collins

April 27, 2009	9:00 AM	Status Check	STATUS CHECK: TRIAL SETTING Court Clerk: Alan Paul Castle Reporter/Recorder: Yvette Lester Heard By: Jennifer Togliatti
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HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Ferreira, Amy L.	Attorney
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Colloquy regarding murder review committee. State indicated decision pending. COURT ORDERED, trial date RESET.
 CUSTODY
 11/09/09 9:00 AM CALENDAR CALL
 11/16/09 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	May 11, 2009
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09C252804	The State of Nevada vs Lesean T Collins
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May 11, 2009	9:00 AM	Petition for Writ of Habeas Corpus	PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Alan Paul Castle Reporter/Recorder: Cheryl Carpenter Heard By: Togliatti, Jennifer
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HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Samples, Peg	Attorney
	Special Public Defender	Attorney

JOURNAL ENTRIES

- At request of counsel, COURT ORDERED, matter CONTINUED for Defendant's reply to State's Opposition.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 18, 2009**

09C252804

The State of Nevada vs Lesean T Collins

May 18, 2009**9:00 AM****Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Alan
Paul Castle
Reporter/Recorder:
Yvette Lester Heard
By: Togliatti, Jennifer**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bindrup, Scott L.

Collins, Lesean T

Special Public Defender

Tomsheck, Joshua L.

Attorney

Defendant

Attorney

Attorney

JOURNAL ENTRIES

- State's response to writ not on file and copy not received by Court. COURT ORDERED,
CONTINUED to see if and when State's response filed and Court to review copy submitted.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 08, 2009**

09C252804

The State of Nevada vs Lesean T Collins

June 08, 2009**9:00 AM****Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Alan
Paul Castle
Reporter/Recorder:
Cheryl Carpenter
Heard By: Jennifer
Togliatti**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bindrup, Scott L.	Attorney
Collins, Lesean T	Defendant
Maningo, Ivette A.	Attorney
Special Public Defender	Attorney
Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Arguments by counsel to strike language in the Information. COURT Finds reasonable inference can be drawn from the evidence and pursuant to State's reply and ORDERED, petition DENIED. By way of this minute order State to prepare the order and notify all interested parties.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2010

09C252804

The State of Nevada vs Lesean T Collins

February 08, 2010

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (02/08/10)
Court Clerk: Alan
Paul Castle
Reporter/Recorder:
Yvette Lester Heard
By: Jennifer Togliatti**

HEARD BY:

COURTROOM:

COURT CLERK: Alan Castle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

Bindrup, Scott L.

Attorney

Collins, Lesean T

Defendant

Maningo, Ivette A.

Attorney

Special Public Defender

Attorney

Tomsheck, Joshua L.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE AND IRRELEVANT PRIOR...DEFT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS...DEFT'S MOTION TO BAR IMPROPER PROSECUTORIAL ARGUMENT ...DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS...DEFT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS...DEFT'S MOTION IN LIMINE TO PRECLUDE REFERENCE TO THE DECEASED AS THE "VICTIM"...DEFT'S MOTION FOR DISCOVERY

Court noted there was no proposed questionnaire attached, however, Court is inclined to grant the

PRINT DATE: 11/25/2015

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Minutes Date: September 24, 2006

request based on the nature of the proceedings. Colloquy regarding Jury questionnaire. COURT ORDERED, matters CONTINUED for Court to rule and parties to get together on the Jury questionnaire.

CONTINUED TO:

02/12/2010 AM DEFT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE AND IRRELEVANT PRIOR...DEFT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS...DEFT'S MOTION TO BAR IMPROPER PROSECUTORIAL ARGUMENT...DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS... DEFT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS...DEFT'S MOTION IN LIMINE TO PRECLUDE REFERENCE TO THE DECEASED AS THE "VICTIM"...DEFT'S MOTION FOR DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 12, 2010

09C252804

The State of Nevada vs Lesean T Collins

February 12, 2010

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (02/12/10)
Court Clerk: Alan
Paul Castle/ac Relief
Clerk: Dawn Jackson
Reporter/Recorder:
Yvette Lester Heard
By: Jennifer Togliatti**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION FOR DISCOVERY...DEFT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS...DEFT'S MOTION IN LIMINE TO PRECLUDE REFERENCE TO THE DECEASED AS THE "VICTIM"...DEFT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS...DEFT'S MOTION TO COMPEL DISCLOSURE OF EXISTENCE AND SUBSTANCE OF EXPECTATIONS...DEFT'S MOTION TO BAR IMPROPER PROSECUTORIAL ARGUMENT...DEFT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE AND IRRELEVANT PRIOR CRIMINAL ACTIVITY...DEFT'S MOTION TO ALLOW JURY QUESTIONNAIRE

PRINT DATE: 11/25/2015

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Minutes Date: September 24, 2006

Deft's Motion for Discovery Court noted this matter is resolved.

Deft's Motion in Limine to Preclude Admission of Photographs Court stated its findings and RESERVED RULING until time of trial when State presents the photos they intend to offer at trial.

Deft's Motion in Limine to Preclude Reference to the Deceased as the "Victim" Court stated its findings and ORDERED, motion DENIED.

Deft's Motion to Federalize All Motions, Objections, Requests and Other Applications Opposition noted by State. Arguments by counsel. COURT ORDERED, motion DENIED.

Deft's Motion to Compel Disclosure of Existence and Substance of Expectations COURT FINDS State has an ongoing obligation to continue to disclose and will continue to do so.

Deft's Motion to Bar Improper Prosecutorial Argument Matter submitted. COURT ORDERED, petition GRANTED.

Deft's Motion to Exclude Other Bad Acts, Character Evidence and Irrelevant Prior Criminal Activity Arguments by counsel. COURT ORDERED, GRANTED in part; Mr. Tomsheck indicated the State will not bring up drug use; Court Finds unrelated incidents of violence not to be addressed during liability phase of trial. Court Finds State to bring to Court's attentions for outside the presence hearing if State feels Defense has opened the door on any of these issues. As to jailhouse calls, Court Finds it is clear to all inmates that these calls are subject to being monitored and record; and that said notice is clearly posted throughout the detention center. State notes no pretrial calls are the subject of any investigation by State and notice will be provided to opposing counsel if the it becomes relevant during trial, but not considered a bad act. As to prior viable threats to Victim, Court directs State to make a proffer outside the presence of the Jury. COURT ORDERS, motion GRANTED IN PART.

Deft's Motion to Allow Jury Questionnaire Parties submitted their proposed Jury questionnaires to the Court for consideration. Following conference at the bench regarding scheduling, COURT ORDERED, Jury questionnaire continued for further review and status check. Further, State to contact counsel in Lamb/Moore trial set on this Court's calendar regarding scheduling. COURT ORDERED, set for status check on trial order and Jury questionnaire.

CUSTODY

02/17/10 9:00 AM STATUS CHECK: QUESTIONNAIRE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	February 17, 2010
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09C252804	The State of Nevada vs Lesean T Collins
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February 17, 2010	9:00 AM	Status Check	STATUS CHECK: QUESTIONAIRRE Court Clerk: Alan Paul Castle Reporter/Recorder: Patricia Slattery Heard By: Jennifer Togliatti
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HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 14A

COURT CLERK: Alan Castle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Court noted proposed Jury questionnaires received by Court. Colloquy regarding scheduling. Court directed parties to get together on finalizing questionnaire and submit to Court for consideration. Further, COURT ORDERED, set for status check to finalize the questionnaire and determine trial readiness of parties. COURT ORDERED, trial date VACATED and RESET. state estimates 5 - 7 Days for trial.

CUSTODY

PRINT DATE: 11/25/2015

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Minutes Date: September 24, 2006

09C252804

08/13/10 9:00 AM STATUS CHECK: TRIAL

09/08/10 9:00 AM CALENDAR CALL

09/13/10 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 13, 2010**

09C252804

The State of Nevada vs Lesean T Collins

August 13, 2010**9:00 AM****Status Check****Status Check: Jury
Questionnaire****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 14A**COURT CLERK:** Lorraine Williams**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Special Public Defender	Attorney
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- COURT NOTED trial may need to be continued as there are other conflicting cases with priority set at the same time. Colloquy regarding finalizing jury questionnaire. Mr. Bindrup requested matter be continued one (1) week for the final proposed jury questionnaire to be submitted; COURT SO ORDERED.

CUSTODY**CONTINUED TO:** 08/18/10 9:00 AM

CLERK'S NOTE: Court informed Mr. Tomsheck of its decision following calendar as he appeared late. LMW

PRINT DATE: 11/25/2015**Page 14 of 69****Minutes Date:** September 24, 2006

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 18, 2010**

09C252804

The State of Nevada vs Lesean T Collins

August 18, 2010**9:00 AM****Status Check****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 14A**COURT CLERK:** Kristen Brown**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Ms. Maningo advised the Court that parties are close to agreeing on most everything but will need a court ruling on some of the questions. Arguments by counsel regarding the jury questionnaire. Court stated its findings and ORDERED, matter set for status check regarding trial and the questionnaire. Court advised counsel to make sure there is a cover sheet that says the questionnaire is to go to Jury Services as soon as possible. Court noted that there will be 75 jurors by agreement of this Court and counsel.

CUSTODY (COC-NDC)**8/25/10 9:00 AM STATUS CHECK: TRIAL/QUESTIONNAIRE**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 25, 2010**

09C252804

The State of Nevada vs Lesean T Collins

August 25, 2010**9:00 AM****Status Check**

**STATUS CHECK:
TRIAL/QUESTIONN
AIRE**

HEARD BY: Togliatti, Jennifer**COURTROOM:** RJC Courtroom 14A**COURT CLERK:** Alan Castle**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Collins, Lesean T	Defendant
	Special Public Defender	Attorney

JOURNAL ENTRIES

- Joshua Tomsheck, Deputy DA, present for State. Scott Bindrup, Deputy Special Public Defender and Ivette Maningo, Deputy Special Public Defender, present for Defendant. Upon Court's inquiry, proposed Jury questionnaire provided in open court. Court indicated a panel of 75 prospective jurors would be requested from the Jury Commissioner.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2010

09C252804

The State of Nevada vs Lesean T Collins

September 08, 2010 9:00 AM Calendar Call

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 14A

COURT CLERK: Alan Castle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney

JOURNAL ENTRIES

- Joshua Tomsheck, Deputy DA, present for State; Scott Bindrup, Deputy Special Public Defender and Ivette Maningo, Deputy Special Public Defender present for Defendant. State announced ready. Conference at the bench. State indicated 4th trial setting. Based on conversations at bench, COURT ORDERED, trial VACATED. Colloquy regarding Defendant's request to counsel on pre-trial issues. Court advised Jury Commissioner to discharge Prospective Jurors in questionnaire panel. Court admonished Defendant that this Court intends to set cut-offs for Defendant to have issues presented to Defendant's counsel and be prepared for trial next date. COURT ORDERED, matter set for status check on re-setting trial, Defendant's trial readiness and remand to CCDC and any other concerns Defendant requested to be addressed.

NDC

09/15/10 9:00 a.m. Status Check: Trial Re-Setting // Trial Readiness // Request by Defendant // Remand CCDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	September 15, 2010
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09C252804	The State of Nevada vs Lesean T Collins
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September 15, 2010	9:00 AM	Status Check	Status Check: Resetting Trial // Trial Readiness // Request(s) by Defendant // Date for Remand for Trial Preparation
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HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 14A

COURT CLERK: Alan Castle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Collins, Lesean T	Defendant
	Special Public Defender	Attorney

JOURNAL ENTRIES

- Josh Tomscheck, Deputy DA, present for State. Scott Bindrup, Deputy Special Public Defender present for Defendant. Ivette Maningo, Deputy Special Public Defender, present for Defendant. Deft's counsel met with Defendant last Friday and will meet again in two weeks. Further, counsel estimated the time requested will be sufficient to sure up Defendants requests for additional information. Court so noted. COURT ORDERED, trial dates RESET. Colloquy. State to prepare order to transport the Defendant for 5/16/11. COURT ORDERED, matter set for State Check on remand to CCDC for trial preparation. FURTHER, based on representations of counsel and Defendant's acknowledgement, COURT ORDERED, NO further continuances of trial or for delay by Defendant's request.

NDC

05/18/11 9:00 a.m. Status Check: Remand to CCDC for Trial

PRINT DATE: 11/25/2015

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Minutes Date: September 24, 2006

09C252804

07/06/11 9:00 a.m. Calendar Call

07/11/11 10:30 a.m. Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	January 03, 2011
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09C252804	The State of Nevada vs Lesean T Collins
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January 03, 2011 9:00 AM Status Check

HEARD BY: Mosley, Donald **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Linda Skinner

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Maningo, Ivette A.	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff
	Tomscheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. Maningo advised Defendant is in prison and was not transported. Colloquy as to new trial date. Court noted this is a Capital case and ORDERED, matter set for trial with priority. Ms. Maningo advised she will send Defendant a letter advising him of the trial date and put this back on calendar if there is a problem. Court so noted.

NDC

10/10/11 9:00 AM CALENDAR CALL (#1)

10/17/11 1:30 PM JURY TRIAL (#1)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 21, 2011**

09C252804

The State of Nevada vs Lesean T Collins

September 21, 2011 9:00 AM Request**HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Maningo, Ivette A.	Attorney
	Schwartzner, Michael J.	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Maningo advised Defendant is in prison, was not transported and requested his presence be waived. COURT SO ORDERED and noted this matter was discussed in chambers prior to calendar. Pursuant to that discussion, as Mr. Tomsheck has left the District Attorney's Office and Ms. Bluth was recently assigned the case, COURT ORDERED, trial date of 10/17/11 is VACATED and RESET to next year. Ms. Maningo advised she has spoken to Defendant and he has no objection to the resetting of the trial.

NDC

9/26/12 9:00 AM STATUS CHECK: DISCOVERY

10/29/12 9:00 AM CALENDAR CALL

11/5/12 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 26, 2012**

09C252804

The State of Nevada vs Lesean T Collins

September 26, 2012 9:00 AM Status Check**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Joseph, Lindsey D	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Bindrup stated he is ready for trial, will be conducting a file review with the Deputy District Attorney and there should be no other motions pending. Statement by the Deft. COURT ORDERED, Trial VACATED and RESET on a criminal stack. Upon Court's inquiry, counsel stated the trial will take more then one week if there is a penalty hearing.

NIC (COC-NDC)

11/19/12 9:30 AM CALENDAR CALL

11/26/12 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 19, 2012**

09C252804

The State of Nevada vs Lesean T Collins

November 19, 2012 9:30 AM Calendar Call**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Bindrup stated the deft. has indicated that he does not intend to go to trial with current counsel and said that he filed something to represent himself and requested the Court inquire if this has been done. Ms. Luzaich stated that she did not receive anything; further, the State is not ready to proceed as Ms. Bluth case is currently in the penalty phase of a trial and will not be done. Court stated it has not received any motion. COURT ORDERED, Trial VACATED and matter set for status check and during that time, would like a motion to be filed regarding representation and counsel is to bring their schedules so that a trial date can be set.

NIC (COC-NDC)

12/05/12 9:00 AM STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2012

09C252804

The State of Nevada vs Lesean T Collins

December 05, 2012 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant

JOURNAL ENTRIES

- Mr. Bindrup stated that he has spoken with Ms. Luzaich and Ms. Bluth and requested trial be set on the November stack; further, the previous Judge authorized the use of a jury questionnaire and requested matter be set for a status check to get it to the Court and to work out the last minute issues. COURT ORDERED, Trial date and status check date SET.

NIC (COC-NDC)

9/18/13 9:00 AM STATUS CHECK: JURY QUESTIONNAIRE/MOTIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 18, 2013**

09C252804

The State of Nevada vs Lesean T Collins

September 18, 2013 9:00 AM Status Check**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Statements by counsel. COURT ORDERED, matter CONTINUED and counsel is to prepare and provide it to the Court for review.

NIC (COC-NDC)

10/02/13 9:00 AM STATUS CHECK: JURY QUESTIONNAIRE

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 02, 2013**

09C252804

The State of Nevada vs Lesean T Collins

October 02, 2013**9:00 AM****Status Check****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Bindrup, Scott L.

Collins, Lesean T

Luzaich, Elissa

Special Public Defender

State of Nevada

Attorney

Defendant

Attorney

Attorney

Plaintiff

JOURNAL ENTRIES

- Mr. Bindrup stated that parties have agreed upon a questionnaire that has been previously approved and requested that it be provided no more than two weeks before the start of trial, COURT SO ORDERED.

NIC (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

09C252804

The State of Nevada vs Lesean T Collins

November 04, 2013 9:00 AM Motion to Continue Trial**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bindrup, Scott L.	Attorney
	Collins, Lesean T	Defendant
	Luzach, Elissa	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Bindrup advised the Court that the State has no opposition to the motion and now that a second attorney has been to this case, the deft. will withdraw his motion to dismiss counsel. Upon Court's inquiry, Deft. stated that he does not want to withdraw his motion to dismiss counsel. COURT ORDERED, Motion GRANTED; Trial dates VACATED and RESET; FURTHER ORDERED, Deft's Motion to Withdraw Counsel will remain on calendar.

NIC (COC-NDC)

8/25/14 9:30 AM CALENDAR CALL

9/02/14 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 13, 2013

09C252804

The State of Nevada vs Lesean T Collins

November 13, 2013 9:00 AM

Motion to Dismiss

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown
Katrina Hernandez

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Bindrup, Scott L.
Collins, Lesean T
Luzaich, Elissa
Pike, Randall H.
State of Nevada

Attorney
Defendant
Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- Statements by Defendant. Arguments by Ms. Luzaich in opposition of Defendant's Motion.
COURT STATED ITS FINDINGS and ORDERED, Motion DENIED.

NIC (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2014

09C252804

The State of Nevada vs Lesean T Collins

June 26, 2014

1:45 PM

Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, matter SET for a status check regarding trial readiness as well as the jury questionnaire. Court DIRECTED the State to prepare a transport order.

CUSTODY (COC-NDC)

7/09/14 9:00 AM STATUS CHECK: TRIAL READINESS/JURY QUESTIONNAIRE

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) as well as emailed to: Jacqueline Bluth, Esq., Deputy District Attorney, David Schieck, Deputy Public Defender and Michael Hyte, Deputy Public Defender.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 09, 2014**

09C252804

The State of Nevada vs Lesean T Collins

July 09, 2014**9:00 AM****Status Check****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Dana J. Tavaglione**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Counsel stated that they plan to be ready for trial on the current date set. Mr. Schieck stated that he is working on a couple of motion that may or may not affect the trial date; one is to preclude the admission of some bad acts and the other is to disqualify the District Attorney's office as they have no employed someone who used to work with the Public Defender's office and was trial counsel in the deft's other case. Ms. Luzaich stated that she will respond when the motions are filed. Upon Court's inquiry, counsel stated that they believe the trial will take two weeks. Court stated that it will deal with the motions when they are filed and ORDERED, Trial date STANDS.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 28, 2014**

09C252804

The State of Nevada vs Lesean T Collins

July 28, 2014**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Schieck, David Michael

Attorney

Special Public Defender

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- DEFT'S MOTION TO DISQUALIFY THE CLARK COUNTY DISTRICT ATTORNEY'S OFFICE...DEFT'S MOTION TO EXCLUDE OTHER EVIDENCE OF ARSON CHARGES AND ANY ALLEGATIONS RELATED THERETO AS BAD ACT EVIDENCE OR IRRELEVANT PRIOR CRIMINAL ACTIVITY

Ms. Luzaich requested additional time to respond to one of the motions. COURT ORDERED, Motions CONTINUED. Court directed the State to file a response by August 4, 2014 and the defense is to file a reply by August 12, 2014.

CUSTODY (COC-NDC)

CONTINUED TO: 8/13/14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor **COURT MINUTES** **August 13, 2014**

09C252804 The State of Nevada vs Lesean T Collins

August 13, 2014 **9:00 AM** **All Pending Motions**

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Bluth, Jacqueline	Attorney
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISQUALIFY THE CLARK COUNTY DISTRICT ATTORNEY'S OFFICE.....DEFENDANT'S MOTION TO EXCLUDE OTHER EVIDENCE OF ARSON CHARGES AND ANY ALLEGATIONS RELATED THERETO AS BAD ACT EVIDENCE OR IRRELEVANT PRIOR CRIMINAL ACTIVITY

Counsel advised the Court that Defendant was not transported from the Nevada Department of Corrections' High Desert facility. COURT SO NOTED, and ORDERED, matter is CONTINUED for Defendant's presence.

CUSTODY (COC-NDC)

Continued to: 8/18/2014 9:00 am

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2014

09C252804

The State of Nevada vs Lesean T Collins

August 18, 2014

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Leah Armendariz

PARTIES**PRESENT:**

Bluth, Jacqueline	Attorney
Collins, Lesean T	Defendant
Hyte, Michael W.	Attorney
Luzaich, Elissa	Attorney
Schieck, David Michael	Attorney
Special Public Defender	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S MOTION TO DISQUALIFY THE CLARK COUNTY DISTRICT ATTORNEY'S OFFICE: Mr. Hyte requested an evidentiary hearing be set. Arguments by counsel. Court stated its findings and ORDERED, Motion DENIED.

DEFT'S MOTION TO EXCLUDE OTHER EVIDENCE OF ARSON CHARGES AND ANY ALLEGATIONS RELATED THERETO AS BAD ACT EVIDENCE OR IRRELEVANT PRIOR CRIMINAL ACTIVITY: Arguments by counsel. Court stated there needs to be a hearing and will not require the State to file another motion and will proceed with the countermotion filed by the State. COURT ORDERED, matter set for an Evidentiary Hearing. State to prepare a transport order.

CUSTODY (COC-NDC)

8/20/14 1:30 PM EVIDENTIARY HEARING: DEFT'S MOTION TO EXCLUDE OTHER EVIDENCE OF ARSON CHARGES AND ANY ALLEGATIONS RELATED THERETO AS

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BAD ACT EVIDENCE OR IRRELEVANT PRIOR CRIMINAL ACTIVITY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 20, 2014**

09C252804

The State of Nevada vs Lesean T Collins

August 20, 2014**1:30 PM****Evidentiary Hearing****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Testimony and exhibits presented. (See worksheets). Arguments by counsel. Court stated its findings and ORDERED, State's Motion to Admit Evidence of the Arson Charges is GRANTED with a Tavares instruction to be given; FURTHER, Deft's Motion is DENIED.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 25, 2014**

09C252804

The State of Nevada vs Lesean T Collins

August 25, 2014**9:30 AM****Calendar Call****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Schieck, David Michael	Attorney
	Special Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Bluth stated that she is ready to proceed to trial which will take about 2 weeks. Mr. Schieck advised the Court that if the trial takes longer than two weeks, he will not be available during the third week; further, he is working on a writ to the Supreme Court and requested this matter be stayed to file the Writ with the Supreme Court. Colloquy. Court advised counsel that it does not grant the stay at this level and allows the Supreme Court to make that determination, therefore, ORDERED, Deft's Oral Request for a Stay is DENIED. Order Denying the Stay SIGNED IN OPEN COURT. Mr. Schieck advised the Court that the deft. indicated that it is his intention to file a motion to dismiss counsel and wants to represent himself. Statement by the deft. Argument by Ms. Bluth. Court stated that it does not have the motion before it today and will not entertain an oral motion; further, counsel is perfectly capable of proceeding with the case and will not change counsel at this point. COURT ORDERED, Trial date STANDS and will set a status check.

CUSTODY (COC-NDC)

8/27/14 9:00 AM STATUS CHECK

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09C252804

9/02/14 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 27, 2014

09C252804

The State of Nevada vs Lesean T Collins

August 27, 2014

9:00 AM

Status Check

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Phyllis Irby

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Bluth, Jacqueline

Attorney

Collins, Lesean T

Defendant

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Schieck, David Michael

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- The Court noted the Writ has been filed and final affidavit has been filed, the Supreme Court will make its determination. Ms. Bluth advised the parties had to grant/deny the Stay by Friday. Mr. Schieck informed the Court Deft has filed a Motion to Withdraw Counsel in addition, Mr. Schieck advised Deft has informed him he is rejecting civilian clothing and requested to wear his prison clothing during trial. COURT ORDERED, TRIAL DATE STANDS.

CUSTODY (COC-NDC)

9-02-14 10:30 AM JURY TRIAL (DEPT. XXV)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	November 05, 2014
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09C252804	The State of Nevada vs Lesean T Collins
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November 05, 2014 8:30 AM Minute Order

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- As the Supreme Court has denied Deft's Petition for Writ of Mandamus, COURT ORDERED, matter set for a status check to reset the trial dates.

CUSTODY

11/17/14 9:00 AM STATUS CHECK: RESET TRIAL DATE

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: David Schieck, Esq., and Michael Hyte, Esq., (Special Public Defender) and Jacqueline Bluth, Esq. and Lisa Luzaich, Esq., (District Attorney's Office).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 17, 2014**

09C252804

The State of Nevada vs Lesean T Collins

November 17, 2014 9:00 AM**Status Check: Reset Trial
Date****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Schieck advised the Court that a petition for re-hearing was filed on Friday and has no opposition to set a trial date just in case the Supreme Court denies the motion. Court noted that the deft. had previously filed to motions to withdraw counsel. Mr. Schieck stated that the has seen the deft. numerous times since those pro per motions were filed and does not believe it s still an issue. Colloquy. COURT ORDERED, matter set for trial and a status check regarding the jury questionnaire s. Court stated that if the deft. still wants to pursue those motion, they will need to be refiled by the deft.

CUSTODY (COC-NDC)

1/26/15 9:00 AM STATUS CHECK: JURY QUESTIONNAIRE

7/20/15 9:30 AM CALENDAR CALL

7/27/15 10:30 AM JURY TRIAL

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 26, 2015**

09C252804

The State of Nevada vs Lesean T Collins

January 26, 2015**9:00 AM****Status Check****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Collins, Lesean T

Defendant

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Special Public Defender

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Mr. Hyte advised the Court that they elected to not file for a new hearing, en banc, and the case is moving forward. Ms. Luzaich stated the jury questionnaires are already done as they can use the same one as before. COURT ORDERED, matter OFF CALENDAR.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 20, 2015**

09C252804

The State of Nevada vs Lesean T Collins

July 20, 2015**9:30 AM****Calendar Call****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Collins, Lesean T

Defendant

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Schieck, David Michael

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Order Releasing Evidence FILED and SIGNED IN OPEN COURT.

Parties announced ready for trial. Mr. Hyte advised the Court that a list of agreed upon jurors to be excused was electronically mailed; further, the defense has no opposition to the State's Motion to Limit the Testimony of the Defense's Expert filed on Friday, July 17, 2015. COURT SO NOTED, and ORDERED, State to prepare the order vacating that matter.

Order for Transport of Defendant SIGNED IN OPEN COURT. Conference at the Bench.

Mr. Schieck advised the Court that the defense has an out-of-state witness concerning cellular telephones, who is anticipated to testify on the second week of trial, and the parties have agreed to call him out of order, after the State presents its cellular telephone testimony; further, the defense has no notes how the testimony from the arson trial is correct, therefore, another Petrocelli Hearing may be necessary. Mr. Schieck argued that if the testimony was incorrect, the State should have advised

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Minutes Date: September 24, 2006

the defense at that time.

Opposition by Ms. Bluth, arguing that it was Mr. Schieck who figured out the representations made at the Petrocelli Hearing were incorrect, however, it is not relevant to the decisions rendered by this Court; additionally, there were 3 independent fires set, despite the witness mistakenly saying there were 4 fires during the hearing. COURT NOTED, a review of the transcript will be conducted, and the matter will be addressed on Monday outside the presence of the jury.

Mr. Schieck advised the Court that Defendant does not wish to be present for trial, and has requested to be removed. Officers escorted Defendant out of the courtroom. COURT NOTED, it is Defendant's rights, however, this Court has not had an opportunity to canvass him. COURT FURTHER NOTED, defense counsel should have an opportunity to speak with their client prior to the start of trial and have him be present at the time of voir dire; if not, this Court may do an order to compel him to be present for canvass. Mr. Schieck advised the defense is endeavoring to confer with Defendant at the prison this week, and requested a copy of the jury instruction be provided, so he may inform his client of what will be read daily to the jury in case Defendant decides he still does not want to be present for trial. COURT SO NOTED, and ORDERED, that instruction will be forwarded to counsel, matter SET for jury trial. COURT FURTHER ORDERED, counsel to appear at 1:15 pm on Monday, July 27, 2015; jury to be present at 1:30 pm to commence jury selection.

CUSTODY (COC-NDC)

7/27/2015 1:15 pm Jury Trial - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2015

09C252804

The State of Nevada vs Lesean T Collins

July 27, 2015

1:15 PM

Jury Trial

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Bluth, Jacqueline

Collins, Lesean T

Hyte, Michael W.

Luzaich, Elissa

Schieck, David Michael

State of Nevada

Attorney

Defendant

Attorney

Attorney

Attorney

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Defendant advised the Court he does not wish to wear the clothing provided to him by his counsel, and prefers wearing the Clark County Detention Center (CCDC) inmate uniform with the chains exposed. Opposition by the State, arguing that is incredibly prejudicial. Mr. Schieck advised the Court that Defendant indicated he feels more comfortable wearing the jail clothing. Upon the Court's inquiry, Defendant concurred. Following a colloquy as to jury selection, parties stipulated to having 3 alternates instead of 2. COURT SO ORDERED.

Matter trailed for the CCDC supervisor to speak with Defendant. Matter recalled. Sergeant Trotter present and informed the Court that Defendant is still refusing to change clothes. Arguments by counsel. COURT ORDERED, Defendant returned to CCDC for the remainder of the day, NOTING he is attempting to manipulate the process. COURT FURTHER ORDERED, Defendant will be given additional choices and if he refuses, this Court will compel him to comply BY ANY MEANS NECESSARY.

Mr. Schieck advised the Court that Defendant has requested to return to High Desert for the duration of trial. COURT FURTHER ORDERED, Defendant's request DENIED; he will remain at

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09C252804

CCDC in the interim.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Voir dire commenced. COURT ORDERED, matter CONTINUED to Tuesday, July 28, 2015 at 1:15 pm for counsel, 1:30 pm for the jury. Jury admonished.

CUSTODY (COC-NDC)

7/28/2015 1:15 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 28, 2015**

09C252804

The State of Nevada vs Lesean T Collins

July 28, 2015**1:15 PM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Bluth, Jacqueline

Collins, Lesean T

Hyte, Michael W.

Luzaich, Elissa

Schieck, David Michael

State of Nevada

Attorney

Defendant

Attorney

Attorney

Attorney

Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:**

Mr. Schieck advised the Court that Defendant has requested again to wear the Clark County Detention Center (CCDC) clothing with the chains exposed. Upon the Court's inquiry, Defendant advised he feels comfortable wearing jail attire. COURT ORDERED, counsel to report to Chambers.

MATTER RECALLED. Mr. Schieck advised the Court that civilian clothes were provided to Defendant. Defendant stated he will not wear them, and became non-responsive. COURT NOTED, attempts were made to protect Defendant from any prejudice, however, he still refuses to wear civilian clothes; therefore, COURT ORDERED, Defendant's voluntary waiver ACCEPTED. FURTHER ORDERED, should Defendant change his mind, he will be allowed to wear the clothing provided by his counsel.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Voir dire resumed. COURT ORDERED, matter CONTINUED; jury to return at 1:30 pm, counsel to return at 1:15 pm. Jury admonished.

09C252804

CUSTODY (COC-NDC)

7/29/2015 1:15 pm Jury Trial

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 29, 2015**

09C252804

The State of Nevada vs Lesean T Collins

July 29, 2015**1:15 PM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Collins, Lesean T

Defendant

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Schieck, David Michael

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:**

Court NOTED, Defendant has elected to wear the civilian clothing provided by his counsel.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Voir dire resumed.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Arguments by counsel as to challenges for cause. Mr. Schieck advised the Court that Defendant is experiencing pain in his left eye, and did not receive any medication today; however, he has opted to remain in the courtroom for the duration of today's proceedings. COURT SO NOTED.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

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Voir dire resumed. COURT ORDERED, matter CONTINUED to Monday, August 3, 2015 at 1:15 pm for counsel, 1:30 for the jury. Jury admonished.

CUSTODY (COC-NDC)

8/3/2015 1:15 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 03, 2015**

09C252804

The State of Nevada vs Lesean T Collins

August 03, 2015**1:15 PM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE JURY:**

Following a conference at the Bench, COURT ADMONISHED observers present to be respectful and non-disruptive during trial proceedings. State advised Exhibits 15 and 32 are voluntarily removed. COURT SO NOTED.

Arguments by counsel regarding the Defendant and selling drugs coming into evidence. COURT ORDERED, that information will be admissible to use during opening statements, to the extent counsel wishes to make them, as that information is relevant to the Defendant's defense, there is no res gestae issue; and it address the circumstances as to what the victim was doing that day, further, it not outweighed by the danger of unfair prejudice. COURT FURTHER ORDERED, a Tavares instruction will be read and provided to the jurors.

INSIDE THE PRESENCE OF THE JURY:

Panel sworn. Opening statements by the State.

OUTSIDE THE PRESENCE OF THE JURY:

Court NOTED, Defendant's refusal to be present for the remainder of today's proceedings, citing medication needs. COURT FURTHER NOTED, the departmental Judicial Executive Assistant (JEA) contacted the Clark County Detention Center (CCDC) and was informed Defendant is to receive an Ibuprofen twice a day, not three times a day, as he indicated; additionally, Defendant has received one dose at 7:00 am this morning. Mr. Schieck stated he will be filing the necessary paperwork to CCDC regarding Defendant's medication. COURT SO NOTED.

INSIDE THE PRESENCE OF THE JURY:

Court advised the jury of Defendant's absence. Opening statements by the defense. Exclusionary rule invoked. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED; counsel to return at 1:15 pm, jury to return at 1:30 pm. Jury admonished.

CUSTODY (COC-NDC)

8/4/2015 1:15 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 04, 2015**

09C252804

The State of Nevada vs Lesean T Collins

August 04, 2015**1:15 PM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Hyte, Michael W.

Attorney

Luzaich, Elissa

Attorney

Schieck, David Michael

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE JURY:**

Defendant not present. Officer Razo from the Clark County Detention Center (CCDC) advised the Court that he spoke directly with Defendant this morning and he refused to come to court until he receives his medication. COURT NOTED, Chambers confirmed with CCDC's medical staff that Defendant is to receive 2 Ibuprofen a day, additionally, Defendant was complaining last week about being in pain, the Court gave him an option to return to the jail; however, he elected to remain present in the courtroom.

Mr. Schieck advised the Court that Defendant told Mr. Hyte this morning that he wishes to return to the High Desert Nevada Department of Corrections (NDC) facility. State objected. COURT ORDERED, Defendant shall remain at CCDC for the duration of trial.

INSIDE THE PRESENCE OF THE JURY:

Court INSTRUCTED the jury to not take into account Defendant's absence. Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Court NOTED, Juror #13 was sleeping during testimony of the last witness; and ORDERED, said Juror brought in to be questioned outside the presence of his peers. Following the hearing with Juror #13, COURT ADMONISHED and EXCUSED him, out of an abundance of caution.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED. Jury admonished.

CUSTODY (COC-NDC)

8/5/2015 1:00 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 05, 2015

09C252804

The State of Nevada vs Lesean T Collins

August 05, 2015

1:00 PM

Jury Trial

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

Bluth, Jacqueline
Collins, Lesean T
Hyte, Michael W.
Luzaich, Elissa
Schieck, David Michael
State of Nevada

Attorney
Defendant
Attorney
Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Following arguments regarding State's exhibits 111-119, COURT ORDERED, the photographs will be admitted.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Statements by counsel regarding conferences at the Bench, and the objections raised during testimony.

INSIDE THE PRESENCE OF THE JURY:

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Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED.
Jury admonished.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Schieck orally moved and argued for a mistrial. Opposition by the State. COURT ORDERED, Defendant's oral motion DENIED, noting there is no prejudice that would prevent Defendant from having a fair trial.

CUSTODY (COC-NDC)

8/10/2015 1:30 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 10, 2015**

09C252804

The State of Nevada vs Lesean T Collins

August 10, 2015**1:30 PM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE JURY:**

Colloquy between the Court and counsel regarding drafted jury instructions.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED;
jury to return at 1:30 pm, counsel to return at 1:15 pm. Jury admonished.

OUTSIDE THE PRESENCE OF THE JURY:

Court advised Defendant of his right not to testify.

CUSTODY (COC-NDC)

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8/11/2015

1:15 pm

Jury Trial

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 11, 2015

09C252804

The State of Nevada vs Lesean T Collins

August 11, 2015

1:15 PM

Jury Trial

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Bluth, Jacqueline	Attorney
	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

"Stipulation and Order to Waive Penalty Hearing" FILED IN OPEN COURT. Upon the Court's inquiry, Defendant advised he does not wish to testify. COURT SO NOTED. Instructions settled.

INSIDE THE PRESENCE OF THE JURY:

State and defense rested. Closing arguments by counsel. At the hour of 5:20 pm, the jury requested to return on Wednesday, August 12, 2015 at 11:00 am to continue deliberations. COURT SO ORDERED.

CUSTODY (COC-NDC)

8/12/2015 11:00 am Jury Trial

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 12, 2015**

09C252804

The State of Nevada vs Lesean T Collins

August 12, 2015**11:00 AM****Jury Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES**- OUTSIDE THE PRESENCE OF THE JURY:**

Court NOTED, Defendant elected to not be present for the verdict.

INSIDE THE PRESENCE OF THE JURY:

At the hour of 1:31 p.m., the jury returned with its verdicts as follows:

- Count 1: Murder - GUILTY

- Count 2: Robbery - GUILTY

Jury thanked and excused.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Schieck advised the Court that Defendant has requested to remain at the Clark County Detention Center (CCDC) one additional week to discuss the Presentence Investigation (PSI) report and possible appeal before returning to High Desert. State noted no opposition.

COURT NOTED, counsel may submit an order, however, this Court cannot guarantee CCDC will

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be able to accommodate the defense's request.

COURT ORDERED, matter SET for sentencing.

CUSTODY (COC-NDC)

9/30/2015 9:00 am Sentencing

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 25, 2015

09C252804

The State of Nevada vs Lesean T Collins

August 25, 2015

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: April Watkins

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

JOURNAL ENTRIES

- SHOW CAUSE HEARING - BANDI COLLINGS, GISELLA GARCIA, CALEB LEWIS, DANIEL MIDDLEBROOKS, THAD SHIRLEY, MARISSA DEVERA, ROGER MOLETT

Gissella Garcia, Daniel Middlebrooks, Thad Shirley, Marissa Devera and Roger Molett, present.

Court noted order to show cause was issued for potential jurors who failed to appear at time of jury selection and none of the above listed potential jurors were excused by the Court.

Upon Court's inquiry, Ms. Garcia advised she was out of state at the time and also advised she suffers from anxiety and depression. Further, Ms. Garcia advised she contacted jury services, advised them she was out of town, jury services advised the supervisor would be told and if not called back, not to worry. Colloquy. Additional statements by Ms. Garcia.

Upon Court's inquiry, Mr. Middlebrooks advised he does not have a legitimate reason, lost track of day and had every intention of going to jury duty. Further, Mr. Middlebrooks advised he lost the number to jury services, came into the court, spoke to someone in jury services and he was advised he would be receiving additional information. Colloquy.

Upon Court's inquiry, Mr. Shirley advised he works in a four person office, one employee was on vacation, another employee called in sick, called jury services and was advised he would be receiving

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additional information. Colloquy.

Upon Court's inquiry, Ms. Devera advised she forgot and also advised she has a young son who suffers from cerebral palsy. Further, Ms. Devera advised her son was set for surgery next day after date for jury service. Additionally, Ms. Devera stated she contacted the court, advised supervisor would be contacted, received no call back and then the Sheriff came to her house.

Upon Court's inquiry, Mr. Molett advised he was here for a total of three days, suffers from severe back disability, sat in a folding chair and from sitting in folding chair, received muscle and back spasms. That night, Mr. Molett advised he was in a lot of pain, took medication for it, slept right through and believes no alarm was needed due to having to be back here at 1:00 p.m. the next day.

Court FINDS potential jurors in CONTEMPT OF COURT for failure to appear. Further, it appears everyone had a reason to justify not coming to court or had something happen that was not in their control. The Court is not inclined to impose monetary fine, ORDERED, potential jurors REFERRED BACK to JURY SERVICES and will be placed back in the queue for jury service.

CLERK'S NOTE: After court, Court noted order to show cause orders not served on Bandi Collins and Caleb Lewis prior to today's hearing. COURT ORDERED, new order to show causes orders to be issued, service to be re-attempted and matter CONTINUED as to Bandi Collins and Caleb Lewis.

CONTINUED TO: 9/22/15 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 22, 2015

09C252804

The State of Nevada vs Lesean T Collins

September 22, 2015 9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- SHOW CAUSE HEARING - BANDI COLLINS.....SHOW CAUSE HEARING: CALEB LEWIS

Bandi Collins and Caleb Lewis not present.

Court NOTED, Bandi Collins and Caleb Lewis are in contempt of NRS 6.040; and ORDERED, Bandi Collins and Caleb Lewis REASSIGNED to Jury Services and must report as assigned. COURT FURTHER ORDERED, no financial penalty will be assessed at this time.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 30, 2015**

09C252804

The State of Nevada vs Lesean T Collins

September 30, 2015 9:00 AM Sentencing**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Collins, Lesean T	Defendant
	Hyte, Michael W.	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court NOTED, counsel needs a continuance, due to the Presentence Investigation (PSI) report not being prepared. Mr. Schieck advised he contacted Parole & Probation (P&P), and was informed the division did not have the file. Opposition by Ms. Luzaich, stating she sent Defendant's file to P&P immediately after the close of trial. Ms. Luzaich advised the Court and Mr. Schieck that she will be filing a sentencing memorandum within 30 days, and will send a courtesy copy to defense counsel and the Court.

COURT SO NOTED, and ORDERED, matter CONTINUED forty-five (45) days.

CUSTODY (COC-NDC)

Continued to: 11/9/2015 9:00 am

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 09, 2015**

09C252804

The State of Nevada vs Lesean T Collins

November 09, 2015 9:00 AM**Sentencing****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Collins, Lesean T

Defendant

Hyte, Michael W.

Attorney

Schieck, David Michael

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED for Judge Delaney's presence. COURT FURTHER ORDERED, parties shall proceed with the existing Transport Order; Defendant will not be remanded into the custody of the Clark County Detention Center (CCDC), and shall be returned to the Nevada Department of Corrections (NDC) pending the next date.

CUSTODY (COC)

Continued to: 11/18/2015

9:00 am

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 18, 2015**

09C252804

The State of Nevada vs Lesean T Collins

November 18, 2015 9:00 AM Sentencing**HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Bluth, Jacqueline	Attorney
	Luzaich, Elissa	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- COURT NOTED Defendant refused transport from the Clark County Detention Center (CCDC) for today's sentencing. Ms. Luzaich advised that the State wishes to have Defendant present; however, noted that he can be sentenced in absentia, as that decision is left to the Court's discretion. COURT ORDERED, parties will proceed with sentencing today. Arguments by counsel. Victim Speakers Gloria Sheri Payton and Tammie Payton sworn and testified.

DEFT. COLLINS ADJUDGED GUILTY of COUNT 1: MURDER (F) and COUNT 2: ROBBERY (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED as to COUNT 1 to LIFE WITHOUT THE POSSIBILITY OF PAROLE, CONSECUTIVE to Case Number C253455; and as to COUNT 2 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC); Count 2 CONCURRENT with Count 1; ZERO (0) DAYS credit for time served.

COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted. BOND, if any, EXONERATED.