

|  |  |  |                                     |                    |
|--|--|--|-------------------------------------|--------------------|
| Name: (last) <u>Stewart</u> (first) <u>Tommy</u> (middle initial) <u>L</u> |  |  | Floor <u>3</u>                      | Date <u>5-5-16</u> |
| ID Number <u>2731067</u>   |  |  | Housing Unit <u>K</u>               | Bed <u>64</u>      |
| <input type="checkbox"/> REQUEST <input type="checkbox"/> GRIEVANCE        |  |  | Prop Number <u>Case 15-305984-1</u> |                    |

grievances must be submitted within 72 hours of incident.)

PP In the Eighth Judicial District Court  
DA State of Nevada in And for the County of Clark  
Aor J. Marchese

State of Nevada  
Plaintiff,  
Vs,  
Tommy L. Stewart  
Defendant,

CASE No: 15-305984-1  
Dept No: 21

**FILED**  
MAR 28 2016

Notice of Appeal

Notice is hereby given that Tommy Stewart, defedant, above named, hereby appeals to the Supreme Court of Nevada (From the Final judgment) (From the order (describing it) entered in this action on the 17 day of March 2016, Sentenced on the May day of 5 2016

Respectfully Submitted  
Tommy L. Stewart

Attorney of Record  
Jess A. Marchese  
601. S. Las Vegas Blvd.  
Las Vegas, NV. 89101

X Tommy Stewart 5-5-16  
Inmate's Signature Date Staff Person Receiving Date/Time

Issue has been resolved as follows: \_\_\_\_\_

C-15-305984-1  
NOASC  
Notice of Appeal (criminal)  
4534988

RECEIVED  
MAR 28 2016  
CLERK OF THE COURT

Signature of employee who resolved the Request/Grievance Problem Date/Time

ORIGINAL-INMATE FILE YELLOW-RETURNED TO INMATE WITH RESPONSE PINK-INMATE KEEPS

Tommy L. Stewart

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

pg 2 of 2

330 S. Casino Center Blvd.

# INMATE REQUEST/GRIEVANCE

Las Vegas, NV. 89101

|  |  |  |  |                    |
|--|--|--|--|--------------------|
| Name: (last) <u>STEWART</u> (first) <u>TOMMY</u> (middle initial) <u>L</u> |  |  | Floor <u>3</u>                         | Date <u>5-5-16</u> |
|  |  |  | Housing Unit <u>K</u>                  | Bed <u>64</u>      |
| ID Number <u>7731067</u>   |  |  | Prep Number <u>Case No 15-305984-1</u> |                    |

☐ REQUEST

☐ GRIEVANCE

(All grievances must be submitted within 72 hours of incident.)

## Certificate of Service

I Tommy L. Stewart, do solemnly swear that this Notice of Appeal to the Supreme Court of Nevada is in fact accurate and true to the best of my knowledge under the penalty of perjury so help me God, NRS 171.102 and NRS 208.165

Respectfully Submitted

Tommy L. Stewart

X Tommy Stewart

5-5-16

Inmate's Signature

Date

Staff Person Receiving

Date/Time

Issue has been resolved as follows:

Signature of employee who resolved the Request/Grievance Problem

Date/Time

ORIGINAL—INMATE FILE

YELLOW—RETURNED TO INMATE WITH RESPONSE

PINK—INMATE KEEPS

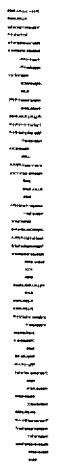
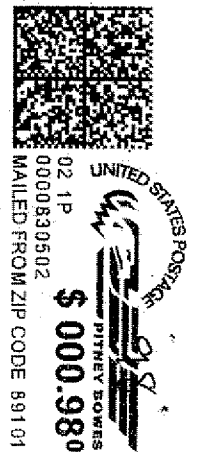
^ God bless All ^

(2)

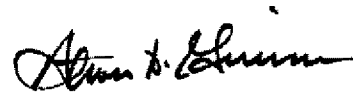
Tommy, L. Stewart # 2731067  
330 S. Casino Center Blvd.  
Las Vegas, NV. 89101

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

LEGAL



SENT FROM CCDC

  
CLERK OF THE COURT

ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

STATE OF NEVADA,

Plaintiff(s),

vs.

TOMMY STEWART aka TOMMY LAQUADE  
STEWART,

Defendant(s),

Case No: C-15-305984-1

Dept No: XXI

**CASE APPEAL STATEMENT**

1. Appellant(s): Tommy Stewart

2. Judge: Valerie Adair

3. Appellant(s): Tommy Stewart

Counsel:

Tommy Stewart #2731067  
330 S. Casino Center Blvd.  
Las Vegas, NV 89101

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney  
200 Lewis Ave.

Las Vegas, NV 89101  
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: April 17, 2015

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 30 day of March 2016.

Steven D. Grierson, Clerk of the Court



---

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Tommy Stewart

DEPARTMENT 21  
**CASE SUMMARY**  
**CASE NO. C-15-305984-1**

**State of Nevada**  
**vs**  
**Tommy Stewart**

|   |                          |                       |
|---|--------------------------|-----------------------|
| § | Location:                | <b>Department 21</b>  |
| § | Judicial Officer:        | <b>Adair, Valerie</b> |
| § | Filed on:                | <b>04/17/2015</b>     |
| § | Case Number History:     |                       |
| § | Cross-Reference Case     | <b>C305984</b>        |
| § | Number:                  |                       |
| § | Defendant's Scope ID #:  | <b>2731067</b>        |
| § | ITAG Case ID:            | <b>1668281</b>        |
| § | Lower Court Case # Root: | <b>15F02411</b>       |
| § | Lower Court Case Number: | <b>15F02411X</b>      |

**CASE INFORMATION**

|  |            |             |                    |   |
|--|------------|-------------|--------------------|---|
| <b>Offense</b>   | <b>Deg</b> | <b>Date</b> | <b>Case Type:</b>  | <b>Felony/Gross Misdemeanor</b>               |
| 1. CONSPIRACY TO COMMIT ROBBERY                        | F          | 01/20/2015  |                    |   |
| Arrest: 02/14/2015                                     |            |             | <b>Case Flags:</b> | <b>Appealed to Supreme Court</b>              |
| 2. BURGLARY WHILE IN POSSESSION OF A FIREARM           | F          | 01/20/2015  |                    | <b>Custody Status - Remanded Without Bail</b> |
| 3. ROBBERY WITH USE OF A DEADLY WEAPON                 | F          | 01/20/2015  |                    | <b>Charge Description Updated</b>             |
| 4. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON | F          | 01/20/2015  |                    | <b>Bail Setting</b>                           |
|  |            |             |                    | <i>\$1,000,000 Cash or \$1,000,000 Surety</i> |
|  |            |             |                    | <b>In Custody - CCDC</b>                      |

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

|                  |                |
|------------------|----------------|
| Case Number      | C-15-305984-1  |
| Court            | Department 21  |
| Date Assigned    | 03/14/2016     |
| Judicial Officer | Adair, Valerie |






**PARTY INFORMATION**

|                  |                        |   |
|------------------|------------------------|---|
| <b>Defendant</b> | <b>Stewart, Tommy</b>  | <i>Lead Attorneys</i><br><b>Marchese, Jess R.</b><br><i>Retained</i><br>702-385-5377(W) |
| <b>Plaintiff</b> | <b>State of Nevada</b> | <b>Wolfson, Steven B</b><br>702-671-2700(W)   |

















**DATE**

**EVENTS & ORDERS OF THE COURT**

**INDEX**

|            |   |
|------------|---|
| 04/17/2015 |  Criminal Bindover<br><i>Criminal Bindover</i>   |
| 04/24/2015 |  Information<br><i>Information</i>   |
| 05/04/2015 |  <b>Initial Arraignment</b> (9:30 AM) (Judicial Officer: De La Garza, Melisa)              |
| 05/05/2015 |  Transcript of Proceedings<br><i>Reporter's Transcript of Preliminary Hearing 04/16/15</i> |
| 05/20/2015 |  Motion to Compel<br><i>Defendant's Motion to Compel Disclosure of Brady Material</i>      |

DEPARTMENT 21  
**CASE SUMMARY**  
**CASE NO. C-15-305984-1**



|            |   |
|------------|---|
| 05/22/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Expert Witnesses</i>  |
| 05/26/2015 |  Response<br><i>State's Response to Defendant's Motion to Compel Disclosure of Brady Material</i>  |
| 05/26/2015 |  Motion to Continue<br><i>Notice of Motion and Motion to Continue</i>  |
| 05/29/2015 |  Opposition<br><i>Opposition to State's Motion to Continue</i>   |
| 06/01/2015 |  <b>Motion to Compel</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Defendant's Motion to Compel Disclosure of Brady Material</i> |
| 06/03/2015 |  Notice<br><i>Notice of Intent to Seek Punishment as a Habitual Criminal</i>   |
| 06/03/2015 |  <b>Motion to Continue</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>State's Motion to Continue</i>                              |
| 06/05/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Witnesses</i>   |
| 06/08/2015 |  Petition for Writ of Habeas Corpus<br><i>Petition for Writ of Habeas Corpus ad Subjugation</i>   |
| 06/09/2015 |  Motion<br><i>Motion to Exclude Irrelevant and Prejudicial Evidence</i>  |
| 06/10/2015 |  Ex Parte<br><i>Ex Parte Motion and Order for Release of Evidence</i>  |
| 06/10/2015 |  <b>Calendar Call</b> (8:00 AM) (Judicial Officer: Becker, Nancy)  |
| 06/15/2015 | <b>CANCELED Jury Trial</b> (9:30 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Vacated</i>  |
| 06/17/2015 |  Order for Petition for Writ of Habeas Corpus  |
| 06/22/2015 |  <b>Motion</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Motion to Exclude Irrelevant and Prejudicial Evidence</i>             |
| 06/22/2015 |  <b>Minute Order</b> (9:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Order for Petition for Writ of Habeas Corpus</i>                |
| 06/25/2015 | <b>CANCELED Jury Trial</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Vacated</i>  |
| 07/29/2015 |  <b>Calendar Call</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)  |
| 08/03/2015 | <b>CANCELED Jury Trial</b> (9:30 AM) (Judicial Officer: Smith, Douglas E.)  |



DEPARTMENT 21  
**CASE SUMMARY**  
**CASE NO. C-15-305984-1**

|            |  |
|------------|--|
|            | <i>Vacated</i>   |
| 08/10/2015 | <b>CANCELED Petition for Writ of Habeas Corpus</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Vacated</i>   |
| 08/12/2015 |  <b>Status Check</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>STATUS CHECK: APPOINTMENT OF COUNSEL / RESET TRIAL</i>                               |
| 03/02/2016 |  <b>Calendar Call</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)   |
| 03/07/2016 |  Motion to Suppress<br><i>Motion to Suppress Defendant's Statement</i>  |
| 03/08/2016 |  Opposition<br><i>State's Opposition to Defendant's Motion to Suppress Defendant's Statement</i>  |
| 03/09/2016 |  <b>At Request of Court</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Motion to Suppress Defendant's Statement</i>                                  |
| 03/09/2016 |  Opposition to Motion<br><i>State's Opposition to Defendant's Motion to Suppress Defendant's Statement</i>  |
| 03/11/2016 |  <b>Overflow</b> (8:30 AM) (Judicial Officer: Barker, David)<br><i>OVERFLOW IN DC 18 (8): ALEXIS/JMARCHESE / 4 TRIAL DAYS / 5-8 WITNESSES, ONE OUT OF STATE</i> |
| 03/14/2016 | <b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Adair, Valerie)<br><i>Vacated - per Secretary</i>  |
| 03/14/2016 |  <b>Jury Trial</b> (9:00 AM) (Judicial Officer: Adair, Valerie)<br><b>03/14/2016-03/16/2016</b>   |
| 03/14/2016 | <b>CANCELED Jury Trial</b> (9:30 AM) (Judicial Officer: Smith, Douglas E.)<br><i>Vacated - per Judge</i>   |
| 03/14/2016 |  Jury List  |
| 03/16/2016 | <b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Adair, Valerie)<br><i>Vacated - per Secretary</i>   |
| 03/17/2016 |  <b>Jury Trial</b> (9:00 AM) (Judicial Officer: Adair, Valerie)   |
| 03/17/2016 |  Order<br><i>Order Denying Defendant's Motion to Suppress Defendant's Statement</i>   |
| 03/17/2016 |  Instructions to the Jury   |
| 03/17/2016 |  Verdict  |
| 03/17/2016 |  Amended Jury List  |
| 03/28/2016 | <b>CANCELED Motion to Suppress</b> (8:00 AM) (Judicial Officer: Smith, Douglas E.)   |

DEPARTMENT 21  
**CASE SUMMARY**  
**CASE NO. C-15-305984-1**

|            |   |  |
|------------|---|--|
|            | <i>Vacated - Duplicate Entry</i><br><i>Motion to Suppress Defendant's Statement</i>   |  |
| 03/28/2016 |  Notice of Appeal (criminal)                           |  |
| 03/30/2016 |  Case Appeal Statement<br><i>Case Appeal Statement</i> |  |
| 05/05/2016 | <b>Sentencing</b> (9:30 AM) (Judicial Officer: Adair, Valerie)  |  |

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 04, 2015**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**May 04, 2015      9:30 AM      Initial Arraignment**

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

**COURT CLERK:** Monique Alberto  
                         Anntoinette Naumec-Miller  
                         Robin Thomas  
                         Natalie Ortega

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

**PRESENT:**      Ross, Katrina      Attorney  
                         Stewart, Tommy      Defendant

**JOURNAL ENTRIES**

- Genevieve Craggs, Certified Law Student, present for the State of Nevada.

DEFT. STEWART 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

6/10/15 8:00 A.M. CALENDAR CALL (DEPT 8)

6/15/15 9:30 A.M. JURY TRIAL (DEPT 8)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 01, 2015**

C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

**June 01, 2015      8:00 AM      Motion to Compel**

**HEARD BY:**    Smith, Douglas E.

**COURTROOM:**    RJC Courtroom 11B

**COURT CLERK:**    Louisa Garcia

**RECORDER:**    Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                  |           |
|-----------------|------------------|-----------|
| <b>PRESENT:</b> | Jones, Tierra D. | Attorney  |
|                 | Ross, Katrina    | Attorney  |
|                 | State of Nevada  | Plaintiff |
|                 | Stewart, Tommy   | Defendant |

**JOURNAL ENTRIES**

- COURT ORDERED, Brady and statutory GRANTED. Ms. Ross stated there were two specific items she requested. Ms. Ross stated she received the photographs used during the interview on Friday. However, she was still waiting for the lift card of the fingerprint. State advised she would issue an administrative subpoena for the lift card. Ms. Ross stated she would meet with State to do a file review if there was anything outstanding. COURT SO NOTED.

**CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 03, 2015**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**June 03, 2015      8:00 AM      Motion to Continue**

**HEARD BY:** Smith, Douglas E.      **COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Louisa Garcia

**RECORDER:** Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Lexis, Agnes    | Attorney  |
|                 | Ross, Katrina   | Attorney  |
|                 | State of Nevada | Plaintiff |
|                 | Stewart, Tommy  | Defendant |

**JOURNAL ENTRIES**

- COURT ORDERED, Motion to Continue DENIED; trial date extended as Court's calendar was full between now and the 24th. Ms. Ross stated Defendant invoked his speedy trial rights and she was in the process of hiring an expert witness. If Defendant waived his speedy trial right she would be requesting a continuance. Upon Court's inquiry, Defendant stated he does not wish to waive his right to a speedy trial. COURT ORDERED, trial date VACATED and RESET; counsel to start picking a jury on the 25th.

**CUSTODY**

**6/25/15 8:00 AM JURY TRIAL**

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 10, 2015**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**June 10, 2015      8:00 AM      Calendar Call**

**HEARD BY:** Becker, Nancy      **COURTROOM:** RJC Courtroom 16D

**COURT CLERK:** Louisa Garcia

**RECORDER:** Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Lexis, Agnes    | Attorney  |
|                 | Ross, Katrina   | Attorney  |
|                 | State of Nevada | Plaintiff |
|                 | Stewart, Tommy  | Defendant |

**JOURNAL ENTRIES**

- Court noted this matter has a firm setting of June 25, 2015. Ms. Ross stated she was not ready to proceed; the State just filed a Notice of Habitual Criminal Treatment and she still had outstanding evidence. Ms. Ross further stated Defendant has not waived his right to a speedy trial. Ms. Lexis stated the Court informed Defendant that his lawyer was not ready to proceed to trial; the Court asked Defendant if he would waive his right to a speedy trial and he refused. Ms. Lexis stated as to the Motion in Limine she was not planning on introducing that evidence at this point; therefore, it was moot. State advised it was her understanding counsel has everything except the fingerprint lift card; it was subpoenaed and she will make it available as soon as possible. Court advised the Information was filed in April; clearly that would not be a speedy right violation. Court informed the Defendant a speedy trial does not mean he can go to trial in 60 days. It means he can go to trial in a reasonable amount of time based upon each case. Court advised there was no requirement Defendant be required to waive his speedy trial rights to continue the trial; the only issue was if the continuance was warranted. Based on representations, COURT ORDERED, trial date VACATED and RESET. Court advised the State if their officer was not available to place the matter back on calendar within the next week.

CUSTODY

7/29/15 8:00 AM CALENDAR CALL

8/3/15 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 22, 2015**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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|                      |                |               |  |
|----------------------|----------------|---------------|--|
| <b>June 22, 2015</b> | <b>8:00 AM</b> | <b>Motion</b> | <b>Defendant's Motion<br/>to Exclude Irrelevant<br/>and Prejudicial<br/>Evidence</b> |
|----------------------|----------------|---------------|--|

**HEARD BY:** Smith, Douglas E.

**COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Tena Jolley

**RECORDER:** Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Lexis, Agnes    | Attorney  |
|                 | Ross, Katrina   | Attorney  |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- Ms. Ross advised State indicated they are not opposing the motion and do not intend to illicit testimony regarding pawn shops and requested motion be granted. Ms. Lexis concurred. COURT ORDERED, Motion GRANTED.

CUSTODY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 22, 2015

C-15-305984-1

State of Nevada

vs

Tommy Stewart

June 22, 2015

9:00 AM

Minute Order

Order Re: June 17,  
2015 Order for  
Petition for Writ of  
Habeas Corpus

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:

**JOURNAL ENTRIES**

- Defendant in this case filed a Petition for Writ of Habeas Corpus. The Court signed an order that ordered the State to respond to Defendant s petition and set a hearing. However, after speaking to counsel for both parties, it is the Court s understanding that Defendant is currently represented by the Public Defender s Office and yet filed the petition himself without going through counsel. Therefore, the Court finds the petition was improperly filed and Defendant needs to file motions through his attorney. Defendant s counsel now has a copy of the petition and will decide how the defense will choose to proceed with the petition. COURT ORDERED, its June 17, 2015 order requiring the State to respond to Defendant s petition VACATED. Furthermore, COURT ORDERED, the August 10, 2015 hearing VACATED.

CLERK'S NOTE: The above minute order has been distributed to: Tierra Jones at [tierra.jones@clarkcountynv.gov](mailto:tierra.jones@clarkcountynv.gov); Katrina Ross at [katrina.ross@clarkcountynv.gov](mailto:katrina.ross@clarkcountynv.gov). /lg 6-22-15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 29, 2015**

C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

**July 29, 2015      8:00 AM      Calendar Call**

**HEARD BY:** Smith, Douglas E.      **COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Louisa Garcia

**RECORDER:** Patti Slattery

**REPORTER:**

**PARTIES**

|                 |                  |           |
|-----------------|------------------|-----------|
| <b>PRESENT:</b> | Jones, Tierra D. | Attorney  |
|                 | Ross, Katrina    | Attorney  |
|                 | State of Nevada  | Plaintiff |
|                 | Stewart, Tommy   | Defendant |

**JOURNAL ENTRIES**

- Following Conference at the Bench, COURT ORDERED, Public Defender WITHDRAWN due to a conflict of interest. State advised they would have been ready to go to trial. COURT ORDERED, trial date VACATED and matter SET for status check.

**CUSTODY**

8/12/15 8:00 AM STATUS CHECK: APPOINTMENT OF COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 12, 2015**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**August 12, 2015      8:00 AM      Status Check**

**HEARD BY:** Smith, Douglas E.      **COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Louisa Garcia

**RECORDER:** Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                   |           |
|-----------------|-------------------|-----------|
| <b>PRESENT:</b> | Marchese, Jess R. | Attorney  |
|                 | State of Nevada   | Plaintiff |
|                 | Stewart, Tommy    | Defendant |
|                 | Thomson, Megan    | Attorney  |

**JOURNAL ENTRIES**

- Mr. Marchese accepted appointment of counsel; Public Defender WITHDRAWN. Ms. Ross provided a copy of the file to Mr. Marchese. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

3/2/16 8:00 AM CALENDAR CALL

3/14/16 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 02, 2016**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**March 02, 2016      8:00 AM      Calendar Call**

**HEARD BY:**    Smith, Douglas E.

**COURTROOM:**    RJC Courtroom 11B

**COURT CLERK:**    Tena Jolley

**RECORDER:**    Jill Jacoby

**REPORTER:**

**PARTIES**

|                 |                   |           |
|-----------------|-------------------|-----------|
| <b>PRESENT:</b> | Lexis, Agnes      | Attorney  |
|                 | Marchese, Jess R. | Attorney  |
|                 | State of Nevada   | Plaintiff |
|                 | Stewart, Tommy    | Defendant |

**JOURNAL ENTRIES**

- The State announced ready for no more than four Trial days and five to eight witnesses (one out of state). Mr. Marchese agreed. COURT ORDERED, Trial date VACATED and matter REFERRED to OVERFLOW.

**CUSTODY**

3/11/16 8:30 AM OVERFLOW IN DC 18 (8) / 4 TRIAL DAYS / 5-8 WITNESSES, ONE OUT OF STATE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 09, 2016**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**March 09, 2016      8:00 AM      At Request of Court**

**HEARD BY:** Smith, Douglas E.      **COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Keri Cromer

**RECORDER:** Jill Jacoby

**REPORTER:**

**PARTIES**

**PRESENT:**      Jones, Tierra D.      Attorney  
                                 State of Nevada      Plaintiff  
                                 Stewart, Tommy      Defendant

**JOURNAL ENTRIES**

- State's Opposition to Defendant's Motion to Suppress Defendant's Statement FILED IN OPEN COURT

Ms. Jones advised Mr. Marchese was in Henderson. COURT ORDERED, Motion DENIED; Overflow date of 3/11/2016 STANDS. State to prepare findings of fact and conclusions of law consistent with their opposition.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 11, 2016**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**March 11, 2016      8:30 AM      Overflow**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Cynthia Georgilas

**REPORTER:**

**PARTIES**

|                 |                   |           |
|-----------------|-------------------|-----------|
| <b>PRESENT:</b> | Lexis, Agnes      | Attorney  |
|                 | Marchese, Jess R. | Attorney  |
|                 | State of Nevada   | Plaintiff |
|                 | Stewart, Tommy    | Defendant |

**JOURNAL ENTRIES**

- Court confirmed trial will take 4 days with 5 - 8 witnesses, one out of state. COURT ORDERED, matter SET for trial.

CUSTODY

3/14/16 9:00 AM JURY TRIAL - DC 21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

## COURT MINUTES

March 14, 2016

C-15-305984-1                      State of Nevada  
vs  
Tommy Stewart

March 14, 2016                      9:00 AM                      Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER:

REPORTER:

## PARTIES

|          |                   |           |
|----------|-------------------|-----------|
| PRESENT: | Jones, Tierra D.  | Attorney  |
|          | Lexis, Agnes      | Attorney  |
|          | Marchese, Jess R. | Attorney  |
|          | State of Nevada   | Plaintiff |
|          | Stewart, Tommy    | Defendant |

## JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Introductions by counsel. Roll of jurors called by the clerk. Jury selected and SWORN. Information read by the clerk. Opening statements by Ms. Tierra. Mr. Marchese WAIVED opening statements. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

## COURT MINUTES

March 15, 2016

C-15-305984-1                      State of Nevada  
vs  
Tommy Stewart

March 15, 2016      10:45 AM      Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Susan Schofield

REPORTER:

## PARTIES

|          |                   |           |
|----------|-------------------|-----------|
| PRESENT: | Jones, Tierra D.  | Attorney  |
|          | Lexis, Agnes      | Attorney  |
|          | Marchese, Jess R. | Attorney  |
|          | State of Nevada   | Plaintiff |
|          | Stewart, Tommy    | Defendant |

## JOURNAL ENTRIES

- Testimony and exhibits presented per worksheet. The Stated RESTED. OUTSIDE THE PRESENCE OF THE JURY. The Court admonished the defendant regarding his constitutional right to not be compelled to testify on his own behalf. Argument by Mr. Marchese regarding the weapon in the Corolla. Ms. Jones stated it goes to identification and is absolutely relevant. COURT FINDS, it ties the defendant in with the gun used in the crime. Jury instructions settled on the record. Evening recess. MATTER CONTINUED.



March 16, 2016

Minutes Date: May 04, 2015

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 17, 2016**

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C-15-305984-1      State of Nevada  
                                 vs  
                                 Tommy Stewart

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**March 17, 2016      9:00 AM      Jury Trial**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Denise Husted

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

|                 |                   |           |
|-----------------|-------------------|-----------|
| <b>PRESENT:</b> | Jones, Tierra D.  | Attorney  |
|                 | Lexis, Agnes      | Attorney  |
|                 | Marchese, Jess R. | Attorney  |
|                 | State of Nevada   | Plaintiff |
|                 | Stewart, Tommy    | Defendant |

**JOURNAL ENTRIES**

- At the hour of 12:10 PM the jury returned with the following verdict.

Count 1 - Guilty of Conspiracy to Commit Robbery;  
Count 2 - Guilty of Burglary;  
Count 3 - Guilty of Robbery;  
Count 4 - Guilty of First Degree Kidnapping.

COURT ORDERED, matter referred to the Division of Parole and Probation for a presentence investigation report and SET for SENTENCING. FURTHER, defendant REMANDED without bail.

CUSTODY

5/5/16 9:30 AM SENTENCING

|   | Date Offered | Objection | Date Admitted |
|---|--------------|-----------|---------------|
| 1. <del>Photo</del> - 911 Call<br>eD          | 3/14/16      | Stip      | 3/14/16       |
| 2. Photo - Bells Market                       | 3/15/16      | Stip      | 3/15/16       |
| 3. Photo - White vehicle                      | 3/15/16      | Stip      | 3/15/16       |
| 4. Photo - Nevada license 667-LPK             | 3/15/16      | Stip      | 3/15/16       |
| 5. Photo - White Corolla                      | 3/15/16      | Stip      | 3/15/16       |
| 6. Photo - White Corolla                      | 3/15/16      | Stip      | 3/15/16       |
| 7. Photo - VIN Number                         | 3/15/16      | Stip      | 3/15/16       |
| 8. Photo - Newport cig./marijuana/white purse | Withdrawn    |           |               |
| 9. Photo - White purse and contents           | Withdrawn    |           |               |
| 10. Photo - Purse and contents/weapon         | 3/15/16      | Obj       | 3/15/16       |
| 11. Photo - White purse                       | 3/15/16      | Obj       | 3/15/16       |
| 12. Photo - White purse                       | 3/15/16      | Obj       | 3/15/16       |
| 13. Photo - White purse                       | 3/15/16      | Obj       | 3/15/16       |
| 14. Photo - White purse/black garbage bag     | 3/15/16      | Obj       | 3/15/16       |
| 15. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 16. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 17. Photo - Weapon/Ruger P95DC                | 3/15/16      | Obj       | 3/15/16       |
| 18. Photo - Weapon/Ruger/316-20373            | 3/15/16      | Obj       | 3/15/16       |
| 19. Photo - Weapon/Ruger                      | 3/15/16      | Obj       | 3/15/16       |
| 20. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 21. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 22. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 23. Photo - Weapon/Ruger                      | 3/15/16      | Obj       | 3/15/16       |
| 24. Photo - Weapon and bullets                | 3/15/16      | Obj       | 3/15/16       |
| 25. Photo - Weapon                            | 3/15/16      | Obj       | 3/15/16       |
| 26. Photo - Gun handle                        | 3/15/16      | Obj       | 3/15/16       |

|   |         |      |         |
|---|---------|------|---------|
| 27. Photo – Weapon/Bullet and Cartridge           | 3/15/16 | Obj  | 3/15/16 |
| 28. Photo – Weapon/Bullet and Cartridge           | 3/15/16 | Obj  | 3/15/16 |
| 29. Photo – Patio                                 | 3/15/16 | Obj  | 3/15/16 |
| 30. Photo – Patio #101                            | 3/14/16 | Stip | 3/14/16 |
| 31. Photo – Post/101                              | 3/15/16 | Stip | 3/15/16 |
| 32. Photo – Patio gate                            | 3/15/16 | Stip | 3/15/16 |
| 33. Photo – Entry                                 | 3/15/16 | Stip | 3/15/16 |
| 34. Photo – Door jamb                             | 3/15/16 | Stip | 3/15/16 |
| 35. Photo – Door                                  | 3/15/16 | Stip | 3/15/16 |
| 36. Photo – Living Room                           | 3/15/16 | Stip | 3/15/16 |
| 37. Photo – Living Room                           | 3/14/16 | Stip | 3/14/16 |
| 38. Photo – Living Room                           | 3/15/16 | Stip | 3/15/16 |
| 39. Photo – Living Room                           | 3/14/16 | Stip | 3/14/16 |
| 40. Photo – Living Room                           | 3/15/16 | Stip | 3/15/16 |
| 41. Photo – Living Room                           | 3/15/16 | Stip | 3/15/16 |
| 42. Photo – Facing kitchen area                   | 3/14/16 | Stip | 3/14/16 |
| 43. Photo – Facing kitchen area                   | 3/15/16 | Stip | 3/15/16 |
| 44. Photo – Dresser                               | 3/15/16 | Stip | 3/15/16 |
| 45. Photo – Items on floor                        | 3/14/16 | Stip | 3/14/16 |
| 46. Photo – Items on floor                        | 3/14/16 | Stip | 3/14/16 |
| 47. Photo – Dining area/kitchen                   | 3/15/16 | Stip | 3/15/16 |
| 48. Photo – Dining area                           | 3/15/16 | Stip | 3/15/16 |
| 49. Photo – Kitchen                               | 3/15/16 | Stip | 3/15/16 |
| 50. Photo – Kitchen                               | 3/15/16 | Stip | 3/15/16 |
| 51. Photo – Kitchen                               | 3/15/16 | Stip | 3/15/16 |
| 52. Photo – Kitchen                               | 3/15/16 | Stip | 3/15/16 |
| 53. Photo – Living room looking into another room | 3/15/16 | Stip | 3/15/16 |

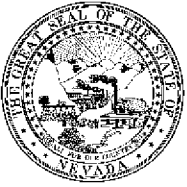
|                                   |         |      |         |
|-----------------------------------|---------|------|---------|
| 54. Photo – Beaded doorway        | 3/14/16 | Stip | 3/14/16 |
| 55. Photo – Washer and dryer      | 3/14/16 | Stip | 3/14/16 |
| 56. Photo – Washer and dryer      | 3/14/16 | Stip | 3/14/16 |
| 57. Photo – Step stool            | 3/15/16 | Stip | 3/15/16 |
| 58. Photo – Bedroom               | 3/15/16 | Stip | 3/15/16 |
| 59. Photo – Dresser               | 3/15/16 | Stip | 3/15/16 |
| 60. Photo – Bed                   | 3/15/16 | Stip | 3/15/16 |
| 61. Photo – Floor of bedroom      | 3/14/16 | Stip | 3/14/16 |
| 62. Photo – Bedroom               | 3/14/16 | Stip | 3/14/16 |
| 63. Photo- Bedroom                | 3/14/16 | Stip | 3/14/16 |
| 64. Photo – Closet                | 3/14/16 | Stip | 3/14/16 |
| 65. Photo – Bedroom               | 3/15/16 | Stip | 3/15/16 |
| 66. Photo – Closet                | 3/14/16 | Stip | 3/14/16 |
| 67. Photo – Closet                | 3/14/16 | Stip | 3/14/16 |
| 68. Photo – Bed                   | 3/15/16 | Stip | 3/15/16 |
| 69. Photo – Nightstand            | 3/15/16 | Stip | 3/15/16 |
| 70. Photo – Doorway               | 3/15/16 | Stip | 3/15/16 |
| 71. Photo – Looking into bathroom | 3/14/16 | Stip | 3/14/16 |
| 72. Photo – Mirror                | 3/15/16 | Stip | 3/15/16 |
| 73. Photo – Jewelry stand         | 3/14/16 | Stip | 3/14/16 |
| 74. Photo – Clothes rack/desk     | 3/14/16 | Stip | 3/14/16 |
| 75. Photo – Shoes on floor        | 3/15/16 | Stip | 3/15/16 |
| 76. Photo – Clothes rack/desk     | 3/15/16 | Stip | 3/15/16 |
| 77. Photo – Trunk                 | 3/15/16 | Stip | 3/15/16 |
| 78. Photo – Bathroom              | 3/15/16 | Stip | 3/15/16 |
| 79. Photo – Bathroom              | 3/15/16 | Stip | 3/15/16 |
| 80. Photo – Wood door             | 3/15/16 | Stip | 3/15/16 |

|  |         |      |         |
|--|---------|------|---------|
| 81. Photo – Wood door                    | 3/15/16 | Stip | 3/15/16 |
| 82. Photo – Wood door                    | 3/15/16 | Stip | 3/15/16 |
| 83. Photo – Wood door                    | 3/15/16 | Stip | 3/15/16 |
| 84. Photo – Box                          | 3/14/16 | Stip | 3/14/16 |
| 85. Photo – Box                          | 3/14/16 | Stip | 3/14/16 |
| 86. Photo – Ceramic Coin Bank            | 3/14/16 | Stip | 3/14/16 |
| 87. Photo - Line Up Witness Instructions | 3/14/16 | Stip | 3/14/16 |
| 88. LVMPD Report of Examination          | 3/14/16 | Obj  |         |
| 89. Finger prints                        | 3/15/16 | Obj  | 3/15/16 |
| 90. CD Tommy Stewart calls               | 3/15/16 | Stip | 3/15/16 |
| 91. Photo – Parking Lot                  | 3/15/16 | Stip | 3/15/16 |
| 92. Photo – Market and gas station       | 3/15/16 | Stip | 3/15/16 |
| 93. Photo –View of parking lot           | 3/15/16 | Stip | 3/15/16 |
| 94. Photo – View of parking lot          | 3/15/16 | Stip | 3/15/16 |
| 95. Photo – Latent prints                | 3/15/16 | Obj. | 3/15/16 |
| 96. Photo – Latent prints                | 3/15/16 | Obj. | 3/15/16 |
| 97. Photo – Latent prints                | 3/15/16 | Obj. | 3/15/16 |
| 98. Photo – Chart of prints              | 3/15/16 | Stip | 3/15/16 |

Court's EXHIBITS

CASE NO. C305984

[illegible]



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

**TOMMY STEWART #2731067**  
**330 S. CASINO CENTER BLVD.**  
**LAS VEGAS, NV 89101**

**DATE: March 30, 2016**  
**CASE: C305984**

**RE CASE:** STATE OF NEVADA vs. TOMMY STEWART aka TOMMY LAQUADE STEWART

NOTICE OF APPEAL FILED: March 28, 2016

**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; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

TOMMY STEWART aka TOMMY LAQUADE  
STEWART,

Defendant(s).

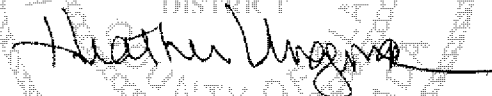
Case No: C305984

Dept No: XXI

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 30 day of March 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk