

04C204957

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 09, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

October 09, 2006**9:00 AM****Motion**

**DEFT'S PRO PER
MOTION FOR
TRANSCRIPTS
ATSTATE
EXPENSE/46 Relief
Clerk: Jennifer Lott
Reporter/Recorder:
Mary Beth Cook
Heard By: Douglas
Herndon**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Pesci, Giancarlo

Attorney

JOURNAL ENTRIES

- Court noted the same motion was denied by Judge Thompson 9/13/06, and there is no reason for motion to be re-filed. COURT ORDERED, motion is DENIED as there is no basis for reconsideration and no legal merit. State to prepare the order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 17, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

October 17, 2006**9:00 AM****Motion**

**DEFT'S PRO PER
MTN FOR A
TESTIMONIAL
EVIDENTIARY
HEARING TO
DEVELOP /47 Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

Di Giacomo, Marc P.

Attorney

JOURNAL ENTRIES

- Court noted that Defendant is not present as he is in custody at the Nevada Department of Corrections. Mr. DiGiacomo represented that Defendant received Fifteen (15) years to Life and he does not see need to have testimony. Court stated that it seems that Defendant is complaining that he got more than 15 to life, but Court noted that on Count 3 Defendant was sentenced to Life with a Minimum of Fifteen (15) years, with other counts running concurrently, and none of the other counts had more than 15 years. Therefore, COURT ORDERED, motion is DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 08, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

November 08, 2006**9:00 AM****Minute Order**

**MINUTE ORDER
RE: DEFT'S MTN
FOR
TRANSPORTATION
OF INMATE Court
Clerk: Carol Green
Heard By: Douglas
Herndon**

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

JOURNAL ENTRIES

- Court received the original unfiled Motion for Transportation of Inmate for Court Appearance. If this motion was filed and set by Master Calendar, it would be heard after the hearing date for the Petition for Writ of Habeas Corpus. Therefore, Court requested that the Judicial Executive Assistant contact the District Attorney's Office and direct them to prepare an Order to Transport Defendant Slaughter for the hearing on the Petition for Writ of Habeas Corpus on November 20, 2006. Therefore, Defendant's Motion is MOOT and will not be filed or set for hearing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 20, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

November 20, 2006 9:00 AM**Petition for Writ of Habeas
Corpus****PTN FOR WRIT OF
HABEAS CORPUS
/44 Court Clerk:
Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Herndon,
Douglas W****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Tomsheck, Joshua L.

Attorney

JOURNAL ENTRIES

- Court was informed that Defendant was not transported from Nevada State Prison. COURT ORDERED, matter CONTINUED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 28, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

November 28, 2006 9:00 AM**Petition for Writ of Habeas
Corpus****PTN FOR WRIT OF
HABEAS CORPUS
/44 Court Clerk:
Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Herndon,
Douglas W****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Di Giacomo, Marc P.
Slaughter, RickieAttorney
Defendant**JOURNAL ENTRIES**

- Mr. Slaughter stated he received the State's opposition last night and is not prepared. Court stated it will continue matter but explained to Defendant Slaughter that he does not have any sentence after the 15 to Life and the most he can do before being eligible for parole is 15 years, as there are no sentences which are consecutive. Upon request of Defendant, a copy of the District Attorney's copy of the plea transcript and the sentencing transcript was provided to the Defendant. COURT ORDERED, matter CONTINUED; reply to the State's opposition is to be filed by 12/13. Further, COURT ORDERED, Mr. Di Giacomo to prepare Order to Transport Defendant for the next hearing.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 18, 2006

04C204957

The State of Nevada vs Rickie Slaughter

December 18, 2006 9:00 AM

Petition for Writ of Habeas
Corpus

PTN FOR WRIT OF
HABEAS CORPUS
/44 Court Clerk:
Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon

HEARD BY:

COURTROOM:

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT: Di Giacomo, Marc P.
Slaughter, Rickie

Attorney
Defendant

JOURNAL ENTRIES

- Argument by Defendant Slaughter. Mr. Di Giacomo submitted on the pleadings. Court stated it remembers doing this plea and Court is satisfied from memory and review of plea agreement that everything was understood. Further, Court stated that Defendant believes that there is a sentence which will start running after 15 years as records from Nevada Department of Prisons indicate that there is a deadly weapon enhancement pending. Court advised that every sentence is concurrent and what Defendant was told did happen. Therefore, as Defendant got exactly what he bargained for, there is nothing to warrant an Evidentiary Hearing. Mr. Di Giacomo represented that he has called the timekeeper, but has not received a return phone call. Court noted if they do not give Defendant a parole hearing after five years, then that can be brought before the Court and at that time Defendant can move the Court for some relief, but that does not change the agreement which was entered into, or the granting for request to withdraw plea. COURT ORDERED, Petition for Writ of Habeas Corpus is DENIED; further, Defendant's Pro Per Motion for Leave to File Supplemental and Amended

04C204957

Petition for Writ of Habeas Corpus/ Amended Petition set for hearing on 1/8/07 is VACATED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 17, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

April 17, 2007**9:00 AM****Motion**

**DEFT'S PRO PER
REQUEST FOR
TRANSCRIPT
OF PROCEEDINGS
/51 Court Clerk:
Carol Green Heard
By: Douglas Herndon**

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

Rinetti, Dena I.

Attorney

JOURNAL ENTRIES

- Court noted Defendant is not present as he is in the Nevada Department of Prisons. As there is no showing by Defendant as to necessity of request, COURT ORDERED, Defendant's motion is DENIED.

MATTER RECALLED. Court stated that in talking with the Court Reporter, she informed the Court that Defendant Slaughter's father contacted her, provided a check and transcripts were produced. Therefore, motion is MOOT.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 24, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

April 24, 2007**9:00 AM****Motion**

**DEFT'S PRO PER
MTN FOR
CORRECTION OR
MODIFCATION OF
THE RECORD/50
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

Hendricks, Craig L.

Attorney

JOURNAL ENTRIES

- Court stated that Defendant is requesting modification of the record to reflect that standby counsel was not present during part of the proceedings. After review, COURT FINDS the record is correct and COURT ORDERED, motion is DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 11, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

September 11, 2007 9:00 AM**Request of Court**

**AT THE REQUEST
OF THE COURT:
SUPREME CT
REMAND Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

PRESENT: Scow, Richard H. Attorney

JOURNAL ENTRIES

- Court stated that matter was remanded from the Supreme Court due to sentencing issues in the way the prison is interpreting his sentences. COURT ORDERED, Amy Chelini is APPOINTED to represent Defendant. Further, As Court needs a response from the Attorney General's office, COURT ORDERED, Mr. Scow to request that Ms. Krisko contact the Attorney General's Office to request that they file an Amicus brief and to try to have someone present at the next hearing. Also, COURT ORDERED, State to prepare Order to Transport Defendant for next hearing.

Conrad Hafen, Esq. approached the bench for a discussion with the Court.

NDC

9/25/07 9:00 AM CONFIRMATION OF COUNSEL (CHELINI)

CLERK'S NOTE: Law Clerk contacted Ms. Chelini's office to advise of appointment and next hearing date.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 25, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

September 25, 2007 9:00 AM**Motion for Confirmation of
Counsel**

**CONFIRMATION
OF COUNSEL
(CHELINI) Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

Chelini, Amy
Wilson, Dennis C.

Attorney
Attorney

JOURNAL ENTRIES

- Ms. Chelini advised that she cannot confirm as her office does not do appellate work, and she will advise Court Administration to remove her name from their list. Court stated it will also contact Court Administration. COURT ORDERED, Alan Harter is APPOINTED; matter CONTINUED to determine if Mr. Harter can confirm as counsel. Mr. Wilson stated that the Attorney General's office had a response due and requested an extension of thirty days to file. COURT ORDERED, brief to be filed by 10/23.

NDC

10/2/07 9:00 AM CONFIRMATION OF COUNSEL (ALAN HARTER)

CLERK'S NOTE: 9/25/07 - Law Clerk advised Mr. Harter of appointment and Court date for confirmation.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 02, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

October 02, 2007**9:00 AM****Motion for Confirmation of
Counsel****CONFIRMATION
OF COUNSEL
(ALAN HARTER)
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: James
Brennan****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Staudaher, Michael V. Attorney

JOURNAL ENTRIES

- Mr. Staudaher stated that he has an order to transport, however, Defendant was not transported. Court noted that Alan Harter telephoned to advise that he could not accept appointment as he does not do appeals. COURT ORDERED, Gary Gowen APPOINTED. Law Clerk to advise Mr. Gowen.
NDC

10/9/07 9:00 AM CONFIRMATION OF COUNSEL (GARY GOWEN)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 09, 2007

04C204957

The State of Nevada vs Rickie Slaughter

October 09, 2007

9:00 AM

Motion for Confirmation of
Counsel

**CONFIRMATION
OF COUNSEL
(GARY GOWEN)
Relief Clerk: Teri
Braegelmann
Reporter/Recorder:
Sharon Howard
Heard By: Brennan,
James**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Gowen, Gary E.
Krisko, Susan R.

Attorney
Attorney

JOURNAL ENTRIES

- Court Noted deft. not present and in the Nevada Department of Corrections. Matter trailed for Ms. Krisko. Later matter recalled. Counsel advised there were three orders to transport prepared, however, there seems to be a problem because deft. hasn't been transported. Colloquy. Court stated it will issue an order for contempt if deft. isn't transported. This Court's law clerk advised, there is an order to transport pending for October 17. Court advised counsel to tell the warden to have deft. here next time and ORDERED, matter CONTINUED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 18, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

October 18, 2007**9:00 AM****Motion for Confirmation of
Counsel****CONFIRMATION
OF COUNSEL
(GARY GOWEN)
Court Clerk: Phyllis
Irby/pi
Reporter/Recorder:
Dianne Prock Heard
By: Herndon,
Douglas W****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Gowen, Gary E.
Scow, Richard H.
Slaughter, RickieAttorney
Attorney
Defendant**JOURNAL ENTRIES**

- Mr. Gowen requested a continuance; advised the Court that the Supreme Court needs this matter to be set for Evidentiary hearing to determine if the plea was given to the Deft voluntarily. COURT ORDERED, Deft to be held in Clark County Detention Center (CCDC) to be brought over in the morning for hearing, matter CONTINUED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 19, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

October 19, 2007**9:00 AM****Motion for Confirmation of
Counsel**

**CONFIRMATION
OF COUNSEL
(GARY GOWEN)
Court Clerk:
Roshonda Mayfield
Reporter/Recorder:
Julie Lever Heard
By: James Brennan**

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

Gowen, Gary E.
Scow, Richard H.
Slaughter, Rickie

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Mr. Scow advised Ms. Krisko previously handled this matter and is currently on maternity leave. Therefore, Mr. Scow has been unable to verify if the plea should be set aside. Following review of the information Court noted it appears the Supreme Court is requesting the Attorney General's opinion on this matter. Colloquy between parties regarding the plea being set aside, NRS 213.1213, Defendant's misapprehension and possibly scheduling an Evidentiary Hearing.
COURT ORDERED, matter CONTINUED for status check; Deft. is to remain in Clark County Detention Center (CCDC) until the next court date.
CUSTODY (NDC)
10/25/07 9:00 A.M. STATUS CHECK:EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 25, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

October 25, 2007**9:00 AM****Status Check****STATUS****CHECK:EVIDENTIA****RY HEARING Relief****Clerk: Linda M.****Smith****Reporter/Recorder:****Diane Prock Heard****By: Brennan, James****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Gowen, Gary E.

Attorney

Wilson, Dennis C.

Attorney

JOURNAL ENTRIES

- Following arguments of counsel, COURT ORDERED, matter CONTINUED. State will prepare a transport order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 27, 2007**

04C204957

The State of Nevada vs Rickie Slaughter

November 27, 2007**9:00 AM****Status Check****STATUS****CHECK:EVIDENTIA
RY HEARING Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Gowen, Gary E.
Wilson, Dennis C.Attorney
Attorney**JOURNAL ENTRIES**

- Court noted that pursuant to negotiation, the Court and Defendant believed that Defendant would be eligible for Parole in 15 years, however the Attorney General is stating 22-1/2 years. Court agreed that 213.1213 mandates and Defendant must serve 22-1/2 years before the weapon enhancement, and that the Bowen case overrules the earlier cases. However, serving 22-1/2 years goes against the spirit of the negotiation. COURT ORDERED, matter will be continued; State to prepare Order to Transport and Ms. DiGiacomo to be present at next date along with Mr. Gowen to discuss possible remedies. Upon inquiry by Mr. Gowen, Court stated it does not think that Mr. Gowen needs to subpoena anyone. Court noted that there is an issue as to whether Defendant thought he would be out, not just eligible, in fifteen years.

NDC

1/17/08 9:00 AM FURTHER PROCEEDINGS: SENTENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 17, 2008**

04C204957

The State of Nevada vs Rickie Slaughter

January 17, 2008**9:00 AM****Further Proceedings**

**FURTHER
PROCEEDINGS:
SENTENCE Relief
Clerk: Roshonda
Mayfield
Reporter/Recorder:
Sharon Howard
Heard By:
Manoukian, Noel**

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

Gowen, Gary E.
Krisko, Susan R.
Slaughter, Rickie

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Mr. Gowen requests that this matter be continued in order for it to be heard by Judge Herndon. There being no opposition. COURT ORDERED, matter CONTINUED at the request of counsel.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 14, 2008**

04C204957

The State of Nevada vs Rickie Slaughter

February 14, 2008**9:00 AM****Further Proceedings****FURTHER
PROCEEDINGS:
SENTENCE Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Krisko, Susan R.
Slaughter, RickieAttorney
Defendant**JOURNAL ENTRIES**

- Court was notified that due to a medical condition, Mr. Gower would not be available until the week of February 25. Ms. Krisko stated that Defendant wanted to talk with her as he was going to request that he be allowed to proceed in proper person, and he did represent himself for the plea. Defendant requested Mr. Gower's dismissal, that he be allowed to proceed in proper person, and that he be allowed to lodge documents with the court. Court stated it is not necessary to lodge anything, as Court ruled in his favor previously, and it only needs to be determined how to modify sentence to comply with intent or whether to allow Defendant to withdraw plea and proceed to trial. Court stated Defendant needs to communicate with Mr. Gower his intent to dismiss him. Defendant advised he sent Mr. Gower a letter. Matter trailed for Ms. Krisko to contact Mr. Gower. MATTER RECALLED with same parties present. Ms. Krisko confirmed that she contacted Mr. Gower and he did receive a letter regarding dismissal, and he had no opposition to her speaking directly with Defendant, as long as he understood that anything he says can be used against him.

Matter trailed for Ms. Krisko to speak with Defendant.

MATTER RECALLED with same parties present. Ms. Krisko represented that Defendant is interested in getting a briefing schedule as his position is that plea has to be withdrawn, however, State does not agree. Upon inquiry by the Court, Defendant stated he wants to proceed in proper person. COURT ORDERED, Defendant to file opening brief by March 31; opposition to be filed by April 28; reply to be filed by May 26; matter will be set for argument on June 3 at 9:00 AM. State to prepare order to transport

NDC

6/3/08 9:00 AM ARGUMENT: DEFT'S REQUEST TO WITHDRAW PLEA

CLERK'S NOTE: 2/20/08 - A copy of this Minute Order was sent to: Rickie Lamont Slaughter, Jr. #85902, Ely State Prison, P.O. Box 1989, Ely, Nevada 89301

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 03, 2008**

04C204957

The State of Nevada vs Rickie Slaughter

June 03, 2008**9:00 AM****Hearing****ARGUMENT DEFT'S
REQUEST TO
WITHDRAW PLEA
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Krisko, Susan R.
Slaughter, RickieAttorney
Defendant**JOURNAL ENTRIES**

- Ms. Krisko advised that she never received the reply and had to get the motion from Blackstone. Matter trailed for Ms. Krisko to review the reply.

Matter recalled with same parties present. Court stated that Defendant is not getting the benefit of what he bargained for at time of plea, so State is willing to drop the "with use" so that sentence will then give him what he bargained for. Defendant stated that Supreme Court will not allow to modify sentence, and only form of relief is to vacate sentence. Argument by Ms. Krisko that it would be State's request to modify the sentence. COURT ORDERED, matter set for Evidentiary Hearing. Defendant inquired as to procedure for him to subpoena witnesses. Court directed Defendant to send a list of names to the Law Clerk. Further, COURT ORDERED, Defendant REMANDED to the Clark County Detention Center until hearing.

NDC (CUSTODY)

04C204957

6/19/08 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 19, 2008**

04C204957

The State of Nevada vs Rickie Slaughter

June 19, 2008**9:00 AM****Evidentiary Hearing**

**EVIDENTIARY
HEARING Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

Di Giacomo, Marc P.
Krisko, Susan R.
Slaughter, Rickie

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Statement by Ms. Krisko regarding Judge Herndon being on witness list. Statement by Defendant Slaughter. After hearing what Defendant would purport to want Court as a witness on, Court was satisfied that it has no information whatsoever on that; no recollection of hearing conversations about any negotiations that everyone engaged in, so Court stated it would not recuse and hearing would proceed.

Defendant's witnesses sworn and testified. Exhibits marked and admitted per worksheet. Argument by Defendant and Mr. DiGiacomo. Statements by the Court. Court stated that focus is on what was said when plea was entered. Also, that Supreme Court raised issue the Court may want to appoint counsel for Defendant, however, Defendant declined representation when this matter was first brought back. Court believes that what Defendant bargained for was a minimum 15 years before being eligible for release, and everyone else thought that would happen, but it was not a stipulated plea or a conditional plea and no one promised concurrent, so there are no issues raised to indicate

that it was not a knowing an voluntary plea. Therefore, COURT ORDERED, Motion to Withdraw Plea is DENIED.

Another issue on which Supreme Court remanded case was the Court's comment in November 2007 about 213.1213, and that statute looks like it mandates that this sentence has to be served in a certain way, so Defendant has to serve 22-1/2 years. Court entered findings in regard to that statute.

Directing the prisons that their interpretation of 213 is incorrect, COURT ORDERED, Prison can parole Defendant off the primary and weapon enhancements for the other 3 counts at the time that Defendant is up for parole on the kidnapping count. Further, at request of Defendant, a transcript of this proceeding and the 6/2 hearing are to be provided to Defendant at State's expense.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 09, 2008**

04C204957

The State of Nevada vs Rickie Slaughter

September 09, 2008**9:00 AM****Motion****DEFT'S PRO PER
MTN FOR
CORRECTION OR
MODIFICATION OF
RECORD &
TRANSCRIPT/60
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Morton, Carrie A.

Attorney

JOURNAL ENTRIES

- Court stated that Defendant is trying to add to the transcripts any statements made after Court was recessed. Court does not recall anything substantive being discussed after either hearing and cannot add to a transcript by trying to guess what was said, if anything was said. Court does not recall a briefing schedule being discussed as Court had ruled on the motion. Additionally, Court will not change the couple of words read by the District Attorney as the transcript indicates that is what was read, and what Defendant is requesting is not material to anything. COURT ORDERED, motion DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 07, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

May 07, 2009**9:00 AM****Request of Court****AT THE REQUEST
OF THE COURT:
PER SUPREMECT
REMAND Court
Clerk: Carol Green
Relief Clerk: Susan
Jovanovich/sj
Reporter/Recorder:
Cheryl Gardner
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Di Giacomo, Marc P.
Slaughter, RickieAttorney
Defendant**JOURNAL ENTRIES**

- Colloquy regarding trial setting and representation of counsel. COURT ORDERED, Susan Bush APPOINTED as counsel for Deft. FURTHER, matter SET for status check on confirmation of counsel and for trial setting; Deft. REMANDED into custody on this matter.

CUSTODY

5-14-09 9:00 AM STATUS CHECK: CONFIRMATION OF COUNSEL (BUSH)...TRIAL SETTING

CLERK'S NOTE: After case was called, Ms. Bush appeared and was notified of the appointment and new date. sj

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 14, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

May 14, 2009**9:00 AM****Status Check**

**STATUS CHECK:
CONFIRMATION
OF COUNSEL
(BUSH) / TRIAL
SETTING Court
Clerk: Carol Green
Relief Clerk: Carol
Donahoo/cd
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

HEARD BY:**COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bush, Susan K.

Attorney

Di Giacomo, Marc P.

Attorney

Slaughter, Rickie

Defendant

JOURNAL ENTRIES

- Court will CONFIRM the appointment of Susan Bush, Esq., as counsel of record for Deft. Slaughter. Colloquy regarding the Order of Reversal on Remand from the Nevada Supreme Court. COURT ORDERED, the Fourth Amended Information STRICKEN; the Third Amended Information shall be reinstated. Upon Deft.'s request for a bail amount to be set, COURT FURTHER ORDERED as follows: As to Count 1 - \$25,000; As to Count 2 - \$25,000; As to Count 3 - \$100,000; As to Count 4 - \$50,000; As to Count 5 - \$50,000; As to Count 6 - \$50,000; As to Count 7 - \$25,000; As to Count 8 - \$10,000; As to Count 9 - \$500,000; As to Count 10 - \$250,000; As to Count 11 - \$250,000; As to Count 12 - \$250,000; As

to Count 13 - \$250,000; and As to Count 14 - \$250,000. Court invited Ms. Bush to file a motion to lower Deft.'s bail if she feels the amounts are not appropriate.

Ms. Bush advised she did not have any discovery; colloquy. Court directed the District Attorney to assist Ms. Bush in obtaining the necessary discovery. COURT ORDERED, matter set for trial.

CUSTODY

09/24/09 9:00 AM CALENDAR CALL

09/28/09 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 21, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

July 21, 2009**9:00 AM****Motion to Dismiss****DEFT'S PRO PER
MTN TO DISMISS
COUNSEL &
APPOINT SUB/65
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Bush, Susan K.
Di Giacomo, Marc P.
Slaughter, RickieAttorney
Attorney
Defendant**JOURNAL ENTRIES**

- Ms. Bush advised that there has been better communication since prior to the filing of this motion. As it appears that issues have been resolved for now, COURT ORDERED, motion DENIED, subject to being re-raised.

Mr. DiGiacomo discussed possibility of continuing the trial date. Court directed counsel to discuss moving the trial either forward or backward, and issue can be addressed when Motion for Bail is filed.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 28, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

July 28, 2009**9:00 AM****Motion**

**DEFT'S MTN FOR
REASONABLE BAIL
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: STEWART
BELL**

HEARD BY:**COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bush, Susan K.
Di Giacomo, Marc P.
Slaughter, Rickie

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Argument by Ms. Bush. COURT ORDERED, motion DENIED. Mr. DiGiacomo advised that counsel have discussed continuing the trial and requested the 12/7 stack. As Defendant previously WAIVED right to a speedy trial, COURT ORDERED, Calendar Call and Jury Trial are VACATED and RESET on the 12/7 stack.

CUSTODY

12/3/09 9:00 AM CALENDAR CALL

12/7/09 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 11, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

August 11, 2009**9:00 AM****Motion to Reconsider****DEFT'S MTN TO
RECONSIDER
LOWERING BAIL
/69 Court Clerk:
Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Di Giacomo, Marc P.
McDonald, Patrick E.
Slaughter, RickieAttorney
Attorney
Defendant**JOURNAL ENTRIES**

- Court noted that Judge Bell reviewed and denied this motion. Mr. DiGiacomo submitted. Court noted that Defendant filed a pro per appeal of decision and therefore Court does not have jurisdiction. Mr. McDonald advised that he did not realize an appeal had been filed. Statements by the Court as to Judge Bell's decision to deny motion previously. Court stated it believes bail which was set is appropriate and Court is not inclined to revisit the denial and is not inclined to grant Defendant's request. Statement by Defendant. Court stated that irregardless of what Judge Bell did, Court is not inclined to lower bail. COURT ORDERED, OFF CALENDAR.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 10, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

November 10, 2009 9:00 AM**All Pending Motions**

**ALL PENDING
MOTIONS (11-10-09)
Court Clerk: Carol
Green Relief Clerk:
Carol Donahoo/cd
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

HEARD BY:**COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Bush, Susan K.	Attorney
	Di Giacomo, Marc P.	Attorney
	Slaughter, Rickie	Defendant

JOURNAL ENTRIES

- DEFT.'S MOTION TO SUPPRESS . . . DEFT.'S MOTION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE

Motion to Preserve Evidence for DNA Testing on an Order Shortening Time FILED IN OPEN COURT. Court noted the State has filed its Opposition to the two (2) above-named motions; however, Ms. Bush would like time to Reply. Therefore, COURT ORDERED, matters CONTINUED; the Replies shall be on file on or before the close of business November 20.

Colloquy regarding the newly filed motion mentioned above. COURT ORDERED, Motion GRANTED in theory to the extent a sufficient quantity is left to permit testing.

CUSTODY

04C204957

CONTINUED TO: 11/24/09 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

04C204957

The State of Nevada vs Rickie Slaughter

November 24, 2009 9:00 AM**All Pending Motions**

**ALL PENDING
MOTIONS FOR
11/24/09 Relief Clerk:
Billie Jo Craig
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

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

Bush, Susan K.
Ferreira, Amy L.
Roger, David J.
Slaughter, Rickie

Attorney
Attorney
Attorney
Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS...DEFT'S MOTION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE

COURT ORDERED, above Motions CONTINUED. Ms. Bush advised there were problems in communicating with defendant as letters were returned. Court directed counsel to take matter up with the Jail or file a Motion.

CUSTODY**CONTINUED TO: 12/1/09 9:00 AM ABOVE MOTIONS**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2009

04C204957

The State of Nevada vs Rickie Slaughter

December 01, 2009

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS FOR
12/1/09 Relief Clerk:
Billie Jo Craig
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

HEARD BY:

COURTROOM:

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES**PRESENT:**

Bush, Susan K.

Attorney

Di Giacomo, Marc P.

Attorney

McDonald, Patrick E.

Attorney

Roger, David J.

Attorney

Slaughter, Rickie

Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO STRIKE THE STATE'S NOTICE OF EXPERT AND REBUTTAL EXPERT TESTIMONY OR IN THE ALTERNATIVE TO EXCLUDE THE STATE'S EXPERT AND REBUTTAL EXPERT TESTIMONY...DEFT'S MOTION TO SUPPRESS...DEFT'S MOTION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE...DEFT'S PRO PER EX PARTE MOTION TO DISMISS COUNSEL AND APPOINT SUBSTITUTE COUNSEL AT STATE EXPENSE/REQUEST FOR CONTINUANCE OF TRIAL DATE

AS TO DEFT'S MOTION TO STRIKE: Arguments by counsel. Court stated its findings, and ORDERED, Motion is DENIED.

AS TO DEFT'S MOTION TO SUPPRESS: Arguments by counsel. Court stated its findings, and ORDERED, Motion is DENIED.

AS TO DEFT'S MOTION TO DISMISS CASE: Arguments by counsel. Court stated its findings, and ORDERED, Motion is DENIED.

The State advised it would announce ready for Trial on Thursday and noted Ms. Bush would not be present. The State advised it would be asking for a Tuesday start time as he would be under subpoena on Monday. Ms. Bush requested the Trial be continued and stated reasons. Court advised it was not inclined to continue over phone records not received. COURT ORDERED, Calendar Call date STANDS. Counsel can submit a written Motion to Continue Trial to the Court. COURT ORDERED, matter SET for Defendant's Motion to Continue Trial.

AS TO DEFT'S PRO PER EX PARTE MOTION: Defendant's Pro Per Ex Parte Motion to Dismiss Counsel and Appoint Substitute Counsel at State Expense/Request for Continuance of Trial Date FILED IN OPEN COURT. Arguments by parties. Court stated its findings, and ORDERED, Motion is DENIED.

CUSTODY

12/3/09 9:00 AM DEFT'S MOTION TO CONTINUE TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 03, 2009**

04C204957

The State of Nevada vs Rickie Slaughter

December 03, 2009**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 12/3/09
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Bush, Susan K.

Attorney

Di Giacomo, Marc P.

Attorney

McDonald, Patrick E.

Attorney

Slaughter, Rickie

Defendant

JOURNAL ENTRIES**- CALENDAR CALL...DEFT'S MOTION TO CONTINUE TRIAL**

Argument by Mr. McDonald. As to jail phone records, Mr. DiGiacomo advised that when they were found, they were turned over to Ms. Bush, however, he believes that Defendant had much of this information. Mr. DiGiacomo stated that if Defendant's counsel has listened to all 288 phone calls he would be opposed to a continuance, however, if she has not listened to them a continuance would be justified. Ms. Bush advised that she has not listened to all of the phone calls. Court stated that cumulatively there is a reason to continue the trial. COURT ORDERED, Deft's Motion to Continue Trial is GRANTED; Jury Trial is VACATED and RESET. Upon inquiry by the Court, Mr. DiGiacomo estimated 27-30 witnesses which should take more than a week.

CUSTODY

04C204957

3/4/10 9:00 AM CALENDAR CALL
3/8/10 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 04, 2010**

04C204957

The State of Nevada vs Rickie Slaughter

March 04, 2010**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk: Carol
Green****Reporter/Recorder:
Sharon Howard****Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bush, Susan K.

Attorney

Fleck, Michelle

Attorney

McDonald, Patrick E.

Attorney

Slaughter, Rickie

Defendant

JOURNAL ENTRIES

- Ms. Fleck advised that this case is not overflow eligible as it will take more than a week with 20 witnesses, and based on the Court's schedule, it will have to be reset. Mr. McDonald advised that he also has out-of-state witnesses, and State just advised him of several new witnesses that he is trying to find. Colloquy regarding starting trial on Wednesday, as there has been an indication that trial set in this Court to begin that day may negotiate. Although both counsel announced ready, they stated various conflicts they had with starting on Wednesday and going into the following week. COURT ORDERED, Jury Trial is VACATED; Deft's Pro Per Motion to Dismiss Counsel and Appoint Substitute Counsel set for hearing on 3/9 STANDS, and a new trial date will be discussed following a ruling on that motion.

CUSTODY**3/9/10 9:00 AM DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINT SUBSTITUTE**

04C204957

COUNSEL...TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2010

04C204957

The State of Nevada vs Rickie Slaughter

March 09, 2010

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 3/9/10
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Bush, Susan K.
Di Giacomo, Marc P.
Slaughter, Rickie

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINT SUBSTITUTE COUNSEL...
TRIAL SETTING

Court stated it reviewed motion and issue seems to be lack of communication and which Court does not see rise to a level of conflict. Ms. Bush advised that she has a dedicated investigator on this case. COURT ORDERED, counsel and investigator are to go over to see Defendant. As Court does not see a conflict, COURT ORDERED, Deft's Pro Per Motion to Dismiss Counsel is DENIED.

Colloquy regarding trial date, with all parties being agreeable to the July 19, 2010 stack.

CUSTODY

7/15/10 9:00 AM CALENDAR CALL

7/19/10 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 2010

04C204957

The State of Nevada vs Rickie Slaughter

July 08, 2010

9:00 AM

Motion to Dismiss

DEFT'S PRO PER
MTN TO DISMISS
COUNSEL AND
APPOINT/86 Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: James
Brennan

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Bush, Susan K.	Attorney
McDonald, Patrick E.	Attorney
Rachiele, Andrea M.	Attorney
Slaughter, Rickie	Defendant

JOURNAL ENTRIES

- Defendant advised that no one has been to see him. Statement by Ms. Bush and Mr. McDonald as to their preparation for trial and investigator interviewing witnesses. Upon inquiry by the Court, Mr. McDonald and Ms. Bush advised that neither of them has been to see Defendant since the last hearing on March 9 as there have been no new issues. Defendant stated he has been contacted by a new alibi witness, who also gave him the name of another alibi witness, and counsel has not followed up regarding this issue. COURT ORDERED, motion GRANTED; Calendar Call and Jury Trial are VACATED. Court staff will contact Drew Christensen regarding appointment of new counsel.

CUSTODY

7/15/10 9:00 AM FURTHER PROCEEDINGS: CONFIRMATION OF COUNSEL/RESET TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 15, 2010**

04C204957

The State of Nevada vs Rickie Slaughter

July 15, 2010**9:00 AM****Further Proceedings****FURTHER
PROCEEDINGS:
CONFIRMATION
OF COUNSEL/
RESET TRIAL Court
Clerk: Carol Green
Reporter/Recorder:
Sharon Howard
Heard By: JOSEPH
BONAVENTURE****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Fleck, Michelle
Fumo, Osvaldo E.
Slaughter, RickieAttorney
Attorney
Defendant**JOURNAL ENTRIES**

- Mr. Fumo CONFIRMED and requested that a trial in ordinary course be set. COURT ORDERED,
matter set for Trial in ordinary course.

CUSTODY

2/10/11 9:00 AM CALENDAR CALL

2/14/11 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2011

04C204957

The State of Nevada vs Rickie Slaughter

February 10, 2011

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green
Sara Richardson

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, represented by Osvaldo Fumo, Esq.

CALENDAR CALL...DEFENDANT'S MOTION TO DISMISS...DEFENDANT'S MOTION TO
PRECLUDE INVOLUNTARY STATEMENT BY TIFFANY JOHNSON...DEFENDANT'S MOTION TO
PRECLUDE SUGGESTIVE IDENTIFICATION

Court noted this matter was not appropriate for overflow. Colloquy regarding defense experts.
COURT ORDERED, motions CONTINUED and matter SET for Status Check, jury trial VACATED.

MOTIONS CONTINUED TO: 2-15-11 9:00 A.M.

2-15-11 9:00 A.M. STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 15, 2011

04C204957

The State of Nevada vs Rickie Slaughter

February 15, 2011

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green
Sara Richardson

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Lisa Luzaich, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, represented by Osvaldo Fumo, Esq.

STATUS CHECK: TRIAL...DEFENDANT'S MOTION TO DISMISS...DEFENDANT'S MOTION TO
PRECLUDE INVOLUNTARY STATEMENT BY TIFFANY JOHNSON...DEFENDANT'S MOTION TO
PRECLUDE SUGGESTIVE IDENTIFICATION

Ms. Luzaich stated this is Mr. DiGiacomo's case she is appearing on his behalf because he is in trial in
this department for the next two weeks, and requested a continuance for two weeks. COURT
ORDERED, matter CONTINUED. Further Court directed Mr. Fumo to discuss potential trial dates
with Mr. DiGiacomo.

CUSTODY

CONTINUED TO: 3-3-11 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2011

04C204957

The State of Nevada vs Rickie Slaughter

March 03, 2011

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant present, in custody, represented by Osvaldo Fumo, Esq.

DEFENDANT S MOTION TO PRECLUDE SUGGESTIVE IDENTIFICATION

Argument by Mr. Fumo and Mr. DiGiacomo. Court believes that photo line-up was proper and there is no need for an Evidentiary Hearing. COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION TO PRECLUDE INVOLUNTARY STATEMENT BY TIFFANY JOHNSON

Argument by Mr. Fumo and Mr. DiGiacomo. Court stated it does not see anything to show constitutional due process violation and COURT ORDERED, motion DENIED.

DEFENDANT'S MOTION TO DISMISS

Argument by Mr. Fumo. Following statements, COURT ORDERED, motion DENIED.

STATUS CHECK: TRIAL

COURT ORDERED, matter set for Trial.

CUSTODY

5/5/11 9:00 AM CALENDAR CALL

04C204957

5/9/11 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 24, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

March 24, 2011**9:00 AM****Motion to Stay****Defendant's Motion
and Order to Stay
Proceedings Pending
Filing and
Consideration of
Extraordinary Writ in
the Nevada Supreme
Court****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Sara Richardson**RECORDER:****REPORTER:** Kim Tuchman**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Dena Rinetti, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, represented by Osvaldo Fumo, Esq.

Mr. Fumo stated the writ should be filed within 30 days. COURT ORDERED, matter CONTINUED, to be heard at the calendar call date. Mr. Fumo requested a copy of the transcript from today's proceedings.

CUSTODY**CONTINUED TO:** 5-5-11 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 05, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

May 05, 2011**9:00 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant present, in custody, represented by Dustin Marcello, Esq.

CALENDAR CALL...DEFENDANT'S MOTION AND ORDER TO STAY PROCEEDINGS PENDING
FILING AND CONSIDERATION OF EXTRAORDINARY WRIT IN THE NEVADA SUPREME
COURT...DEFENDANT S MOTION AND NOTICE OF MOTION FOR DISCOVERY OF
PROSECUTION FILES, RECORD, AND INFORMATION NECESSARY TO A FAIR TRIAL

Mr. DiGiacomo advised that Defendant is not willing to withdraw his Writ. Court advised it will call the Supreme Court to determine where in the Writ is in the process. However, if counsel is ready, Court will set for trial. Counsel requested a Tuesday start. Mr. DiGiacomo noted that if Writ is still pending, Defendant will have to withdraw writ or trial will have to be continued. COURT ORDERED, matter set for trial to begin on Tuesday.

Argument by Mr. Marcello as to specific discovery which is being requested. Response by Mr. DiGiacomo. COURT ORDERED, State to comply with Brady requirements as to discovery being requested, but Court will not require police reports on everyone or production of personnel files. Mr. Marcello requested audio of transcripts, which Mr. DiGiacomo agreed to provide.

CUSTODY

04C204957

5/10/11 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 11, 2011

04C204957

The State of Nevada vs Rickie Slaughter

May 11, 2011

1:00 PM

Jury Trial

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Robert Cangemi

PARTIES

PRESENT:

JOURNAL ENTRIES

- Prior to Court, Judicial Executive Assistant contacted counsel and based on the Court being in the Penalty Phase of a Capital case, all counsel agreed to reset trial to begin on 5/12/11 @ 1:00 pm.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 12, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

May 12, 2011**1:00 PM****Jury Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Ruth Gilfert**RECORDER:****REPORTER:** Cheryl Gardner**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. DiGiacomo requested clarification of Defendant's Supplemental Alibi Witness list and Mr. Fumo stated that was an error. Court expressed concern over the propriety of the late notice and instructed the parties to discuss the issue first and then, if necessary, bring it to the Court's attention.

PROSPECTIVE JURY PANEL PRESENT: Prospective jury panel polled. Introductions by Mr. DiGiacomo and Ms. Fleck and Mr. Fumo, who each named their witnesses. Voir Dire Oath administered. Voir Dire conducted.

CONTINUED TO 10:30AM 5/13/2011

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 13, 2011

04C204957

The State of Nevada vs Rickie Slaughter

May 13, 2011

10:00 AM

Jury Trial

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Ruth Gilfert

RECORDER:

REPORTER: Robert Cangemi

PARTIES

PRESENT:

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

PROSPECTIVE JURY PANEL PRESENT: Voir Dire continued. Jury and two (2) alternates selected and sworn. Third Amended Information was read to the jury and stated the Defendant's plea thereto. Court gave Jury Panel admonishments and released them for the weekend.

CONTINUED TO 10:30AM MAY 16, 2011

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 16, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

May 16, 2011**10:00 AM****Jury Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Cheryl Gardner**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

OUTSIDE PRESENCE OF THE JURY: Mr. Marcello raised a Batson challenge concerning the State's preemptory challenge of Ms. Rhines from the jury. Mr. DiGiacomo stated his reasoning and **COURT RULED** the exclusion did not meet Batson and denied the challenge.

Counsel discussed the confidential informant and State advised they would not be bringing that individual's name to the jury's attention. Counsel also discussed how the firearms would be mentioned and State advised it would not bring up any prior bad acts and **COURT RULED** State may reference the guns.

JURY PRESENT: Opening statements by Mr. DiGiacomo and Mr. Fumo, who briefly outlined their case.

Testimony and exhibits presented per worksheets.

04C204957

Continued to May 17, 2001 at 10:30am.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 17, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

May 17, 2011**10:00 AM****Jury Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Ruth Gilfert
Linda Denman**RECORDER:****REPORTER:** Bill Nelson**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

OUTSIDE PRESENCE OF THE JURY: Mr. Marcello objected to the admission of the 7-11 Store's video tape as the time did not match with the ATM receipt. Mr. DiGiacomo advised he was calling the store owner as a witness who will explain the time difference as being a problem with recalibrating the clock to account for daylight savings time. COURT RULED video tape is ADMISSABLE.

JURY PRESENT: Testimony and exhibits presented per worksheets.

OUTSIDE PRESENCE OF THE JURY: Arguments were raised at the expert witness designation of prosecutor's ballistics witness. COURT ORDERED a trial brief be SUBMITTED on this matter.

Counsel also discussed redacting the bad language of the transcript. COURT RULED bad language is

04C204957

not to be redacted but any reference to prior bad acts must be omitted.

Continued to 5/18/2011 at 1:30pm.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 18, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

May 18, 2011**1:30 PM****Jury Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Ruth Gilfert
Linda Denman**RECORDER:****REPORTER:** Cheryl Gardner**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

OUTSIDE PRESENCE OF JURY PANEL: Colloquy on Defense's request to disallow any references in the jail house telephone call transcripts from Defendant discussing taking a plea deal and the authenticity of the speakers.

Mr. Slaughter raised a concern that a gentlemen prematurely entered in the courtroom while he was still in shackles. Court officers advised the person was not a juror and was removed from the courtroom without seeing the shackles because they were under the Defendant's suit jacket. Court stated it was satisfied from the statements made that the individual was not a juror.

Mr. Marcello requested Court disallow the photo line up as Defendant Slaughter had not stipulated and there were problems with the legitimacy, who had the photo, who was shown the photo, and what was said during witness identification. Court acknowledged this issue was the object of a pre-

trial ruling and he understood the Defense was calling in a expert witness to discuss accuracy of identification. COURT RULED request DENIED and no jury instruction on this topic would be allowed.

JURY PANEL PRESENT: Testimony and exhibits admitted per worksheets.

OUTSIDE PRESENCE OF JURY PANEL: Court advised Defendant of his right not to testify.

CONTINUED TO 5/19/2011

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 19, 2011

04C204957

The State of Nevada vs Rickie Slaughter

May 19, 2011

10:30 AM

Jury Trial

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Ruth Gilfert
Linda Denman

RECORDER:

REPORTER: Robert Cangemi

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

OUTSIDE PRESENCE OF JURY: Counsel discussed the upcoming testimony of Dr. Loftis as to the scope of his remarks. COURT RULED that Dr. Loftis' testimony is to be confined to this case and not other specific cases.

COURT RULED as to the jail-house transcripts that no mention of what occurred at sentencing could be included.

JURY PANEL PRESENT: Testimony and exhibits presented per worksheets. Defense rests. Jury admonished and released.

OUTSIDE PRESENCE OF JURY PANEL: Mr. DiGiacomo requested Court take Judicial Notice of three items involving the appointment of a private investigator in 2005, the alibi notice filed in 2004,

and the booking photo of the defendant.

Jury Instructions settled.

CONTINUED TO 5/20/2011 AT 10:30AM

JURY PANEL PRESENT: Court read Instructions to Jury. Ms. Fleck gave closing arguments.

OUTSIDE PRESENCE OF JURY PANEL: Mr. Slaughter made a statement to the Court.

JURY PANEL PRESENT: Mr. Marcello and Mr. DiGiacomo gave closing statements. Jury retired for deliberations at the hour of 3:05pm.

JURY PANEL PRESENT: At the hour of 5:30pm, the jury returned with the VERDICT as follows:

- * As to Count 1--GUILTY of Conspiracy to Commit Kidnapping
- * As to Count 2--GUILTY of Conspiracy to Commit Robbery
- * As to Count 3--GUILTY of Attempt Murder With Use a Deadly Weapon
- * As to Count 4--GUILTY of Battery With a Deadly Weapon
- * As to Count 5--GUILTY of Attempt Robbery With Use of a Deadly Weapon
- * As to Count 6--GUILTY of Robbery With Use of a Deadly Weapon
- * As to Count 7--GUILTY of Burglary While In Possession of a Firearm
- * As to Count 8--GUILTY of Burglary
- * As to Count 9--GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Ivan Young) and Ivan Young suffered Substantial Bodily Harm during the Kidnapping
- * As to Count 10-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Ryan John)
- * As to Count 11-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jose Posada)
- * As to Count 12-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Aaron Dennis)
- * As to Count 13-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jermaun Means)
- * As to Count 14-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jennifer Dennis)

Jury polled (unanimous). Defendant Slaughter was removed from the courtroom following a verbal outburst. Court thanked and excused the jury.

OUTSIDE PRESENCE OF JURY PANEL: COURT ORDERED sentencing date be SET.

8/16/2011 AT 9:00AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 20, 2011

04C204957

The State of Nevada vs Rickie Slaughter

May 20, 2011

10:30 AM

Jury Trial

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Ruth Gilfert
Linda Denman

RECORDER:

REPORTER: Robert Cangemi

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, for State
Michelle Fleck, Deputy District Attorney, for State
Osvaldo Fumo, Esq., for Defendant
Rickie Slaughter, Defendant

Also present: Dustin Marcello, Esq., for Defendant

JURY PANEL PRESENT: Court read Instructions to Jury. Ms. Fleck gave closing arguments.

OUTSIDE PRESENCE OF JURY PANEL: Mr. Slaughter made a statement to the Court.

JURY PANEL PRESENT: Mr. Marcello and Mr. DiGiacomo gave closing statements. Jury retired for deliberations at the hour of 3:05pm.

JURY PANEL PRESENT: At the hour of 5:30pm, the jury returned with the VERDICT as follows:

- * As to Count 1--GUILTY of Conspiracy to Commit Kidnapping
- * As to Count 2--GUILTY of Conspiracy to Commit Robbery
- * As to Count 3--GUILTY of Attempt Murder With Use a Deadly Weapon
- * As to Count 4--GUILTY of Battery With a Deadly Weapon

- * As to Count 5--GUILTY of Attempt Robbery With Use of a Deadly Weapon
- * As to Count 6--GUILTY of Robbery With Use of a Deadly Weapon
- * As to Count 7--GUILTY of Burglary While In Possession of a Firearm
- * As to Count 8--GUILTY of Burglary
- * As to Count 9--GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Ivan Young) and Ivan Young suffered Substantial Bodily Harm during the Kidnapping
- * As to Count 10-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Ryan John)
- * As to Count 11-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jose Posada)
- * As to Count 12-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Aaron Dennis)
- * As to Count 13-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jermaun Means)
- * As to Count 14-GUILTY of First Degree Kidnapping With Use of a Deadly Weapon (Jennifer Dennis)

Jury polled (unanimous). Defendant Slaughter was removed from the courtroom following a verbal outburst. Court thanked and excused the jury.

OUTSIDE PRESENCE OF JURY PANEL: COURT ORDERED sentencing date be SET.

8/16/2011 AT 9:00AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 14, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

June 14, 2011**9:00 AM****Motion****Deft's Motion for
Enlargement of Time
to File Motion for
New Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Anntoinette Naumec-Miller**RECORDER:****REPORTER:** Sharon Howard**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc Digiacomio, Deputy District Attorney, present for the State of Nevada.
Deft. Slaughter present without counsel, Osvaldo Fumo, Esq.

COURT WAIVED Mr. Fumo's presence. Court noted it did not receive a written opposition. Mr. Digiacomio advised he had not submitted one as he believes the Court doesn't have jurisdiction to enter the order. COURT ORDERED, motion GRANTED advising it still has jurisdiction.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 30, 2011

04C204957

The State of Nevada vs Rickie Slaughter

June 30, 2011

9:00 AM

Motion

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green
Anntoinette Naumec-Miller

RECORDER:

REPORTER: Cheryl Gardner

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present for the State of Nevada.
Deft. Slaughter, present in custody, without counsel Osvaldo Fumo, Esq.

Mr. Fumo not present. Mr. DiGiacomo advised he has been in contact with Mr. Fumo, who indicated he is in federal court and will be unable to attend the hearing. Court advised Mr. Fumo must be present for the motion and ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 7/7/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 07, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

July 07, 2011**9:00 AM****Motion****Deft's Pro Per Motion
to Dismiss Counsel,
Motion for Self
Representation and
for a New Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Anntoinette Naumec-Miller**RECORDER:****REPORTER:** Cheryl Gardner**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present for the State of Nevada.
Deft. Slaughter, present in custody, with Osvaldo Fumo, Esq.

Mr. Fumo advised he does not oppose the Motion to Dismiss Counsel, however the Motion for New Trial needs to be extended as the transcripts are not ready yet. Further, Mr. Fumo advised the Deft. may have retained Mr. Pitaro as counsel. Mr. DiGiacomo advised the transcripts should be filed next week and the Deft. is capable of representing himself as he passed the Faretta canvas. Court advised the Deft. had passed a Faretta canvas previously and it would set a Status Check to see if the Deft. is going to obtain counsel. Court further advised it will set a status check regarding transcripts and whether or not Mr. Pitaro will be retained. Upon Court's inquiry, Deft. confirmed his wife spoke with Mr. Pitaro. COURT ORDERED, Motion to Dismiss Counsel and Motion for Self Representation GRANTED, Status Check SET.

CUSTODY

04C204957

7/28/11 9:00 AM STATUS CHECK: COUNSEL AND TRANSCRIPTS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 28, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

July 28, 2011**9:00 AM****Status Check****Status Check:
Counsel and
Transcripts****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Anntoinette Naumec-Miller**RECORDER:****REPORTER:** Bill Nelson**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.
Tom Pitaro, Esq. present.

Mr. Pitaro advised that he was not retained. Court stated that Defendant will proceed in Proper Person. Colloquy regarding some of the transcripts being filed. Mr. DiGiacomo advised he will contact Court Reports to determine when others will be available.. COURT ORDERED, matter CONTINUED.

CUSTODY**8/18/11 9:00 AM STATUS CHECK: TRANSCRIPTS**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 02, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

August 02, 2011**9:00 AM****Motion****Defendant's Pro Per
Motion for
Disclosure of All
Brady and Giglio
Material and Request
for an In Camera
S.C.O.P.E. Review****HEARD BY:** Thompson, Charles**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Bill Nelson**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Argument by Defendant. Court stated that Brady requires the District Attorney to disclose to the defense any exculpatory evidence for the purpose of both guilty and punishment, and if State is in possession of any information, COURT ORDERED, it is to be disclosed. Further argument by Mr. Slaughter. COURT ORDERED, motion GRANTED to the extent Brady requires.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 16, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

August 16, 2011**9:00 AM****Sentencing****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Jennifer Herbert, Deputy District Attorney, present on behalf of the State.
Defendant present, in custody, acting in Proper Person.

Court noted that Parole and Probation has not prepared a new Presentence Report and all the transcripts have not been prepared. Defendant advised that he still needs May 12, May 13 and the last portion of May 20. COURT ORDERED, Status Check as to transcripts set for 8/18 will be CONTINUED and Sentencing will be OFF CALENDAR.

CUSTODY**8/30/11 9:00 AM STATUS CHECK: TRANSCRIPTS**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 30, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

August 30, 2011**9:00 AM****Status Check****Status Check:
Transcripts****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Court stated and Defendant concurred that he received the Jury Instructions and Notice of Witnesses from the Law Clerk today before Court, but part of trial transcripts from one Court Reporter still have not been prepared. Therefore, COURT ORDERED, matter CONTINUED.

CUSTODY**CONTINUED TO:** 9/13/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

04C204957

The State of Nevada vs Rickie Slaughter

September 13, 2011 9:00 AM**Status Check****Status Check:
Transcripts****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Christine Erickson**RECORDER:****REPORTER:** Sharon Howard**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Chief Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Court stated and Defendant concurred that he has received all the transcripts. However, Defendant is now requesting Court Exhibits 14, 15, 16, and 17, the unredacted transcripts of the jail calls. COURT ORDERED, Law Clerk will obtain those from the vault and provide copies to Defendant. Noting that Mr. Fumo's Motion is moot at this point, COURT ORDERED, Briefing Schedule set; Deft. to prepare a new motion which is to be filed by 11/15/11 with State's response due 1/5/12, and Deft.'s Reply due 2/7/11. Upon inquiry by Mr. DiGiacomo, Court clarified that hearing will proceed only on motion filed by Defendant in sixty days.

CUSTODY**2/21/12 9:00 AM - HEARING: DEFENDANT'S MOTION FOR NEW TRIAL**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 29, 2011**

04C204957

The State of Nevada vs Rickie Slaughter

November 29, 2011 9:00 AM**Motion****Defendant's Pro Se
Opening Motion for
New Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Bill Nelson**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

COURT ORDERED, Briefing Schedule set; State will have until January 10 to file an opposition and Defendant will have until March 12 to file a reply and matter will be set for decision on March 27, 2012.

CUSTODY**CONTINUED TO:** 3/27/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 17, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

April 17, 2012**9:00 AM****Motion****Defendant's Pro Se
Opening Motion for
New Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant not present, acting in Proper Person.

Mr. DiGiacomo requested that matter be continued, noting he is in a five week trial before Judge Bixler. COURT ORDERED, matter CONTINUED. Court noted that Defendant was in holding and would have been brought up if matter proceeded today. Court instructed Court Services Officer to inform Defendant of continuance date and if Defendant wished to be brought to Court, he was to be transported and Court would explain reason for continuance to Defendant. Court was informed by Marshall that Defendant did not want to be transported to Court.

CUSTODY**CONTINUED TO:** 5/15/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 17, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

May 17, 2012**9:00 AM****Motion****Defendant's Pro Per
Opening Motion for
New Trial****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Argument by Defendant and Mr. DiGiacomo. Court stated findings and COURT ORDERED, motion DENIED. Further, COURT ORDERED, matter set for Sentencing. Colloquy as to whether a new presentence report was prepared, with Mr. DiGiacomo advising he has a new report. As Court's file cannot be located, Court could not verify that a new report has been prepared, however, if one has not been prepared, Court will have Parole and Probation prepare a new report.

CUSTODY

5/31/12 9:00 AM CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 31, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

May 31, 2012**9:00 AM****Sentencing****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Jacob Villani, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Court stated that Parole and Probation never prepared a new report, so they need to interview Defendant and prepare a new report. COURT ORDERED, matter CONTINUED; Parole and Probation to interview Defendant and prepare a new Presentence Report.

CUSTODY**CONTINUED TO:** 8/2/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 26, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

June 26, 2012**9:00 AM****Motion****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Tia Everett**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Slaughter, Rickie	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

JOURNAL ENTRIES

- Jacob Villani, Deputy District Attorney, present for State. Defendant Slaughter present in custody in Proper Person.

Court noted the motion to appoint appellant counsel is premature as he is unable to grant the motion until after the Defendant has been sentenced, although the Court is inclined to grant the motion. Further, Court advised he will contact Drew Christensen's office to have counsel ready for appointment after sentencing. Defendant inquired if the Court has reviewed his motion to disqualify the Court for sentencing. Court stated the motion has not been filed according to the system, although he will attempt to locate the motion and have it set before the Chief Judge. COURT ORDERED, matter OFF CALENDAR at this time.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

04C204957

The State of Nevada vs Rickie Slaughter

August 14, 2012**9:00 AM****Sentencing****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green
Tia Everett**RECORDER:****REPORTER:** Sharon Howard**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc Digiacomio, Deputy District Attorney, present on behalf of the State. Defendant present in custody in Proper Person.

Court noted there is a motion to disqualify this court set for Thursday 8/16/2012 before Chief Judge Togliatti which he has completed and filed an affidavit for. Defendant requested to file a response to the Court's affidavit. Court stated that is an issue he will need to address with Judge Togliatti. Defendant advised he has prepared a reply to the State's opposition to his motion to disqualify and requested permission to file the document in open court. COURT ORDERED, Defendant's reply FILED IN OPEN COURT and matter CONTINUED.

CUSTODY**CONTINUED TO:** 9/06/2012 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 16, 2012

04C204957

The State of Nevada vs Rickie Slaughter

August 16, 2012

3:00 AM

Motion to Disqualify Judge

HEARD BY: Togliatti, Jennifer

COURTROOM:

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- A written decision was filed by the Court on 09/05/12.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 06, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

September 06, 2012 9:00 AM**Sentencing****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

Defendant Slaughter advised that there are two significant issues in the Presentence Report which need to be corrected prior to sentencing. Specifically, Defendant Slaughter stated that they are on Page 10 as to Count 9 and on Page 4 as to his substance abuse history. Court advised Defendant that it will not order a new Presentence Report, but will require modifications. Statement by Defendant as to specific modifications to be made. Argument by Mr. DiGiacomo that modifications can be made by interlineations. COURT ORDERED, modifications to be made to the Presentence report. Court stated on page 2, Count 9 should be corrected to "with substantial bodily harm" with the appropriate penalty; on Page 4, change "awhile ago" to around "around 17 years of age", and "approximately \$1,000.00" is to be changed to "under \$1,000.00"; and recommendation on Count 9 is to reflect "with substantial bodily harm. Court stated it will advise Parole and Probation.

CUSTODY**CONTINUED TO:** 10/2/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2012

04C204957

The State of Nevada vs Rickie Slaughter

October 02, 2012

9:00 AM

Sentencing

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

JOURNAL ENTRIES

- Michelle Fleck, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter present, in custody, acting in Proper Person.

As Court still does not have a supplemental Presentence Report, COURT ORDERED, matter CONTINUED; Court will have Law Clerk contact Parole and Probation.

CUSTODY

CONTINUED TO: 10/16/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 16, 2012**

04C204957

The State of Nevada vs Rickie Slaughter

October 16, 2012**9:00 AM****Sentencing****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Noelle Peguese**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Di Giacomo, Marc P.
Slaughter, Rickie
State of NevadaAttorney
Defendant
Plaintiff**JOURNAL ENTRIES**

- Also present: William Gamage, Esq. to accept appointment on behalf of the Defendant.

DEFT SLAUGHTER ADJUDGED GUILTY of COUNT 1-CONSPIRACY TO COMMIT KIDNAPPING (F), COUNT 2-CONSPIRACY TO COMMIT ROBBERY (F), COUNT-3 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 5-ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT 6-ROBBERY WITH USE OF DEADLY WEAPON (F), COUNT 7-BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F), COUNT 8-BURGLARY (F), COUNT 9-1ST DEGREE KIDNAPPING WITH SUBSTANTIAL BODILY HARM WITH USE OF A DEADLY WEAPON (F), AND COUNTS 10-14-1ST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Statements by Deft. and State. Colloquy regarding Restitution. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers if not previously taken, and \$35,000.00 Restitution to Victims of Crime, Defendant SENTENCED on COUNT 1 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNT 1; COUNT 3 to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS for the deadly

weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 2; COUNT 5 to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 3; COUNT 6 to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS plus a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 3; COUNT 7 to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 6; COUNT 8 to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT to COUNT 7; COUNT 9 to a MAXIMUM of LIFE with parole eligibility after FIFTEEN (15) YEARS plus a CONSECUTIVE MAXIMUM of LIFE with parole eligibility after FIFTEEN (15) YEARS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT 6; COUNTS 10-14 to a MAXIMUM of LIFE with parole eligibility after FIVE (5) YEARS plus a CONSECUTIVE MAXIMUM of LIFE with parole eligibility after FIVE (5) YEARS for the deadly weapons enhancement, in the Nevada Department of Corrections (NDC), ALL CONCURRENT to COUNT 9, with TWO THOUSAND SIX HUNDRED TWENTY-SIX (2,626) DAYS credit for time served. Deft not adjudicated on Count 4.

COURT FURTHER ORDERED, Deft. to remain in the Clark County Detention Center (CCDC) until 10/30/12, so he has a chance to speak with Mr. Gamage. Deft. advised he will be filing an appeal.

BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 19, 2015**

04C204957

The State of Nevada vs Rickie Slaughter

May 19, 2015**9:00 AM****Motion****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**Heap, Hilary
State of NevadaAttorney
Plaintiff

JOURNAL ENTRIES

- Defendant not present, in custody with the Nevada Department of Corrections (NDC).

Ms. Heap advised this matter should be addressed by the Attorney General's Office. Based on pleadings, without argument, Court stated motion is directed at the prison's policy, therefore, issue would need to be addressed with the prison and would involve the Attorney General's office. COURT ORDERED, motion DENIED as there is no basis to extend.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Rickie Slaughter # 85902, Ely State Prison, P.O. Box 1989, Ely, NV 89301-1989//dm

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

04C204957

The State of Nevada vs Rickie Slaughter

June 04, 2015**9:00 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State.
Defendant not present, in custody with the Nevada Department of Corrections.

Court noted he would like to review the Writ further, as well as, make a determination whether or not he would like the Defendant transported for any clarification. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 6/18/15 9:00 AM

CLERK S NOTE: A copy of this minute order was mailed to Rickie Slaughter # 85902, Ely State Prison, P.O. Box 1989, Ely, NV 89301-1989//dm6/5/15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

04C204957

The State of Nevada vs Rickie Slaughter

June 18, 2015**9:00 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Defendant Slaughter not present, in custody with the Nevada Department of Corrections (NDC), acting in Proper Person.

William Flinn, Deputy District Attorney, present on behalf of the State.

Based on the pleadings, without argument, COURT stated FINDINGS and ORDERED, Petition DENIED.

CLERK S NOTE: A copy of this minute order was mailed to Rickie Slaughter # 85902, Ely State Prison, P.O. Box 1989, Ely, NV 89301-1989//dm

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 10, 2016

04C204957

The State of Nevada vs Rickie Slaughter

March 10, 2016

9:00 AM

Motion

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Hilary Heap, Deputy District Attorney, present on behalf of the State.

Defendant Slaughter not present, in custody with the Nevada Department of Corrections, acting in Pro Se.

COURT ORDERED, motion GRANTED. Court stated Defendant has pending writ matters scheduled for April 28, 2016, noting appointment of counsel will be addressed at that time.

CLERK'S NOTE: A copy of this minute order was mailed to Rickie Slaughter # 85902, Ely State

PRINT DATE: 06/23/2016

Page 115 of 118

Minutes Date: October 05, 2004

04C204957

Prison, P.O. Box 1989, Ely, NV 89301-1989//dm3/18/16

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 28, 2016**

04C204957

The State of Nevada vs Rickie Slaughter

April 28, 2016**9:00 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State.
Defendant Slaughter not present, in custody, with the Nevada Department of Corrections.

DEFENDANT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL: REQUEST FOR
EVIDENTIARY HEARING....DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS
(POST CONVICTION)

Court provided procedural overview of the case. Based on pleadings, without argument, COURT ORDERED, to the extent the Court has jurisdiction, Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction), DENIED, noting writ is successive and untimely. Court stated that if he does not have jurisdiction, he would be inclined to deny.

As to Defendant's Prop Per Motion for the Appointment of Counsel and Request for Evidentiary Hearing, DENIED, noting they are moot due to the denial of the writ. State to prepare order.

CLERK'S NOTE: A copy of this minute order was mailed to Rickie Slaughter # 85902, Ely State Prison, P.O. Box 1989, Ely, NV 89301-1989//dm5/10/16

Reft's

EXHIBITS

State vs. Slaughter

CASE NO. C204957

[illegible]

EVIDENCE/EXHIBIT LIST

CASE NO. C204957

DEPT. NO. III

STATE OF NEVADA

PLAINTIFF

VS

RICKIE LAMONT SLAUGHTER

DEFENDANT

TRIAL DATE: **MAY 12, 2011**

JUDGE: DOUGLAS HERNDON

CLERK: Ruth Gilfert, Linda Denman

RECORDER: Cheryl Gardner; Robert Cangemi

Michelle Fleck, Esq. & Marc DiGiacomo, Esq.

COUNSEL FOR PLAINTIFF

Osvaldo Fumo, Esq. & Dustin Marcello, Esq.

COUNSEL FOR DEFENDANT

	EXHIBITS/EVIDENCE	DATE		
		PROPOSED	OBJECTION	ADMITTED
1.	Photo Aerial	5-16-11	NO	5-16-11
2.	Photo Aerial	5-17-11	NO	5-17-11
3.	Crime Scene Photos - Victim	5-16-11	NO	5-16-11
4.	Photo Victim on gurney	5-16-11	NO	5-16-11
5.	Photo Car & House	5-16-11	NO	5-16-11
6.	Photo Cars in garage	}	}	5-16-11
7.	Photo Cars in garage x2			5-16-11
8.	Photo Car in garage			5-16-11
9.	Photo Car in garage			5-16-11
10.	Photo House number	5-16-11	NO	5-16-11
11.	Photo PATIO - House & Grill	5-16-11	NO	5-16-11
12.	Photo Gray & Black Cords	}	}	5-16-11
13.	Photo Door & BBQ Grill			5-16-11
14.	Photo Inside House & Bloody Floor			5-16-11
15.	Photo Bloody Floor & Clorox			5-16-11
16.	Photo Couches & Front Door			5-16-11
17.	Photo Bloody Floor & Lamp & Couch			5-16-11
18.	Photo Lamp on Floor & Couches			5-16-11
19.	Photo Dog Gate & Couch			5-16-11
20.	Crime Scene Photos - Couch	5-16-11	NO	5-16-11

States EXHIBITS

CASE NO. C204957

		Date Offered	Objection	Date Admitted
21	- Crime Scene Photo-Black Cord & GATE	5-16-11	NO	5-16-11
22	" Room & Lamp on Floor			5-16-11
23	" Blood on Floor			5-16-11
24	" Blood on Floor			5-16-11
25	" Blood on Floor			5-16-11
26	" Cord on Floor & Kitchen			5-16-11
27	" Black Cord on Floor			5-16-11
28	" Kitchen & Aquarium & MAN			5-16-11
29	" Bloody Floor			5-16-11
30	" Floor with Shoes			5-16-11
31	" Bed with BLANKETS			5-16-11
32	" Bed & Shoes & window			5-16-11
33	" Boards on Floor			5-16-11
34	" Room w/Chair & Boards			5-16-11
35	" PATIO & BBQ & sidewalk			5-16-11
36	" Cord on Floor			5-16-11
37	" Bloody Floor & Lamp			5-16-11
38	" Black Cord on Floor & Blood			5-16-11
39	" Black Cord on Floor			5-16-11
40	" Black Cord on Floor			5-16-11
41	" Cord on Floor			5-16-11
42	" Cord & Plug on Floor			5-16-11
43	Crime Scene Photos - Cord	5-16-11	NO	5-16-11

State EXHIBITS

CASE NO. C204957

		Date Offered	Objection	Date Admitted
44	Crime Scene Photos - Card ^{Black}	5-16-11	NA	5-16-11
45	" Black Card on Floor	}	}	5-16-11
46	" Card & Gate on Floor			5-16-11
47	" Card on Floor			5-16-11
48	" Cards on Floor x4			5-16-11
49	" Coray Card on Floor			5-16-11
50	" Card - Coray on Floor	5-16-11	NA	5-16-11
51	" Credit Card	5-16-11	NA	5-16-11
52	" Fingerprint on Card	5-16-11	NA	5-16-11
53	" Woman showing Hands	5-16-11	NA	5-16-11
54	" woman showing hands	}	}	5-16-11
55	" Man in white shirt			5-16-11
56	" man's hands			5-16-11
57	" man with card			5-16-11
58	" Hands & cards			5-16-11
59	" Boy in orange shirt	}	}	5-16-11
60	" boy's hands			5-16-11
61	" boy yellow shirt			5-16-11
62	Crime Scene Photos - hands	5-16-11	NO	5-16-11
63	Photo - car - green	5-16-11	NO	5-16-11
64	" - car green	}	}	5-16-11
65	" - car - green			5-16-11
66	" - car w/ license plate	5-16-11	NO	5-16-11

STATES EXHIBITS

CASE NO. C.204957

		Date Offered	Objection	Date Admitted
67	Photo - Car	5-16-11	NO	5-16-11
68	" Car	}	}	5-16-11
69	" Car Trunk w/items			5-16-11
70	" Car trunk			5-16-11
71	" Bullet			5-16-11
72	" inside car - bullets & coin			5-16-11
73	" Green Car & license			5-16-11
74	" Car Seat w/misc items			5-16-11
75	" Car Trunk & picture			5-16-11
76	" Car Trunk			5-16-11
77	" Car Trunk w/toile			5-16-11
78	" Car Trunk w/Guns			5-16-11
79	" Car Trunk w/Guns			5-16-11
80	" Guns (2)			5-16-11
81	" Gun			5-16-11
82	" Gun			5-16-11
83	" bullets			5-16-11
84	" Gun			5-16-11
85	" bullets x 6			5-16-11
86	Photos - Gun	5-16-11	NO	5-16-11
87	Photos - Crime Scene - apartment	5-16-11	NO	5-16-11
88	" " " - apartment	5-16-11	NO	5-16-11
89	" " " apartment	5-16-11	NO	5-16-11

State EXHIBITSCASE NO. C204957

	Date Offered	Objection	Date Admitted
90 - Photos - Broken Window	5-16-11	NO	5-16-11
91 " - Air Conditioner & glass	}	}	5-16-11
92 " Door - Green			5-16-11
93 " Room w/ clothes			5-16-11
94 " Bed w/ misc items			5-16-11
95 " Room w/ TV & clothes			5-16-11
96 " Room & papers & TV			5-16-11
97 " Room & papers & scarf			5-16-11
98 " Room w/ Green Notebook	5-16-11	NO	5-16-11
99 " floor w/ pictures & papers	5-17-11	NO	5-17-11
100 Photos - bullet	5-17-11	No	5-17-11
101 " bullet fragments	5-17-11	No	5-17-11
102 " bullet fragments	5-17-11	No	5-17-11
103 " bullet fragments	5-17-11	No	5-17-11
104 Photos bullet fragments	5-17-11	No	5-17-11
105 Photos - 7-11	5-17-11	No	5-17-11
106 Photos 7-11	5-17-11	No	5-17-11
107 Photos 7-11	5-17-11	No	5-17-11
108 CD - 911	5-16-11	NO	5-16-11
109 - Evidence Envelope	5-16-11	no	5-16-11
109 A - Photo Line up	5-16-11	NO	5-16-11
110 - Evidence Envelope			
110-A - Photo Line up			

States EXHIBITS

CASE NO. C204957

	Date Offered	Objection	Date Admitted
111 - Evidence ENvelope	5-16-11	NO	5-16-11
111A - Line up-Photo	5-16-11	NO	5-16-11
112 - Security Video-CP	5-17-11	Yes	5-17-11
113 - Evidence BAG	5-16-11	NO	5-16-11
113A Black + Gray Wires (1) 6-26-04	5-16-11	NO	5-16-11
114 Evidence ENvelope (3) 6-26-04	5-16-11	NO	5-16-11
114A Black Cord Located in Kitchen	5-16-11	NO	5-16-11
115 Evidence ENvelope (4) 6-26-04	5-16-11	NO	5-16-11
115A Blk Cord	5-16-11	NO	5-16-11
116 Evidence ENvelope (5) 6-26-04	5-16-11	NO	5-16-11
116A Blk Cord	5-16-11	NO	5-16-11
117 - Evidence ENvelope	5-16-11	NO	5-16-11
117A Blk Plug/Cord (6) 6-26-04	5-16-11	NO	5-16-11
118 - Evidence ENvelope	5-16-11	NO	5-16-11
118A Blk Cord (7) 6-26-04	5-16-11	NO	5-16-11
119 Evidence ENvelope (8) 6-26-04	5-16-11	NO	5-16-11
119A Blk Cord	5-16-11	NO	5-16-11
120 Evidence ENvelope (9) 6-26-04	5-16-11	NO	5-16-11
120A Gray Cord	5-16-11	NO	5-16-11
121 Evidence ENvelope (10) 6-26-04	5-16-11	NO	5-16-11
121A White Cord	5-16-11	NO	5-16-11
122 Evidence ENvelope (11) 6-26-04	5-16-11	NO	5-16-11
122A Brown Cord from John Ryan	5-16-11	NO	5-16-11
123 Evidence ENvelope (12) 6-26-04	5-16-11	NO	5-16-11
123A 2 Fragments Collected from Victim	5-16-11	NO	5-16-11
124 - BAG (1) 6-27-04	5-18-11	NO	5-18-11
124A Container of Bullet Fragments (long)	5-18-11	NO	5-18-11
125 - BAG - Evidence (1) 6-29-04	5-16-11	NO	5-16-11
125-A (1) WINCHESTER 357 MAG CASING (1) Projectile	5-16-11	NO	5-16-11
126 BAG - Evidence 126-B-Glove	5-16-11		5-16-11
126-A (1) Hair Specimens 5 PLASTIC CONTAINERS	5-16-11	NO	5-16-11
127 - Evidence ENvelope	5-16-11		5-16-11
127-A (1) Glove	5-16-11	NO	5-16-11
128 - Evidence ENvelope (18) 6-29-04	5-16-11	NO	5-16-11
128-A - LEATHER Gloves	5-16-11	}	5-16-11
128 B - LATEX Gloves	5-16-11	}	5-16-11
129 Evidence ENvelope (9) 6-29-04	5-16-11	NO	5-16-11

State EXHIBITS

CASE NO. C204957

	Date Offered	Objection	Date Admitted
129A 11 LATEX Colours	5-16-11	NO	5-16-11
130 Box + CONTENTS (Gun + Bullets)	5-16-11	NO	5-16-11
131 - Box + CONTENTS (Gun + Ammo)	5-16-11	NO	5-16-11
132 - Evidence ENVELOPE 6-30-04			
132A - CD - Security Tape			
133 - Evidence ENVELOPE ⁶⁻³⁰⁻⁰⁴	5-17-11	No	5-17-11
133-A - Photo Line up	5-17-11	No	5-17-11
134 Evidence ENVELOPE ⁷⁻¹⁻⁰⁴	5-18-11	NO	5-18-11
134-A Photo Line up	5-18-11	NO	5-18-11
135- Car Title	5-17-11	NO	5-17-11
136- Jail Calls-CD	5-18-11	yes	5-18-11
137- CD- Jail House Call ⁷⁻⁶⁻⁰⁴ #12	5-19-11	NO	5-19-11
138- Rickie Slaughter Booking Photo	5-19-11	No	5-19-11

EVIDENCE/EXHIBIT LIST

CASE NO. C204957

DEPT. NO. 3

STATE OF NEVADA PLAINTIFF

VS

Rickie Lamont Slaughter

DEFENDANT

TRIAL DATE: 5-12-11

JUDGE: Douglas Herndon

CLERK: Ruth G. / Fert / Linda DENSMAN

RECORDER: Cheryl Gardner / Bob Cangemi
Bill Nelson

Esq. MARC DiGiacomo / Michelle Fleck

COUNSEL FOR PLAINTIFF

Esq. Osvaldo Fumo &
COUNSEL FOR DEFENDANT *Dustin*

marcello

[illegible]

COURT'S EXHIBITS

CASE NO. C 204957

Slaughter

	Date Offered	Objection	Date Admitted
#1 Jury List	5-13-11		5-13-11
#2 Juror Questions 1-3	5-16-11		5-16-11
#3 Juror Question	5-16-11		5-16-11
#4 Juror ^{#2} Question	5-16-11		5-16-11
#5 Juror ^{#7} Question	5-16-11		N/A
#6 Juror ^{#5} Question	5-17-11		5-17-11
#7 Juror ^{#12} Question	5-17-11		5-17-11
#8 Juror ^{#2} Question	5-17-11		5-17-11
#9 Juror ^{#12} Questions	5-17-11		5-17-11
#10 Juror ^{#10} Question	5-17-11		5-17-11
#11 Juror ^{#5} Question	5-17-11		5-17-11
#12 Juror ^{#1} Question	5-17-11		N/A
#13 Juror ^{#12} Question	5-17-11		
#14 Transcript 0148 (Jailhouse Call)	5-18-11		5-18-11
#15 Transcript 1419 (Jailhouse Call)	5-18-11		5-18-11
#16 Transcript 1448 (Jailhouse Call)	5-18-11		5-18-11
#17 Transcript 1839 (Jailhouse Call)	5-18-11		5-18-11
#18 Juror ^{#7} Question	5-18-11		5-18-11
#19 Juror ^{#11} Question	5-18-11		5-18-11
#20 Juror ^{#2} Question	5-18-11		5-18-11
#21 Xerox Copy of Line Up	5-18-11		5-18-11
#22 Xerox Copy of Line Up	5-18-11		5-18-11
#23 Xerox Copy of Line Up	5-18-11		5-18-11

County EXHIBITS

CASE NO. C204957

		Date Offered	Objection	Date Admitted
#24	Xerox copy of Line up	5-18-11		5-18-11
#25	Mugshot Profile	5-18-11		5-18-11
#26	Booking Photo of Jacquan Richard	5-18-11		5-18-11
#27	Juror #12 Question	5-18-11		5-18-11
#28	Juror #11 Question	5-18-11		5-18-11
#29	Juror #13 Question	5-18-11		5-18-11
#30	Juror #7 Question	5-19-11		5-19-11
#31	Juror #7 Question	5-19-11		5-19-11
#32	Juror #7 Question	5-19-11		5-19-11
#33	Juror #7 Question	5-19-11		5-19-11
#34	Juror #7 Question	5-19-11		5-19-11
#35	Juror #7 Question	5-19-11		5-19-11
#36	Juror #5 Question	5-19-11		5-19-11
#37	Juror #2 Question	5-19-11		5-19-11
#38	Juror #12 Question	5-19-11		5-19-11
#39	Juror #3 Question	5-19-11		5-19-11
#40	Juror #12 Question	5-19-11		5-19-11
#41	Juror #11 Question	5-19-11		5-19-11
#42	Juror #8 Question	5-19-11		5-19-11
#43	Juror #7 Question	5-19-11		5-19-11
#44	Juror #7 Question	5-19-11		5-19-11
#45	Juror #7 Question	5-19-11		5-19-11
#46	Juror #7 Question	5-19-11		5-19-11

Adm
18's
exb.
5-19

CASE NO. C204957

S:\CRIMINAL TRIAL DOCS\Exhibit List.doc4/18/2011

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; FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; NOTICE OF
ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

RICKIE SLAUGHTER,

Defendant(s).

Case No: 04C204957

Dept No: III

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 23 day of June 2016.

Steven D. Grierson, Clerk of the Court

Chaunte Pleasant

Chaunte Pleasant, Deputy Clerk

PP-DA

Please Return
Filed stamped copy!!

Electronically Filed
06/22/2016 12:06:14 PM

1 Rickie Slaughter #85902
2 Ely State Prison, P.O. Box 1989
3 Ely, NV. 89301-1989

4 Appellant in proper person

Electronically Filed
Jun 28 2016 01:50 PM
CLERK OF THE COURT
Tracie K. Lindeman
Clerk of Supreme Court

5
6 District Court
7 Clark County, Nevada
8

9 Rickie Slaughter,
10 Petitioner/Appellant,

Case No: C204957

Dept. No: 3

11 vs

12 The State of Nevada,

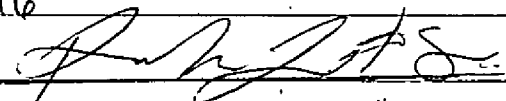
13 Respondents.
14

15 Notice Of Appeal

16 Notice is hereby given that the petitioner/appellant,
17 Rickie Slaughter, in and through, his proper person hereby appeals
18 to the Nevada Supreme Court of the State of Nevada from
19 the Findings of Fact, Conclusions of Law and Order
20 denying his Post Conviction Petition for Writ of Habeas Corpus
21 , Motion for Appointment of Counsel, and Request for Evidentiary
22 Hearing, said Order being filed on the 10th day of June 2016.

23 Dated this 17th day of June 2016

24 Respectfully submitted,


Rickie Slaughter #85902

Ely State Prison
Petitioner/Appellant

27 RECEIVED

28 JUN 22 2016

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAIL

I, Rickie Slaughter, hereby certify pursuant to N.R.C.P.
5(b), that on this 19 day of June, of the year 2011, I mailed a true and
correct copy of the foregoing Motion for Leave to Proceed in Forma Pauperis;

Steven B. Wolfson
Name

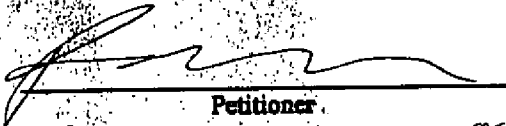
Name

Name

200 Lewis Avenue
Las Vegas, Nevada
89155
Address

Address

Address

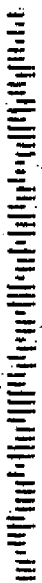

Petitioner

Rickie Slaughter # 85902
~~89301~~

Mr. Rickie Slaughter #85402
Ely State Prison, P.O. Box 1989
Ely, Nevada 89301-1989

LEGAL MAIL
Confidential

89101\$6300 C075



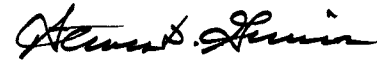
To: The Clerk of the Court
Regional Justice Center
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155-1160



U.S. POSTAGE® PTNEY BOWES
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JUN 19 2016


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.

RICKIE SLAUGHTER,

Defendant(s),

Case No: 04C204957

Dept No: III

CASE APPEAL STATEMENT

1. Appellant(s): Rickie Slaughter

2. Judge: Douglas W. Herndon

3. Appellant(s): Rickie Slaughter

Counsel:

Rickie Slaughter #85902
P.O. Box 1989
Ely, NV 89301

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: September 22, 2004

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

Type of Judgment or Order Being Appealed: Post-Conviction Relief

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 48742, 52385, 54296, 58220, 61991, 68532

12. Child Custody or Visitation: N/A

Dated This 23 day of June 2016.

Steven D. Grierson, Clerk of the Court

/s/ Chaunte Pleasant

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

cc: Rickie Slaughter

DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

The State of Nevada vs Rickie Slaughter

§	Location:	Department 3
§	Judicial Officer:	Herndon, Douglas W.
§	Filed on:	09/22/2004
§	Case Number History:	
§	Cross-Reference Case	C204957
§	Number:	
§	Defendant's Scope ID #:	1896569
§		1211173
§	Lower Court Case # Root:	04FN00980
§	Lower Court Case Number:	04FN00980X
§	Supreme Court No.:	61991
§		68532

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT.	F	01/01/1900	Case Flags: Bail Set <i>Bail Set at \$255000</i> Appealed to Supreme Court Custody Status - Nevada Department of Corrections Charge Description Updated	
1. MURDER.	F	01/01/1900		
1. DEGREES OF MURDER	F	01/01/1900		
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE	F	06/26/2004		
2. CONSPIRACY TO COMMIT ROBBERY	F	06/26/2004		
2. ROBBERY	F	01/01/1900		
2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
3. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900		
3. KIDNAPPING IN FIRST DEGREE	F	01/01/1900		
3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS	F	06/26/2004		
4. BATTERY WITH USE OF DEADLY WEAPON	F	06/26/2004		
4. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900		
4. KIDNAPPING IN FIRST DEGREE	F	01/01/1900		
4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS	F	06/26/2004		
6. ROBBERY	F	01/01/1900		
6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON	F	01/01/1900		
<i>Filed As:</i> BURGLARY.	F	9/22/2004		
8. BURGLARY.	F	01/01/1900		
9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
9. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900		
9. KIDNAPPING IN FIRST DEGREE	F	01/01/1900		
10. KIDNAPPING IN FIRST DEGREE	F	01/01/1900		
10. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900		
10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900		
11. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900		

DEPARTMENT 3
CASE SUMMARY
CASE No. 04C204957

11. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
12. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900
12. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
13. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900
13. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
14. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900
14. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
15. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900
15. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
16. KIDNAP WITH USE OF A DEADLY WEAPON	F	01/01/1900
16. KIDNAPPING IN FIRST DEGREE	F	01/01/1900
16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.	F	01/01/1900
17. MAYHEM	F	01/01/1900

Statistical Closures

11/02/2012	Jury Trial - Conviction - Criminal
11/30/2009	USJR Reporting Statistical Closure
11/13/2008	USJR Reporting Statistical Closure
08/21/2008	USJR Reporting Statistical Closure
03/18/2007	USJR Reporting Statistical Closure
08/08/2005	USJR Reporting Statistical Closure

Warrants

Material Witness Warrant - Richard, Jacquan (Judicial Officer: Herndon, Douglas W.)
05/18/2011 Returned - Served
05/16/2011 8:46 AM Active
Fine: \$0
Bond: \$0

DATE	CASE ASSIGNMENT
	Current Case Assignment
	Case Number 04C204957
	Court Department 3
	Date Assigned 05/14/2009
	Judicial Officer Herndon, Douglas W.





PARTY INFORMATION		
		<i>Lead Attorneys</i>
Defendant	Slaughter, Rickie	Pro Se
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)
Material Witness	Richard, Jacquan	

DATE	EVENTS & ORDERS OF THE COURT	INDEX

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CASE NO. 04C204957

01/01/1900	Plea (Judicial Officer: User, Conversion) 1. ATTEMPT. Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. MURDER. Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. DEGREES OF MURDER Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. ROBBERY Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 3. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 4. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion)

DEPARTMENT 3
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	4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
09/22/2004	 Criminal Bindover
09/28/2004	 Information
09/28/2004	 Amended Information
10/05/2004	Initial Arraignment (9:00 AM) <i>INITIAL ARRAIGNMENT Court Clerk: Jennifer Kimmel/jk Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty</i>
10/05/2004	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/05/2004	Plea (Judicial Officer: Herndon, Douglas W.) 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Not Guilty PCN: Sequence:
10/05/2004	Plea (Judicial Officer: Herndon, Douglas W.) 1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE Not Guilty PCN: Sequence: 2. CONSPIRACY TO COMMIT ROBBERY Not Guilty PCN: Sequence:
10/05/2004	Plea (Judicial Officer: Herndon, Douglas W.) 5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Not Guilty PCN: Sequence: 6. ROBBERY Not Guilty PCN: Sequence:
10/05/2004	Plea (Judicial Officer: Herndon, Douglas W.) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Not Guilty PCN: Sequence: 7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON Not Guilty PCN: Sequence: 8. BURGLARY. Not Guilty PCN: Sequence:
10/05/2004	Plea (Judicial Officer: Herndon, Douglas W.)

DEPARTMENT 3
CASE SUMMARY
CASE No. 04C204957

9. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:
9. KIDNAPPING IN FIRST DEGREE
Not Guilty
PCN: Sequence:
9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty
PCN: Sequence:
10. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:
10. KIDNAPPING IN FIRST DEGREE
Not Guilty
PCN: Sequence:
10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty
PCN: Sequence:
11. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:
11. KIDNAPPING IN FIRST DEGREE
Not Guilty
PCN: Sequence:
11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty
PCN: Sequence:
12. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:
12. KIDNAPPING IN FIRST DEGREE
Not Guilty
PCN: Sequence:
12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty
PCN: Sequence:
13. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty
PCN: Sequence:
13. KIDNAPPING IN FIRST DEGREE
Not Guilty
PCN: Sequence:
13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.
Not Guilty
PCN: Sequence:
14. KIDNAP WITH USE OF A DEADLY WEAPON
Not Guilty

DEPARTMENT 3
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CASE NO. 04C204957

PCN: Sequence:

14. KIDNAPPING IN FIRST DEGREE

Not Guilty

PCN: Sequence:

14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.

Not Guilty

PCN: Sequence:

10/11/2004



Order

Order Releasing Medical Records

10/12/2004



Motion to Withdraw As Counsel

Motion to Withdraw Due to Conflict

10/13/2004



Notice of Expert Witnesses

Notice of Expert Witnesses and Witnesses [NRS 174.234 (2)]

10/13/2004



Reporters Transcript

Transcript of Hearing Held on September 21, 2004

10/19/2004

Motion for Confirmation of Counsel (9:00 AM)

CONFIRMATION OF COUNSEL (PRIVATE) Heard By: John McGroarty

10/19/2004

Motion (9:00 AM)

Events: 10/05/2004 Ex Parte Motion

EXPARTE MOTION FOR RELEASE OF MEDICAL RECORDS Heard By: John McGroarty

10/19/2004

Motion (9:00 AM)

Events: 10/12/2004 Motion to Withdraw As Counsel

RUE'S MTN TO WITHDRAW DUE TO CONFLICT/06 Heard By: John McGroarty

10/19/2004

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 10-19-04 Court Clerk: Annette Duncan Reporter/Recorder: Peggy Isom Heard By: John McGroarty

11/30/2004

Calendar Call (9:00 AM)

CALENDAR CALL Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty

12/01/2004



Order

Filed By: Defendant Slaughter, Rickie

Order Appointing Counsel

12/02/2004



Stipulation and Order

Stipulation and Order Extending Time

12/03/2004

Overflow (9:30 AM)

OVERFLOW (16) S KRISKO / P WOMMER 2-3 DAYS/10-13 WITNESSES/NO OUT OF STATE Court Clerk: Denise Trujillo Reporter/Recorder: Jackie Nelson Heard By: McGroarty, John S.







12/06/2004

CANCELED Jury Trial (1:30 PM)









Vacated

12/06/2004








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CASE NO. 04C204957

	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
12/07/2004	 Notice Filed By: Defendant Slaughter, Rickie <i>Notice of Alibi</i>
12/08/2004	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
12/09/2004	 Notice <i>Notice of Rebuttal Alibi</i>
12/10/2004	Overflow (9:30 AM) <i>OVERFLOW (16) S KRISKO / P WOMMER 2-3 DAYS/10-13 WITNESSES/NO OUT OF STATE Court Clerk: Tina Hurd Reporter/Recorder: JoAnn Orduna Heard By: Stewart Bell</i>
12/13/2004	Jury Trial (9:30 AM) <i>TRIAL BY JURY Court Clerk: Cheryl Case Reporter/Recorder: Debbie Van Blaricom Heard By: Ken Cory</i>
12/13/2004	 Amended Information <i>Second Amended Information</i>
12/13/2004	 Motion to Dismiss Counsel Party: Defendant Slaughter, Rickie <i>Motion to Dismiss Counsel (Ex Parte) and Appointment of Alternate Counsel</i>
12/13/2004	Disposition (Judicial Officer: User, Conversion) 15. KIDNAP WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/13/2004	Disposition (Judicial Officer: User, Conversion) 15. KIDNAPPING IN FIRST DEGREE Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/13/2004	Disposition (Judicial Officer: User, Conversion) 15. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/13/2004	Disposition (Judicial Officer: User, Conversion) 16. KIDNAP WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/13/2004	Disposition (Judicial Officer: User, Conversion) 16. KIDNAPPING IN FIRST DEGREE Amended Information Filed/Charges Not Addressed PCN: Sequence:








DEPARTMENT 3
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CASE NO. 04C204957

12/13/2004	Disposition (Judicial Officer: User, Conversion) 16. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/13/2004	Disposition (Judicial Officer: User, Conversion) 17. MAYHEM Amended Information Filed/Charges Not Addressed PCN: Sequence:
12/16/2004	Conversion Hearing Type (9:00 AM) <i>TRIAL SETTING Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom Heard By: John McGroarty</i>
12/27/2004	 Certificate of Service <i>Certificate of Service by Mail of Certificate of Title</i>
12/27/2004	 Order <i>Order to Product Transcript of Faretta Canvass Portion of Hearing Held December 13, 2004 Court Dept. 1</i>
01/10/2005	 Notice <i>(Notice) and Petition for Permission for Incarcerated Person to Marry / Order Authorizing Marriage of Defendant.</i>
01/10/2005	 Ex Parte Application <i>(Ex Parte) Application to Proceed in Forma Pauperis / Affidavit of Indigent / Financial Certificate (Sealed)</i>
01/24/2005	 Motion <i>Motion to Inspect all Evidence Favorable to Defense - Court Minutes - All Pleadings / Transcription of Compact Disc (2) and Dismissal of Counsel Hearing</i>
01/24/2005	 Ex Parte Motion <i>(Ex Parte) Motion for Appointment of Investigator</i>
01/31/2005	Petition (9:00 AM) Events: 01/10/2005 Notice <i>DEFT'S PRO PER PTN FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/13 Heard By: John McGroarty</i>
01/31/2005	Motion (9:00 AM) <i>DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS/14 Heard By: John McGroarty</i>
01/31/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (1/31/05) Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty</i>
01/31/2005	 Response <i>Response to Defendant's Motion for Investigator</i>
01/31/2005	 Certificate of Facsimile <i>Certificate of Facsimile Transmission</i>

DEPARTMENT 3
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01/31/2005	 Response <i>Response to Defendant's Motion for Full Discovery and Request by the State for Reciprocal Discovery</i>
02/07/2005	Petition (9:00 AM) <i>DEFT'S PRO PER PTN FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/13</i> <i>Heard By: John McGroarty</i>
02/07/2005	Motion (9:00 AM) <i>DEFT'S APPLICATION TO PROCEED IN FORMA PAUPERIS/14</i> <i>Heard By: John McGroarty</i>
02/07/2005	Motion (9:00 AM) Events: 01/24/2005 Motion <i>DEFT'S PRO PER MTN TO INSPECT ALL EVID FAVORABLE TO DEFENSE COURT</i> <i>MINUTES/15</i> <i>Heard By: John McGroarty</i>
02/07/2005	Motion (9:00 AM) Events: 01/24/2005 Ex Parte Motion <i>DEFT'S PRO PER MTN FOR APPOINTMENT OF INVESTIGATOR/16</i> <i>Heard By: John McGroarty</i>
02/07/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS - 2/7/05</i> <i>Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom</i> <i>Heard By: John McGroarty</i>
02/07/2005	 Petition Filed by: Defendant Slaughter, Rickie <i>Petition for Permission for Incarcerated Person to Marry - Proposed Order Authorizing Marriage</i>
02/08/2005	Calendar Call (9:00 AM) <i>CALENDAR CALL</i> <i>Court Clerk: Jennifer Kimmel Reporter/Recorder: Peggy Isom</i> <i>Heard By: John McGroarty</i>
02/09/2005	 Order Filed By: Defendant Slaughter, Rickie <i>Order for Appointment of Private Investigator</i>
02/09/2005	 Order Filed By: Defendant Slaughter, Rickie <i>Order for Contact Visits with Private Investigator</i>
02/14/2005	Request (9:00 AM) <i>STATE'S REQUEST RESET TRIAL DATE</i> <i>Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom</i> <i>Heard By: John McGroarty</i>
02/14/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
02/22/2005	 Reporters Transcript <i>Transcript of Hearing Held on December 13, 2004</i>
02/28/2005	 Motion <i>Motion to Reveal Confidential Informant</i>
02/28/2005	 Motion <i>Motion to Preserve Evidence - Request to Inspect Original Photo Lineups</i>

DEPARTMENT 3
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03/01/2005	 Response <i>Response to Defendant's Motion to Preserve Evidence and Inspect Original Photo Line-ups</i>
03/01/2005	 Opposition to Motion <i>Opposition to Defendant's Motion to Reveal the Confidential Informant</i>
03/10/2005	 Request Filed by: Defendant Slaughter, Rickie <i>Request for Issuance of Subpoena Duces Tecum for Defendants' Medical Records</i>
03/15/2005	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
03/16/2005	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
03/16/2005	 Order <i>Order Releasing Medical Records</i>
03/18/2005	 Reply Filed by: Defendant Slaughter, Rickie <i>Defendant's Reply to the States' Opposition to Defendant's Motion to Reveal Confidential Informant</i>
03/21/2005	Motion (9:00 AM) Events: 02/28/2005 Motion <i>DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty</i>
03/21/2005	Motion (9:00 AM) Events: 02/28/2005 Motion <i>DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25 Heard By: John McGroarty</i>
03/21/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (3/21/05) Relief Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty</i>
03/21/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
03/21/2005	 Amended Information <i>Third Amended Information</i>
03/23/2005	Motion (9:00 AM) <i>DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty</i>
03/23/2005	Motion (9:00 AM) <i>DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25 Heard By: John McGroarty</i>
03/23/2005	Request (9:00 AM) <i>DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27 Heard By: John McGroarty</i>
03/23/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (3/23/05) Court Clerk: April Watkins Relief Clerk: Nancy Noble/nm</i>






DEPARTMENT 3
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Reporter/Recorder: Peggy Isom Heard By: John McGroarty

03/24/2005	 Request <i>Defendant's Request for a Court Order for Defendant to Recieve His Law Books</i>
03/29/2005	Calendar Call (9:00 AM) <i>CALENDAR CALL</i>
03/29/2005	Motion (9:00 AM) <i>DEFT'S PRO PER MTN TO REVEAL CONFIDENTIAL INFORMANT/24 Heard By: John McGroarty</i>
03/29/2005	Motion (9:00 AM) <i>DEFT'S PRO PER MTN TO PRESERVE EVIDENCE /25 Heard By: John McGroarty</i>
03/29/2005	Request (9:00 AM) <i>DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27 Heard By: John McGroarty</i>
03/29/2005	Request (9:00 AM) <i>DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT/27 Heard By: John McGroarty</i>
03/29/2005	Request (9:00 AM) <i>Events: 03/24/2005 Request</i> <i>DEFT'S PRO PER REQUEST COURT ORDER TO RECEIVE LAW BOOKS /30 Heard By: John McGroarty</i>
03/29/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (3/29/05) Court Clerk: April Watkins Reporter/Recorder: Peggy Isom Heard By: John McGroarty</i>
03/30/2005	 Supplemental <i>Filed by: Defendant Slaughter, Rickie</i> <i>Supplemental Order for Appointment and Payment of Private Investigator</i>
03/30/2005	 Order <i>Order for Return of Law Books</i>
04/01/2005	Overflow (9:30 AM) <i>OVERFLOW (16) S KRISKO/PRO PER-WOMMER 3 DAYS/10-13 WITNESSES/NO OUT OF STATE Relief Clerk: Georgette Byrd/gb Reporter/Recorder: Renee Silvaggio Heard By: Stewart Bell</i>
04/01/2005	 Motion to Continue <i>Filed By: Defendant Slaughter, Rickie</i> <i>Defendant's Motion for a Continuance</i>
04/04/2005	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>
04/04/2005	Jury Trial (1:30 PM) <i>TRIAL BY JURY Court Clerk: Carol Green Reporter/Recorder: Yvonne Valentin Heard By: Douglas Herndon</i>
04/04/2005	 Guilty Plea Agreement
05/05/2005	 Order for Production of Inmate

DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

Order for Production of Inmates

05/17/2005	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
06/06/2005	Sentencing (10:30 AM) <i>SENTENCING Court Clerk: Carol Green Reporter/Recorder: Mary Beth Cook Heard By: Herndon, Douglas W</i>
06/27/2005	 Request Filed by: Defendant Slaughter, Rickie <i>Defendant's Request for Amended Plea Agreement</i>
07/27/2005	 PSI <i>Amended Pre-Sentence Investigation Report (Unfiled) Confidential</i>
08/05/2005	 Motion for Appointment of Attorney <i>Motion to Appoint Counsel</i>
08/08/2005	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 8/8/05 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
08/08/2005	Sentencing (10:00 AM) <i>SENTENCING Heard By: Douglas Herndon</i>
08/08/2005	CANCELED Sentencing (10:00 AM) <i>Vacated</i>
08/08/2005	Motion to Amend (10:00 AM) <i>DEFT'S PRO PER REQ FOR AMENDED PLEA/36 Heard By: Douglas Herndon</i>
08/08/2005	 Motion to Withdraw Plea <i>Defendant's Motion to Withdraw a Guilty Plea</i>
08/08/2005	Disposition (Judicial Officer: User, Conversion) 1. ATTEMPT. Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion)
08/08/2005	Disposition (Judicial Officer: User, Conversion) 1. MURDER. Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 1. DEGREES OF MURDER Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty

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	PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 2. ROBBERY Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion)
08/08/2005	Disposition (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion)
08/08/2005	Disposition (Judicial Officer: User, Conversion) 4. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion)
08/08/2005	Disposition (Judicial Officer: User, Conversion) 4. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 5. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Amended Information Filed/Charges Not Addressed PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 6. ROBBERY Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:

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08/08/2005	Disposition (Judicial Officer: User, Conversion) 7. BURGLARY. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 8. BURGLARY. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 9. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 9. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 10. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 11. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 11. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:

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08/08/2005	Disposition (Judicial Officer: User, Conversion) 11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 12. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 12. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 13. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 13. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 14. KIDNAP WITH USE OF A DEADLY WEAPON Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 14. KIDNAPPING IN FIRST DEGREE Charges Amended/Dropped PCN: Sequence:
08/08/2005	Disposition (Judicial Officer: User, Conversion) 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Charges Amended/Dropped PCN: Sequence:








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08/08/2005	<p>Sentence (Judicial Officer: User, Conversion)</p> <p>1. ATTEMPT.</p> <p>Adult Adjudication</p> <p>Converted Disposition:</p> <p>Sentence# 0001:</p> <p>Minimum 90 Months to Maximum 240 Months</p> <p>Placement: NSP</p> <p>Cons/Conc: Concurrent</p> <p>w/Charge Item: 0001</p> <p>and Sentence#: 0001</p> <p>in Case#: 03C196399</p> <p>Converted Disposition:</p> <p>Sentence# 0002:</p> <p>Minimum 90 Months to Maximum 240 Months</p> <p>Placement: NSP</p> <p>Cons/Conc: Consecutive</p> <p>w/Charge Item: 0001</p> <p>and Sentence#: 0001</p> <p>Converted Disposition:</p> <p>Sentence# 0003: RESTITUTION</p> <p>Amount: \$35000.00</p> <p>Converted Disposition:</p> <p>Sentence# 0004: DNA FEE/GENETIC MARKERS ANALYSIS</p> <p>Amount: \$150.00</p> <p>Converted Disposition:</p> <p>Sentence# 0005: ADMINISTRATION FEE</p> <p>Amount: \$25.00</p>
08/08/2005	<p>Sentence (Judicial Officer: User, Conversion)</p> <p>2. ROBBERY</p> <p>Adult Adjudication</p> <p>Converted Disposition:</p> <p>Sentence# 0001:</p> <p>Minimum 72 Months to Maximum 180 Months</p> <p>Placement: NSP</p> <p>Cons/Conc: Concurrent</p> <p>w/Charge Item: 0001</p> <p>and Sentence#: 0001</p> <p>Converted Disposition:</p> <p>Sentence# 0002:</p> <p>Minimum 72 Months to Maximum 180 Months</p> <p>Placement: NSP</p> <p>Cons/Conc: Consecutive</p> <p>w/Charge Item: 0005</p> <p>and Sentence#: 0001</p>
08/08/2005	<p>Sentence (Judicial Officer: User, Conversion)</p> <p>3. KIDNAP WITH USE OF A DEADLY WEAPON</p> <p>Adult Adjudication</p> <p>Converted Disposition:</p> <p>Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE</p> <p>Cons/Conc: Concurrent</p> <p>w/Charge Item: 0005</p> <p>and Sentence#: 0001</p>
08/08/2005	<p>Sentence (Judicial Officer: User, Conversion)</p> <p>4. KIDNAP WITH USE OF A DEADLY WEAPON</p> <p>Adult Adjudication</p> <p>Converted Disposition:</p> <p>Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE</p> <p>Cons/Conc: Concurrent</p> <p>w/Charge Item: 0007</p> <p>and Sentence#: 0001</p>
08/16/2005	<p>CANCELED Motion (10:00 AM)</p>

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	Events: 08/05/2005 Motion for Appointment of Attorney <i>Vacated</i>
08/23/2005	CANCELED Motion to Withdraw Plea (9:00 AM) Events: 08/08/2005 Motion to Withdraw Plea <i>Vacated</i>
08/31/2005	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
09/08/2005	 Order <i>Order Appointing Counsel</i>
08/07/2006	 Affidavit in Support Filed By: Defendant Slaughter, Rickie <i>Affidavit in Support of Motion to Proceed in Forma Pauperis (Sealed)</i>
08/07/2006	 Motion for Leave to Proceed in Forma Pauperis <i>Motion for Leave to Proceed in Forma Pauperis (Sealed)</i>
08/07/2006	 Motion for Appointment of Attorney <i>Motion to Appoint Counsel</i>
08/07/2006	 Motion <i>Motion for Court Minutes and Transcription of Court Minutes at State Expense / Proposed Order</i>
08/07/2006	 Motion <i>Part I - Motion for Leave to Supplemental Petition for Writ of Habeas Corpus / Part II - Motion for Court Order for Extended Time to Supplement Petition for Writ of Habeas Corpus Upon Receipt of Transcripts of Record</i>
08/07/2006	 Petition for Writ of Habeas Corpus Filed by: Defendant Slaughter, Rickie <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
08/10/2006	 Order for Petition for Writ of Habeas Corpus
09/11/2006	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Leave to Supplement Petition for Writ of Habeas Corpus (Post Conviction); Appointment of Counsel and Motion for Court Minutes and Transcripts at State Expense</i>
09/11/2006	 Application <i>Application and Order for Transcripts</i>
09/13/2006	Petition to Proceed in Forma Pauperis (9:00 AM) Events: 08/07/2006 Motion for Leave to Proceed in Forma Pauperis <i>DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /40 Heard By: Douglas Herndon</i>
09/13/2006	Motion for Appointment of Attorney (9:00 AM) Events: 08/07/2006 Motion for Appointment of Attorney <i>DEFT'S PRO PER MTN TO APPOINT COUNSEL/41 Heard By: Douglas Herndon</i>

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09/13/2006	Motion (9:00 AM) Events: 08/07/2006 Motion <i>DEFT'S PRO PER MTN FOR COURT MINUTES & TRANSCRIPTS OF COURT MINUTES AT STATE/42 Heard By: Douglas Herndon</i>
09/13/2006	Motion (9:00 AM) Events: 08/07/2006 Motion <i>DEFT'S PRO PER MTN FOR LEAVE TO SUPPLEMENT PETITION FOR WRIT OF /43 Heard By: Douglas Herndon</i>
09/13/2006	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 9/13/06 Court Clerk: Carol Green Reporter/Recorder: Norma Silverman Heard By: J. Charles Thompson</i>
09/13/2006	 Motion <i>Motion for Transcripts at State Expense</i>
10/04/2006	 Motion <i>Petitioner's Motion for a Testimonial Evidentiary Hearing to Develop Petitioner's Factual Claims and Offer Additional Evidence in Support of Petitioner's Habeas Corpus Claims for Relief/ Exhibits</i>
10/09/2006	Motion (9:00 AM) Events: 09/13/2006 Motion <i>DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE/46 Relief Clerk: Jennifer Lott Reporter/Recorder: Mary Beth Cook Heard By: Douglas Herndon</i>
10/11/2006	 Reporters Transcript <i>Transcript of Hearing Held on August 8, 2005</i>
10/13/2006	 Reporters Transcript <i>Transcript of Hearing Held on April 4, 2005</i>
10/17/2006	Motion (9:00 AM) Events: 10/04/2006 Motion <i>DEFT'S PRO PER MTN FOR A TESTIMONIAL EVIDENTIARY HEARING TO DEVELOP /47 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
10/25/2006	 Order Denying Motion <i>Order Denying Defendant's Motions Heard September 13, 2006</i>
11/08/2006	Minute Order (9:00 AM) <i>MINUTE ORDER RE: DEFT'S MTN FOR TRANSPORTATION OF INMATE Court Clerk: Carol Green Heard By: Douglas Herndon</i>
11/17/2006	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/20/2006	Petition for Writ of Habeas Corpus (9:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Herndon, Douglas W</i>
11/28/2006	Petition for Writ of Habeas Corpus (9:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Herndon, Douglas W</i>
12/13/2006	 Response <i>Petitioner's Response to the State's Opposition to Petitioner's Petition for Writ of Habeas</i>

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Corpus / Request for Evidentiary Hearing / Exhibits

12/15/2006	 Motion <i>Motion for Leave to File Supplemented and Amended Petition for Writ of Habeas Corpus / Amended Petition</i>
12/18/2006	Petition for Writ of Habeas Corpus (9:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS /44 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
01/08/2007	CANCELED Motion (8:30 AM) Events: 12/15/2006 Motion <i>Vacated</i>
01/11/2007	 Case Appeal Statement Filed By: Defendant Slaughter, Rickie
01/11/2007	 Designation of Record on Appeal Filed By: Defendant Slaughter, Rickie
01/11/2007	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
01/12/2007	 Case Appeal Statement
01/29/2007	 Findings of Fact, Conclusions of Law and Order
01/30/2007	 Notice of Entry of Decision and Order
03/28/2007	 Motion <i>Motion for Correction or Modification of Record</i>
03/29/2007	 Motion <i>Request for Transcript of Proceedings</i>
04/16/2007	 Reporters Transcript <i>Transcript of Hearing Held on December 18, 2006</i>
04/16/2007	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Correct or Modification of the Record</i>
04/17/2007	Motion (9:00 AM) Events: 03/29/2007 Motion <i>DEFT'S PRO PER REQUEST FOR TRANSCRIPT OF PROCEEDINGS /51 Court Clerk: Carol Green Heard By: Douglas Herndon</i>
04/24/2007	Motion (9:00 AM) Events: 03/28/2007 Motion <i>DEFT'S PRO PER MTN FOR CORRECTION OR MODIFICATION OF THE RECORD/50 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
08/23/2007	 NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>Nevada Supreme Court Clerk's Certificate Judgment Affirmed in Part, Vacated in Part and Remand</i>

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09/11/2007	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT: SUPREME CT REMAND Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
09/25/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (CHELINI) Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
09/25/2007	 Order for Production of Inmate <i>Order for Production of Inmate Rickie Lamont Slaughter, BAC # 85902</i>
10/02/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (ALAN HARTER) Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: James Brennan</i>
10/09/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (GARY GOWEN) Relief Clerk: Teri Braegelmann Reporter/Recorder: Sharon Howard Heard By: Brennan, James</i>
10/09/2007	 Order for Production of Inmate <i>Order for Production of Inmate Rickie Lamont Slaughter, BAC # 85902</i>
10/17/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (GARY GOWEN) Heard By: Douglas Herndon</i>
10/18/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (GARY GOWEN) Court Clerk: Phyllis Irby/pi Reporter/Recorder: Dianne Prock Heard By: Herndon, Douglas W</i>
10/19/2007	Motion for Confirmation of Counsel (9:00 AM) <i>CONFIRMATION OF COUNSEL (GARY GOWEN) Court Clerk: Roshonda Mayfield Reporter/Recorder: Julie Lever Heard By: James Brennan</i>
10/22/2007	 Order <i>Filed By: Defendant Slaughter, Rickie Order Appointing Post Conviction Relief Counsel</i>
10/25/2007	Status Check (9:00 AM) <i>STATUS CHECK:EVIDENTIARY HEARING Relief Clerk: Linda M. Smith Reporter/Recorder: Diane Prock Heard By: Brennan, James</i>
11/02/2007	 Reporters Transcript <i>Transcript of Hearing Held on October 18, 2007</i>
11/09/2007	 Response <i>Attorney General's Response to Nevada Supreme Court's July 24, 2007, Order</i>
11/27/2007	Status Check (9:00 AM) <i>STATUS CHECK:EVIDENTIARY HEARING Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
12/05/2007	 Reporters Transcript <i>Transcript of Hearing Held on October 25, 2007</i>
01/17/2008	Further Proceedings (9:00 AM) <i>FURTHER PROCEEDINGS: SENTENCE Relief Clerk: Roshonda Mayfield Reporter/Recorder: Sharon Howard Heard By: Manoukian, Noel</i>

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02/14/2008	Further Proceedings (9:00 AM) <i>FURTHER PROCEEDINGS: SENTENCE Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
03/28/2008	 Brief Filed By: Defendant Slaughter, Rickie <i>Petitioner's Opening Brief in Support of His Request to Withdraw His Guilty Pleas as Appropriate Habeas Relief</i>
03/28/2008	 Appendix Filed By: Defendant Slaughter, Rickie <i>Petitioner's Appendix in Support of Opening Brief</i>
04/18/2008	 Opposition to Motion <i>Opposition to Petitioner's Motion for Withdraw of Guilty Plea</i>
05/12/2008	 Reply Filed by: Defendant Slaughter, Rickie <i>Petitioner's Reply to the State's Opposition to Withdrawal of Guilty Plea as Appropriate Relief</i>
06/03/2008	Hearing (9:00 AM) <i>ARGUMENT DEFT'S REQUEST TO WITHDRAW PLEA Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
06/19/2008	Evidentiary Hearing (9:00 AM) <i>EVIDENTIARY HEARING Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
06/30/2008	 Order <i>Order for Transcript</i>
06/30/2008	 Order <i>Order for Transcript</i>
06/30/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 3, 2008</i>
06/30/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 19, 2008</i>
07/28/2008	 Reporters Transcript <i>Transcript of Hearing Held on February 14, 2008</i>
08/04/2008	 Affidavit Filed By: Defendant Slaughter, Rickie <i>Petitioner's Affidavit for Disqualification of the Honorable District Court Judge Douglas W. Herndon, for Partiality, Bias, Prejudice and as Material Witness to Disputed Evidentiary Facts of Habeas Claim</i>
08/11/2008	 Findings of Fact, Conclusions of Law and Order
08/12/2008	 Notice of Entry of Decision and Order
08/22/2008	 Motion

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Petitioner's Motion for Correction or Modification of Record and Transcript

09/09/2008	Motion (9:00 AM) Events: 08/22/2008 Motion <i>DEFT'S PRO PER MTN FOR CORRECTION OR MODIFICATION OF RECORD & TRANSCRIPT/60 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
09/09/2008	 Response <i>State's Response to Defendant's Motion to Correct Transcript</i>
09/09/2008	 Notice of Appeal (criminal) Party: Defendant Slaughter, Rickie <i>Notice of Appeal</i>
09/09/2008	 Case Appeal Statement Filed By: Defendant Slaughter, Rickie
09/10/2008	 Case Appeal Statement Filed By: Defendant Slaughter, Rickie
09/12/2008	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
09/12/2008	 Case Appeal Statement
04/24/2009	 Order for Production of Inmate <i>Order for Production of Inmate Rickie Slaughter, BAC # 85902</i>
04/24/2009	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Nevada Supreme Court Clerk's Certificate Judgment - Reversed and Remand</i>
05/07/2009	Request of Court (9:00 AM) <i>AT THE REQUEST OF THE COURT: PER SUPREMECT REMAND Court Clerk: Carol Green Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Cheryl Gardner Heard By: Douglas Herndon</i>
05/14/2009	Status Check (9:00 AM) <i>STATUS CHECK: CONFIRMATION OF COUNSEL (BUSH) / TRIAL SETTING Court Clerk: Carol Green Relief Clerk: Carol Donahoo/cd Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
05/14/2009	Disposition (Judicial Officer: User, Conversion) 3. KIDNAPPING IN FIRST DEGREE Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Sentence (Judicial Officer: User, Conversion) 1. ATTEMPT. Supreme Court Reversal/Remand
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adjudication Withdrawn PCN: Sequence:









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05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 1. MURDER. Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 1. DEGREES OF MURDER Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 2. ROBBERY Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Sentence (Judicial Officer: User, Conversion) 2. ROBBERY Supreme Court Reversal/Remand
05/14/2009	Amended Sentence (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Supreme Court Reversal/Remand
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 4. KIDNAPPING IN FIRST DEGREE Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Sentence (Judicial Officer: User, Conversion) 4. KIDNAP WITH USE OF A DEADLY WEAPON Supreme Court Reversal/Remand
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 1. ATTEMPT. Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 1. ATTEMPT. Plea Withdrawn PCN: Sequence:

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05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 4. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 4. KIDNAPPING IN FIRST DEGREE Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 4. KIDNAP WITH USE OF A DEADLY WEAPON Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 3. KIDNAPPING IN FIRST DEGREE Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 2. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 2. ROBBERY Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Plea (Judicial Officer: User, Conversion) 1. DEGREES OF MURDER Plea Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 3. KIDNAP WITH USE OF A DEADLY WEAPON Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion)













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	3. KIDNAPPING IN FIRST DEGREE Adjudication Withdrawn PCN: Sequence:
05/14/2009	Amended Disposition (Judicial Officer: User, Conversion) 4. KIDNAP WITH USE OF A DEADLY WEAPON Adjudication Withdrawn PCN: Sequence:
05/19/2009	Amended Plea (Judicial Officer: User, Conversion) 1. MURDER. Plea Withdrawn PCN: Sequence:
07/07/2009	 Motion to Dismiss Counsel <i>Defendant's Motion to Dismiss Counsel and Appoint Substitute Counsel - Request for Ex Parte In Camera Hearing</i>
07/21/2009	Motion to Dismiss (9:00 AM) Events: 07/07/2009 Motion to Dismiss Counsel <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUB/65 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
07/21/2009	 Motion for Own Recognizance Release/Setting Reasonable Bail <i>Motion for Reasonable Bail</i>
07/21/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
07/28/2009	Motion (9:00 AM) Events: 07/21/2009 Motion for Own Recognizance Release/Setting Reasonable Bail <i>DEFT'S MTN FOR REASONABLE BAIL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: STEWART BELL</i>
08/05/2009	 Motion to Reconsider <i>Motion to Reconsider Lowering Bail</i>
08/05/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
08/05/2009	 Notice of Appeal (criminal) Party: Defendant Slaughter, Rickie <i>Notice of Appeal</i>
08/06/2009	 Case Appeal Statement
08/11/2009	Motion to Reconsider (9:00 AM) Events: 08/05/2009 Motion to Reconsider <i>DEFT'S MTN TO RECONSIDER LOWERING BAIL /69 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
08/18/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie





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08/18/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
08/18/2009	 Request Filed by: Defendant Slaughter, Rickie <i>Request for Rough Draft Transcript</i>
08/26/2009	 Reporters Transcript <i>Transcript of Hearing Held on August 11, 2009</i>
08/26/2009	 Reporters Transcript <i>Transcript of Hearing Held on May 14, 2009</i>
08/26/2009	 Reporters Transcript <i>Transcript of Hearing Held on July 28, 2009</i>
09/24/2009	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
09/28/2009	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
10/16/2009	Disposition (Judicial Officer: Herndon, Douglas W.) 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Guilty PCN: Sequence:
10/23/2009	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
10/27/2009	 Motion to Suppress
10/27/2009	 Motion to Dismiss <i>Motion to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence</i>
10/27/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
10/27/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
11/06/2009	 Notice of Expert Witnesses Filed By: Defendant Slaughter, Rickie <i>Notice of Expert Witness</i>
11/06/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
11/09/2009	 Opposition <i>State's Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence</i>








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11/09/2009	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Suppress</i>
11/09/2009	 Opposition <i>State's Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence</i>
11/09/2009	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Suppress</i>
11/10/2009	Motion to Suppress (9:00 AM) Events: 10/27/2009 Motion to Suppress <i>DEFT'S MTN TO SUPPRESS</i>
11/10/2009	Motion to Dismiss (9:00 AM) Events: 10/27/2009 Motion to Dismiss <i>DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR</i>
11/10/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (11-10-09) Court Clerk: Carol Green Relief Clerk: Carol Donahoo/cd Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
11/10/2009	 Motion Filed By: Defendant Slaughter, Rickie <i>Motion to Preserve Evidence for DNA Testing on an Order Shortening Time</i>
11/10/2009	 Notice of Expert Witnesses <i>Notice of Expert and Rebuttal Expert Witnesses [NRS 174.234(1)(a)]</i>
11/13/2009	 Supplemental <i>Supplemental Notice of Witnesses [NRS 174.234(1)(a)]</i>
11/16/2009	 Motion to Strike <i>Defendant's Motion to Strike the State's Notice of Expert and Rebuttal Expert Testimony or in the Alternative to Exclude the State's Expert and Rebuttal Expert Testimony</i>
11/16/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
11/17/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
11/17/2009	 Reply Filed by: Defendant Slaughter, Rickie <i>Reply to State's Opposition to Defendant's Motion to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence</i>
11/17/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
11/17/2009	 Reply Filed by: Defendant Slaughter, Rickie <i>Reply to State's Opposition to Defendant's Motion to Suppress</i>












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11/24/2009	Motion to Suppress (9:00 AM) <i>DEFT'S MTN TO SUPPRESS</i>
11/24/2009	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR</i>
11/24/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS FOR 11/24/09 Relief Clerk: Billie Jo Craig Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
12/01/2009	Motion to Suppress (9:00 AM) <i>DEFT'S MTN TO SUPPRESS</i>
12/01/2009	Motion to Dismiss (9:00 AM) <i>DEFT'S MTN TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF EXCULPATOR</i>
12/01/2009	Motion to Strike (9:00 AM) Events: 11/16/2009 Motion to Strike <i>DEFT'S MTN TO STRIKE THE STATES NOTICE OF EXPERT AND REBUTTAL EXPERT TESTIMONY</i>
12/01/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS FOR 12/1/09 Relief Clerk: Billie Jo Craig Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
12/01/2009	 Motion to Continue Trial <i>Defendant's Motion to Continue Trial</i>
12/01/2009	 Motion to Dismiss Counsel <i>Defendant's Ex-Parte Motion to Dismiss Counsel and Appoint Substitute Counsel at State Expense / Request for Continuance of Trial Date</i>
12/01/2009	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
12/03/2009	Calendar Call (9:00 AM) <i>CALENDAR CALL</i>
12/03/2009	Motion to Continue (9:00 AM) Events: 12/01/2009 Motion to Continue Trial <i>DEFT'S MTN TO CONTINUE TRIAL</i>
12/03/2009	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 12/3/09 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
12/07/2009	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
12/10/2009	CANCELED Motion to Continue (9:00 AM) Events: 12/01/2009 Motion to Dismiss Counsel <i>Vacated</i>
02/23/2010	 Motion to Dismiss Counsel <i>Defendant's Motion to Dismiss Counsel and Appoint Substitute Counsel (Ex-Parte)</i>
03/01/2010	

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	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
03/02/2010	 List of Witnesses Filed By: Defendant Slaughter, Rickie <i>Defendant's List of Witnesses</i>
03/02/2010	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
03/04/2010	Calendar Call (9:00 AM) <i>CALENDAR CALL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
03/08/2010	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
03/09/2010	Motion (9:00 AM) Events: 02/23/2010 Motion to Dismiss Counsel <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL & APPOINT SUBSTITUTE COUNSEL/81</i>
03/09/2010	Conversion Hearing Type (9:00 AM) <i>TRIAL SETTING</i>
03/09/2010	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 3/9/10 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: Douglas Herndon</i>
06/21/2010	 Ex Parte Motion <i>Defendant's (Ex-Parte) Motion to Dismiss Counsel and Appoint Substitute Counsel / Request for Continuance</i>
07/08/2010	Motion to Dismiss (9:00 AM) Events: 06/21/2010 Ex Parte Motion <i>DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINT/86 Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: James Brenman</i>
07/15/2010	CANCELED Calendar Call (9:00 AM) <i>Vacated</i>
07/15/2010	Further Proceedings (9:00 AM) <i>FURTHER PROCEEDINGS: CONFIRMATION OF COUNSEL / RESET TRIAL Court Clerk: Carol Green Reporter/Recorder: Sharon Howard Heard By: JOSEPH BONAVENTURE</i>
07/19/2010	CANCELED Jury Trial (10:00 AM) <i>Vacated</i>
11/02/2010	 Reporters Transcript <i>Transcript of Hearing Held on December 1, 2009</i>
11/24/2010	 Order for Permission to Marry Filed By: Defendant Slaughter, Rickie <i>Order for Marriage</i>
11/30/2010	 Order <i>Order to View Crime Scene Photographs</i>

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01/19/2011	 Supplemental <i>Supplemental Notice of Witnesses [NRS 174.234(1)(a)]</i>
01/31/2011	 Motion to Dismiss Filed By: Defendant Slaughter, Rickie
01/31/2011	 Motion Filed By: Defendant Slaughter, Rickie <i>Motion to Preclude Involuntary Statement by Tiffany Johnson</i>
01/31/2011	 Motion Filed By: Defendant Slaughter, Rickie <i>Motion to Preclude Suggestive Identification</i>
02/10/2011	Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
02/10/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 02/10/2011, 02/15/2011, 03/03/2011 Events: 01/31/2011 Motion to Dismiss <i>Defendant's Motion to Dismiss</i>
02/10/2011	Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 02/10/2011, 02/15/2011, 03/03/2011 <i>Motion to Preclude Involuntary Statement by Tiffany Johnson</i>
02/10/2011	Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 02/10/2011, 02/15/2011, 03/03/2011 Events: 01/31/2011 Motion <i>Motion to Preclude Suggestive Identification</i>
02/10/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
02/11/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Suppress</i>
02/11/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Preclude Suggestive Identification</i>
02/11/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Preclude Involuntary Statement by Tiffany Johnson</i>
02/14/2011	CANCELED Jury Trial (10:00 AM) <i>Vacated - per Judge</i>
02/14/2011	 Opposition to Motion to Dismiss <i>State's Opposition to Defendant's Motion to Dismiss</i>
02/15/2011	Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 02/15/2011, 03/03/2011 <i>Status Check: Trial</i>
02/15/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
02/25/2011	 Reply to Opposition















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	<i>Reply to States Opposition to Motion to Dismiss</i>
02/25/2011	 Reply to Opposition <i>Reply to States Opposition to Motion to Preclude Involuntary Statement by Tiffany Johnson</i>
02/25/2011	 Reply to Opposition <i>Reply to States Opposition to Motion to Preclude Suggestive Identification</i>
03/03/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
03/10/2011	 Application Filed By: Defendant Slaughter, Rickie <i>Application and Order for Transcripts</i>
03/11/2011	 Motion to Stay <i>Motion and Order to Stay Proceedings Pending Filing and Consideration of Extraordinary Writ in the Nevada Supreme Court</i>
03/23/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on March 3, 2011</i>
03/24/2011	 Motion to Stay (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 03/24/2011, 05/05/2011 Events: 03/11/2011 Motion to Stay <i>Motion and Order to Stay Proceedings Pending Filing and Consideration of Extraordinary Writ in the Supreme Court</i>
04/24/2011	 Motion for Discovery <i>Motion and Notice of Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial</i>
04/26/2011	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witness and/or Expert Witness [NRS 174.234]</i>
04/29/2011	 Notice of Witnesses <i>Notice of Intent to Present Alibi Witnesses and Alibi Witnesses List [NRS 174.233]</i>
05/05/2011	Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
05/05/2011	Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) Events: 04/24/2011 Motion for Discovery <i>Motion and notice of Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial</i>
05/05/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
05/09/2011	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge reset to begin on 5/10/11</i>
05/09/2011	 Supplement <i>Supplement to Defendant's Notice Witnesses [NRS 174.233]</i>
05/10/2011	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Herndon, Douglas W.)

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Vacated

Reset on 5/11/11 due to Court's schedule, being in a Penalty Hearing

05/11/2011	 Jury Trial (1:00 PM) (Judicial Officer: Herndon, Douglas W.) 05/11/2011-05/13/2011, 05/16/2011-05/20/2011
05/11/2011	 Order Filed By: Defendant Slaughter, Rickie
05/12/2011	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Clerk</i>
05/13/2011	 Jury List
05/16/2011	 Order Filed By: Plaintiff State of Nevada <i>Order Requiring Material Witness to Post Bail or be Committed to Custody</i>
05/16/2011	 Ex Parte Application Party: Plaintiff State of Nevada <i>Ex Parte Application for Order Requiring Material Witness to Post Bail</i>
05/16/2011	 Warrant Filed by: Plaintiff State of Nevada <i>Warrant of Arrest for Material Witness Jacquan Richard, ID#1211173</i>
05/17/2011	 Bench Warrant Return <i>Sheriff's Return</i>
05/17/2011	 Trial Brief <i>Trial Brief in Support of Defendant's Motion to Disqualify Expert</i>
05/20/2011	 Verdict
05/20/2011	 Instructions to the Jury
05/20/2011	 Proposed Jury Instructions Not Used At Trial <i>Defendant's Proposed Jury Instructions Not Used at Trial</i>
05/20/2011	Disposition (Judicial Officer: Herndon, Douglas W.) 4. BATTERY WITH USE OF DEADLY WEAPON Guilty PCN: Sequence:
05/31/2011	 Motion <i>Motion for Enlargement of Time to File Motion for New Trial</i>
06/14/2011	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Motion for Enlargement of Time to File Motion for New Trial</i>
06/15/2011	 Motion to Dismiss Counsel Party: Defendant Slaughter, Rickie














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Defendant's Pro-Per Motion to Dismiss Counsel, Motion for Self-Representation and for a New Trial

06/28/2011	 Request Filed by: Defendant Slaughter, Rickie <i>Request for Rough Draft Transcript</i>
06/28/2011	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
06/28/2011	 Receipt of Copy Filed by: Defendant Slaughter, Rickie
06/30/2011	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 06/30/2011, 07/07/2011 Events: 06/15/2011 Motion to Dismiss Counsel <i>Defendant's Pro-Per Motion to Dismiss Counsel, Motion for Self-Representation and for a New Trial</i>
07/08/2011	 Order Granting Filed By: Defendant Slaughter, Rickie <i>Order Granting Request for Transcripts</i>
07/12/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 16, 2011</i>
07/12/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 18, 2011</i>
07/22/2011	 Motion Filed By: Defendant Slaughter, Rickie <i>Defendants Motion for Disclosure of all Brady and Giglio Material and Request for an In Camera S.C.O.P.E. Review</i>
07/28/2011	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Counsel and Transcripts</i>
08/01/2011	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for an In Camera S.C.O.P.E Review</i>
08/02/2011	 Motion (9:00 AM) (Judicial Officer: Thompson, Charles) Events: 07/22/2011 Motion <i>Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for an In Camera S.C.O.P.E. Review</i>
08/04/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 17, 2011</i>
08/12/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada


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Transcript of Hearing Held on May 20, 2011

08/12/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 19, 2011</i>
08/12/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 19, 2011</i>
08/16/2011	 Sentencing (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
08/16/2011	 Order Granting <i>Order Granting Request for Transcripts</i>
08/29/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 12, 2011</i>
08/30/2011	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 08/30/2011, 09/13/2011 <i>Transcripts</i>
09/02/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 20, 2011</i>
09/02/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 13, 2011</i>
09/02/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 13, 2011</i>
11/18/2011	 Motion for New Trial Filed By: Defendant Slaughter, Rickie <i>Defendant's Opening Motion for New Trial</i>
11/29/2011	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 11/29/2011, 04/17/2012, 05/17/2012 Events: 11/18/2011 Motion for New Trial <i>Defendant's Pro Se Opening Motion for New Trial</i>
01/12/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for New Trial</i>
02/21/2012	CANCELED Hearing (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated</i> <i>Supplemental proper person motion filed</i>
03/15/2012	 Reply to Opposition Filed by: Defendant Slaughter, Rickie




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Defendant's Reply to The State's Opposition to Defendant's Motion for a New Trial/Request for an Evidentiary Hearing for Defendant's Brady Claim

04/13/2012	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order for Camera Access to Court Proceedings</i>
05/31/2012	 Sentencing (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 05/31/2012, 08/14/2012, 09/06/2012, 10/02/2012, 10/16/2012
06/05/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on May 17, 2012</i>
06/14/2012	 Motion for Appointment of Attorney Filed By: Defendant Slaughter, Rickie <i>Defendant's Pro-Per Motion Requesting the Appointment of Appellate Counsel for Direct Appeal</i>
06/26/2012	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) Events: 06/14/2012 Motion for Appointment of Attorney <i>Defendant's Pro-Per Motion Requesting the Appointment of Appellate Counsel for Direct Appeal</i>
07/11/2012	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
07/30/2012	 Motion to Disqualify Judge Filed By: Defendant Slaughter, Rickie <i>Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness - Request for Evidentiary Hearing Because Some Factual Matters Occurred off the Record (Oral Argument Requested)</i>
08/03/2012	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness</i>
08/14/2012	CANCELED Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - On in Error</i> <i>Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness. Request for Evidentiary Hearing Because Some Factual Matters Occurred off the Record</i>
08/14/2012	 Affidavit <i>Affidavit in Answer to Defendant's Affidavit and Request to Disqualify Judge Douglas Herndon</i>
08/14/2012	 Reply <i>Defendant's Reply to State's Response to Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Court Proceedings in this Case for Bias Partiality and Judicial Vindictiveness (Request for Oral Argument)</i>
08/16/2012	 Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Defendant's Motion to Disqualify District Court Judge Douglas Herndon from all Further Proceedings in this Case Due to Bias Partiality and Judicial Vindictiveness. Request for</i>

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Evidentiary Hearing Because Some Factual Matters Occurred off the Record

08/22/2012	 Reply Filed by: Defendant Slaughter, Rickie <i>Defendant's Reply to Judge Douglas Herndon's Affidavit in Answer to Defendant's Motion to Disqualify Judge Douglas Herndon from all Further Proceedings in this Case</i>
09/05/2012	 Order Denying Motion <i>Order Denying Defendant's Motion to Disqualify Judge Douglas Herndon</i>
10/02/2012	 PSI - Supplemental PSI <i>Supplemental Pre-Sentence Investigation Report (Unfiled) Confidential</i>
10/16/2012	Disposition (Judicial Officer: Herndon, Douglas W.) 1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 1. CONSPIRACY TO COMMIT KIDNAPPING, FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months
10/16/2012	Disposition (Judicial Officer: Herndon, Douglas W.) 2. CONSPIRACY TO COMMIT ROBBERY Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 2. CONSPIRACY TO COMMIT ROBBERY Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Consecutive: Charge 1
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 3. ATTEMPTED MURDER - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:60 Months, Maximum:180 Months Consecutive Enhancement:UDW, Minimum:60 Months, Maximum:180 Months Consecutive: Charge 2
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 4. BATTERY WITH USE OF DEADLY WEAPON Adult Adjudication Comment (NO ADJUDICATION)
10/16/2012	Disposition (Judicial Officer: Herndon, Douglas W.) 5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 5. ATTEMPTED ROBBERY - WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Adult Adjudication

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	Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:120 Months Consecutive Enhancement:UDW, Minimum:48 Months, Maximum:120 Months Concurrent: Charge 3
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 6. ROBBERY Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 6. ROBBERY Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:120 Months Consecutive Enhancement:udw, Minimum:48 Months, Maximum:120 Months Consecutive: Charge 3
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 6. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 7. BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:120 Months Concurrent: Charge 6
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 8. BURGLARY. Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 8. BURGLARY. Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 7
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion)

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	9. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 9. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 9. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 9. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 9. KIDNAPPING IN FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 15 Years Consecutive Enhancement:UDW, Life with the possibility of parole after: 15 Years Consecutive: Charge 6
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 10. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 9. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 10. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 10. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 10. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 10. KIDNAPPING IN FIRST DEGREE











DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

	Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:5 Years Consecutive Enhancement:UDW, Life with the possibility of parole after:5 Years Concurrent: Charge 9
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 11. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 11. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 11. KIDNAPPING IN FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:5 Years Consecutive Enhancement:UDW, Life with the possibility of parole after:5 Years Concurrent: Charge 9
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 11. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 11. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 12. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 12. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 12. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication


DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 12. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 12. KIDNAPPING IN FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:5 Years Consecutive Enhancement:UDW, Life with the possibility of parole after:5 Years Concurrent: Charge 9
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 13. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 13. KIDNAPPING IN FIRST DEGREE Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 13. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 13. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 13. KIDNAPPING IN FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:5 Years Consecutive Enhancement:UDW, Life with the possibility of parole after:5 Years Concurrent: Charge 9
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 14. KIDNAP WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
10/16/2012	Amended Disposition (Judicial Officer: User, Conversion) 14. KIDNAPPING IN FIRST DEGREE














DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

	Guilty PCN: Sequence:
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 14. KIDNAP WITH USE OF A DEADLY WEAPON Adult Adjudication
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 14. KIDNAPPING IN FIRST DEGREE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after: 5 Years Consecutive Enhancement: UDW, Life with the possibility of parole after: 5 Years Concurrent: Charge 9 Credit for Time Served: 2626 Days Comments: \$25. ADM \$150. DNAF Other Fees 1. , \$35,000.00
10/16/2012	Sentence (Judicial Officer: Herndon, Douglas W.) 14. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME. Adult Adjudication
10/22/2012	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
10/24/2012	 Notice of Appeal (criminal) Party: Defendant Slaughter, Rickie <i>Notice of Appeal</i>
11/02/2012	 Criminal Order to Statistically Close Case Filed By: Plaintiff State of Nevada
11/08/2012	 Case Appeal Statement Filed By: Defendant Slaughter, Rickie
11/15/2012	 Certificate of Service Filed by: Defendant Slaughter, Rickie
02/11/2013	 Transcript of Proceedings <i>Transcript of Hearing Held on December 3, 2009</i>
02/11/2013	 Transcript of Proceedings <i>Transcript of Hearing Held on October 16, 2012</i>
02/11/2013	 Transcript of Proceedings <i>Transcript of Hearing Held on May 5, 2011</i>
02/11/2013	 Transcript of Proceedings <i>Transcript of Hearing Held on November 10, 2009</i>
05/08/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>






DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

03/25/2015	 Petition for Writ of Habeas Corpus Filed by: Defendant Slaughter, Rickie <i>Petition for Writ of Habeas Corpus (Postconviction)</i>
03/25/2015	 Motion for Leave to Proceed in Forma Pauperis Filed By: Defendant Slaughter, Rickie <i>Motion for Leave to Proceed in Forma Pauperis (Sealed)</i>
03/25/2015	 Affidavit in Support of Application Proceed Forma Pauperis Filed By: Defendant Slaughter, Rickie <i>Affidavit in Support of Motion to Proceed in Forma Pauperis (Sealed)</i>
03/25/2015	 Exhibits Filed By: Defendant Slaughter, Rickie <i>Petitioner's Exhibits for Petition for Writ of Habeas Corpus</i>
04/08/2015	 Order for Petition for Writ of Habeas Corpus
04/27/2015	 Motion Filed By: Defendant Slaughter, Rickie <i>Petitioner's Motion to Extend Photo Copywork Account</i>
04/27/2015	 Notice of Motion Filed By: Defendant Slaughter, Rickie <i>Notice of Motion, and Petitioner's Motion to Extend Photo Copywork Account</i>
05/19/2015	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Petitioner's Motion to Extend Photo Copywork Account</i>
06/02/2015	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
06/04/2015	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 06/04/2015, 06/18/2015 Events: 04/08/2015 Order for Petition for Writ of Habeas Corpus
06/18/2015	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Petitioner's Pro Per Motion to Extend Photo Copywork Account</i>
06/22/2015	 Recorders Transcript of Hearing <i>Transcript of Hearing Held on June 18, 2015</i>
07/15/2015	 Certificate of Service Filed by: Plaintiff State of Nevada
07/15/2015	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
07/15/2015	 Reply Filed by: Defendant Slaughter, Rickie <i>Petitioner's Reply to State's Response to Pro Per Petition for Writ of Habeas Corpus</i>

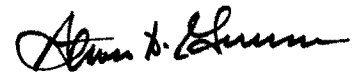
DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

07/24/2015	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
07/30/2015	 Notice of Appeal (criminal) Party: Defendant Slaughter, Rickie <i>Notice of Appeal</i>
07/31/2015	 Case Appeal Statement Filed By: Defendant Slaughter, Rickie
02/12/2016	 Petition Filed by: Defendant Slaughter, Rickie <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/12/2016	 Motion for Appointment of Attorney Filed By: Defendant Slaughter, Rickie <i>Motion for the Appointment of Counsel</i>
02/12/2016	 Miscellaneous Filing Filed by: Defendant Slaughter, Rickie <i>Petitioner's Exhibits in Support of Post-Conviction Petition for Writ of Habeas Corpus</i>
02/18/2016	 Motion Filed By: Defendant Slaughter, Rickie <i>Motion for Leave to Proceed in Forma Pauperis</i>
02/18/2016	 Filed Under Seal Filed By: Defendant Slaughter, Rickie <i>Affidavit In Support of Motion to Proceed In Forma Pauperis</i>
02/22/2016	 Order for Petition for Writ of Habeas Corpus
03/10/2016	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Pro Per Motion to Proceed in Forma Paupers</i>
04/06/2016	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Pro Per Petition for Writ of Habeas Corpus and Opposition to Defendant's Motion for Appointment of Counsel and Request for Evidentiary Hearing</i>
04/22/2016	 Order Filed By: Plaintiff State of Nevada <i>Order Granting Defendant's Pro Per Motion to Proceed in Forma Pauperis</i>
04/28/2016	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Pro Per Petition for Writ of Habeas Corpus (PostConviction)</i>
04/28/2016	Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Pro Per Motion for the Appointment of Counsel; Request for Evidentiary Hearing</i>
04/28/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

DEPARTMENT 3
CASE SUMMARY
CASE NO. 04C204957

06/10/2016	 Certificate of Service Filed by: Plaintiff State of Nevada <i>Certificate of Service</i>	
06/10/2016	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada	
06/13/2016	 Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>	
06/22/2016	 Notice of Appeal (criminal) Party: Defendant Slaughter, Rickie <i>Notice of Appeal</i>	
06/23/2016	 Case Appeal Statement	

DATE	FINANCIAL INFORMATION	
	Defendant Slaughter, Rickie	
	Total Charges	364.00
	Total Payments and Credits	189.00
	Balance Due as of 6/23/2016	175.00



CLERK OF THE COURT

1 **FCL**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **OFELIA MONJE**
6 **Deputy District Attorney**
7 **Nevada Bar #011663**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **-vs-**

CASE NO: 04C204957

12 **RICKIE SLAUGHTER,**
13 **aka Rickie L. Slaughter, #1896569**

DEPT NO: III

14 **Defendant.**

15 **FINDINGS OF FACT, CONCLUSIONS OF**
16 **LAW AND ORDER**

17 **DATE OF HEARING: APRIL 28, 2016**
18 **TIME OF HEARING: 9:00 AM**

19 **THIS CAUSE** having come on for hearing before the Honorable DOUGLAS W.
20 **HERNDON**, District Judge, on the 28th day of April, 2016, the Petitioner not being present,
21 **PROCEEDING IN FORMA PAUPERIS**, the Respondent being represented by STEVEN B.
22 **WOLFSON**, Clark County District Attorney, by and through TALEEN PANDUKHT, Chief
23 **Deputy District Attorney**, and the Court having considered the matter, including briefs,
24 **transcripts, and documents on file herein, now therefore, the Court makes the following**
25 **findings of fact and conclusions of law:**

26 **FINDINGS OF FACT, CONCLUSIONS OF LAW**

27 **On September 28, 2004, the State filed an Information charging RICKIE**
28 **SLAUGHTER, aka Rickie L. Slaughter (hereinafter "Defendant") with: COUNT 1 –**
Conspiracy to Commit Kidnapping (Felony – NRS 199.480, 200.320); COUNT 2 –

1 Conspiracy to Commit Robbery (Felony – NRS 199.480); COUNT 3 – Conspiracy to Commit
2 Murder (Felony – NRS 199.480); COUNTS 4 & 5 – Attempt Murder with Use of a Deadly
3 Weapon (Felony – NRS 200.010, 200.030, 193.330, 193.165); COUNT 6 – Battery With Use
4 of a Deadly Weapon (Felony – NRS 200.481); COUNT 7 – Attempt Robbery with Use of a
5 Deadly Weapon (Felony – NRS 200.380, 193.330, 193.165); COUNT 8 – Robbery With Use
6 of a Deadly Weapon (Felony – NRS 200.380, 193.165); COUNT 9 – Burglary While in
7 Possession of a Firearm (Felony – NRS 205.060); COUNT 10 – Burglary (Felony – NRS
8 205.060); COUNTS 11, 12, 13, 14, 15 & 16 – First Degree Kidnapping With Use of a Deadly
9 Weapon (Felony – NRS 200.310, 200.320, 193.165); and COUNT 17 – Mayhem (Felony –
10 NRS 200.280).

11 On April 4, 2005, Defendant entered into a Guilty Plea Agreement, wherein he agreed
12 to plead guilty to: COUNT 1 – Attempt Murder With Use of a Deadly Weapon (Felony –
13 NRS 200.010, 200.030, 193.330, 193.165); COUNT 2 – Robbery With Use of a Deadly
14 Weapon (Felony – NRS 200.380, 193.165); COUNT 3 – First Degree Kidnapping (Felony –
15 NRS 200.310, 200.320), and COUNT 4 – First Degree Kidnapping With Use of a Deadly
16 Weapon (Felony – NRS 200.310, 200.320, 193.165).

17 On August 8, 2005, Defendant was adjudicated guilty and sentenced to Nevada
18 Department of Corrections (NDC) as follows: as to COUNT 1 – a minimum of 90 months
19 and maximum of 240 months, plus an equal consecutive minimum of 90 months and maximum
20 of 240 months for use of a deadly weapon; as to COUNT 2 – a minimum of 72 months a
21 maximum of 180 months, plus an equal and consecutive minimum of 72 months a maximum
22 of 180 months for the use of a deadly weapon; concurrent to COUNT 1; as to COUNT 3 –
23 Life with the Possibility of Parole after a minimum of 15 years; concurrent to COUNTS 1 &
24 2; as to COUNT 4 – Life with a the Possibility of Parole after a minimum of 5 years, plus an
25 equal consecutive Life with the Possibility of Parole after a minimum of 5 for the use of a
26 deadly weapon; concurrent to COUNTS 1, 2 & 3. Defendant received no credit for time
27 served. Judgment of Conviction was filed on August 31, 2005. Defendant did not file a direct
28 appeal.

1 On August 7, 2006, Defendant filed a Petition for Writ of Habeas Corpus. Among other
2 things, Defendant claimed that his guilty plea was not voluntarily entered because he was
3 promised and led to believe that he would be eligible for parole after serving a minimum of 15
4 years. The State filed its Opposition on November 17, 2006. The District Court denied
5 Defendant's Petition on December 18, 2006. The Findings of Fact, Conclusions of Law and
6 Order was filed on January 29, 2007. On January 11, 2007, Defendant filed a Notice of
7 Appeal. On July 24, 2007, the Nevada Supreme Court affirmed the denial of several of the
8 claims raised in Defendant's Petition, but reversed the denial of Defendant's claim regarding
9 the voluntariness of his plea and remanded the matter for an evidentiary hearing and directed
10 the Attorney General to file a response to the underlying sentence structure/parole eligibility
11 claim. Slaughter Jr. v. State, Docket No. 48742 (Order Affirming in Part, Vacating in Part and
12 Remanding, July 24, 2007).

13 Upon remand, the District Court appointed post-conviction counsel to assist Defendant,
14 however, Defendant later elected to proceed pro per. On June 19, 2008, an evidentiary hearing
15 was held. After conducting an evidentiary hearing, the District Court denied Defendant's
16 claim that his guilty plea was involuntarily entered, but ordered Department of Corrections to
17 parole appellant from sentences for the deadly weapon enhancements for COUNTS 1, 2 & 4
18 at the same time as the sentences for the primary COUNTS 1, 2 & 5. Defendant filed a Notice
19 of Appeal on September 9, 2008. On March 27, 2009, the Nevada Supreme Court reversed
20 the judgment of the District Court, and ordered Defendant to be permitted an opportunity to
21 withdraw his guilty plea. Slaughter Jr. v. State, Docket No. 52385 (Order of Reversal and
22 Remand, March 27, 2009).

23 Defendant's jury trial commenced on May 12, 2011. On May 20, 2011, the jury
24 returned a verdict of guilty on all counts. On November 18, 2011, Defendant filed a Motion
25 for a New Trial. The State filed its Opposition on January 12, 2012. Defendant filed a Reply
26 on March 15, 2012. On May 17, 2012, the District Court denied Defendant's Motion.

27 On October 16, 2012, Defendant was adjudicated guilty and sentenced to the NDC as
28 follows: as to COUNT 1 – a minimum of 24 months and maximum of 60 months; as to

1 COUNT 2 – a minimum of 24 months and maximum of 60 months, consecutive to COUNT
2 1; as to COUNT 3 – a minimum of 60 months and maximum of 180, plus a consecutive
3 minimum of 60 months and maximum of 180 months for the deadly weapons enhancement,
4 consecutive to COUNT 2; as to COUNT 5 – a minimum of 48 months and maximum of 120
5 months, plus a consecutive minimum of 48 months and maximum of 120 months for the deadly
6 weapon enhancement, concurrent to COUNT 3; as to COUNT 6 – a minimum of 48 months
7 and maximum of 120 months, plus a consecutive minimum of 48 months and maximum of
8 120 months for the deadly weapon enhancement, consecutive to COUNT 3; as to COUNT 7
9 – a minimum of 48 months and maximum of 120 months, concurrent to COUNT 6; as to
10 COUNT 8 – a minimum of 24 months and a maximum of 60 months, concurrent to COUNT
11 7; as to COUNT 9 – Life with the Possibility of Parole after a minimum of 15 years, plus a
12 consecutive Life with the Possibility of Parole after a minimum of 15 years for the deadly
13 weapon enhancement; as to COUNTS 10-14 – Life with the Possibility of Parole after 5 years,
14 plus a consecutive Life with the Possibility of Parole after 5 years, all concurrent to COUNT
15 9. Defendant received 2,626 days for credit time served. Defendant was not adjudicated on
16 COUNT 4.

17 Judgment of Conviction was filed on October 22, 2012. Defendant filed a Notice of
18 Appeal on October 24, 2012. The Nevada Supreme Court affirmed the Judgment of
19 Conviction on March 12, 2014. Remittitur issued on April 30, 2014.

20 On March 25, 2015, Defendant filed a post-conviction Petition for Writ of Habeas
21 Corpus. The State filed its Response on June 2, 2015. The Court denied Defendant's Petition
22 on June 18, 2015. Findings of Fact, Conclusions of Law and Order was filed on July 15, 2015.
23 On July 30, 2015, Defendant filed a Notice of Appeal. Defendant's appeal is currently pending
24 under Docket No. 68532.

25 On February 12, 2016, Defendant filed a post-conviction Petition for Writ of Habeas
26 Corpus and Motion to Appoint Counsel. The State filed its Response on April 6, 2016. A
27 hearing was held on April 28, 2016.

28 //

1 This Court finds that Defendant's Petition is time-barred with no good cause shown for
2 delay. The mandatory provision of NRS 34.726(1) states:

3 Unless there is good cause shown for delay, a petition that
4 challenges the validity of a judgment or sentence must be filed
5 within 1 year of the entry of the judgment of conviction or, if an
6 appeal has been taken from the judgment, within 1 year after the
7 Supreme Court issues its remittitur. For the purposes of this
8 subsection, good cause for delay exists if the petitioner
demonstrates to the satisfaction of the court:

- 9 (a) That the delay is not the fault of the petitioner; and
10 (b) That dismissal of the petition as untimely will unduly
11 prejudice the petitioner.

12 The Nevada Supreme Court has held that NRS 34.726 should be construed by its plain
13 meaning. Pellegrini v. State, 117 Nev. 860, 873-74, 34 P.3d 519, 528 (2001). As per the
14 language of the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
15 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
16 Dickerson v. State, 114 Nev. 1084, 1087, 967 P.2d 1132, 1133-34 (1998).

17 The one-year time limit for preparing petitions for post-conviction relief under NRS
18 34.726 is strictly applied. In Gonzales v. State, 118 Nev. 590, 596, 53 P.3d 901, 904 (2002),
19 the Nevada Supreme Court rejected a habeas petition that was filed two days late despite
20 evidence presented by the defendant that he purchased postage through the prison and mailed
21 the petition within the one-year time limit.

22 Furthermore, the Nevada Supreme Court has held that the district court has a duty to
23 consider whether a defendant's post-conviction petition claims are procedurally barred. State
24 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
25 Riker Court found that "[a]pplication of the statutory procedural default rules to post-
26 conviction habeas petitions is mandatory," noting:

27 Habeas corpus petitions that are filed many years after conviction
28 are an unreasonable burden on the criminal justice system. The
necessity for a workable system dictates that there must exist a
time when a criminal conviction is final.

29 Id. Additionally, the Court noted that procedural bars "cannot be ignored [by the district court]
30 when properly raised by the State." Id. at 233, 112 P.3d at 1075. The Nevada Supreme Court

1 has granted no discretion to the district courts regarding whether to apply the statutory
2 procedural bars; the rules *must* be applied. Id.

3 Defendant's Remittitur was issued on April 30, 2014. Therefore, Defendant had until
4 April 30, 2015, to file a timely Petition. However, Defendant's instant Petition was not filed
5 until February 12, 2016, almost a year after the one-year time frame expired. Therefore, this
6 Court finds that Defendant's Petition is untimely.

7 Additionally, this Court finds that Defendant's Petition is successive and an abuse of
8 the writ. NRS 34.810(2) provides that:

9 A second or successive petition must be dismissed if the judge or
10 justice determines that it fails to allege new or different grounds
11 for relief and that the prior determination was on the merits or, if
12 new and different grounds are alleged, the judge or justice finds
that the failure of the petitioner to assert those grounds in a prior
petition constitute an abuse of the writ.

13 Moreover, "[a] court must dismiss a habeas petition if it presents claims that either were or
14 could have been presented in an earlier proceeding, unless the court finds both cause for failing
15 to present the claims earlier or for raising them again and actual prejudice to the petitioner."
16 Evans v. State, 117 Nev. 609, 646-47, 29 P.3d 498, 523 (2001).

17 In ground three, Defendant claims that counsel was ineffective for failing to develop
18 testimony and evidence regarding the perpetrators departure from the crime scene and the time
19 911 was called. Petition at p. 20-21. Generally, once a defendant files a notice of appeal with
20 the Nevada Supreme Court, that divests the district court of jurisdiction to hear the matter until
21 remittitur issues. See Buffington v. State, 110 Nev. 124, 126, 868 P.2d 643, 644 (1994).
22 However, "despite [the Court's] general rule that the perfection of an appeal divests the district
23 court of jurisdiction to act except with regard to matters collateral to or independent from the
24 appealed order, the district court nevertheless retains a limited jurisdiction to review
25 motions...." Foster v. Dingwall, 126 Nev. ___, 228 P.3d 453, 455 (2010). Accordingly, where
26 a defendant seeks "to alter, vacate, or otherwise change or modify an order or judgment
27 challenged on appeal [he] should file a motion for relief from the order or judgment in the
28 district court." Id. If a defendant files such a motion, the "district court has jurisdiction to

1 direct briefing on the motion, hold a hearing regarding the motion, and enter an order denying
2 the motion, but lacks jurisdiction to enter an order granting such a motion.” Id.

3 Here, in Defendant’s previous petition, filed March 25, 2015, he had already presented
4 the claim that trial counsel was ineffective for not developing testimony regarding the time the
5 911 phone call was made and how long it would take to drive from the crime scene to Tiffany
6 Johnson’s (“Johnson”) work. The District Court denied the petition on the merits. Defendant
7 filed a Notice of Appeal from his order denying his Petition for Writ of Habeas Corpus, which
8 is still pending before the Nevada Supreme Court. Because Defendant is raising the same
9 claim in the instant petition, this is not a collateral matter independent from the appealed order.
10 Therefore, this Court finds that it does not have jurisdiction over this claim. Furthermore,
11 this Court finds that this claim is successive, as it has been previously raised in Defendant’s
12 first timely Petition. NRS 34.810(2).

13 Additionally, this Court finds that Defendant’s claims in ground one, two, four, and five
14 are an abuse of the writ because Defendant could have raised these claims in his first timely
15 petition. NRS 34.810(2). In ground one, Defendant claims that counsel was ineffective for
16 failing to adequately investigate information regarding the type of bullet the victim was shot
17 with and failing to adequately cross-examine the State’s firearm expert. Petition at p. 9- 14.
18 In ground two, Defendant claims that trial and appellate counsel were ineffective for failing to
19 challenge numerous instances of prosecutorial misconduct. Petition at p. 14-19. Specifically,
20 Defendant claims that the State committed prosecutorial misconduct when it: 1) questioned
21 Professor Geoffrey Loftus in a way to insinuate facts outside the record; 2) suggested the jury
22 was aligned with the prosecution; 3) intentionally distorted exculpatory testimony; 4) implied
23 incriminating evidence not admitted at trial; 5) improperly asserted personal opinion and
24 invoked the authority of the State; 6) vouched for a State witness; 7) misrepresented evidence.
25 Id. Additionally, Defendant claims that trial and appellate counsel were ineffective for failing
26 to challenge false testimony. Petition at p. 19. In ground four, Defendant claims that counsel
27 was ineffective for promising the jury favorable testimony in his opening statement that he did
28 not produce. Petition at p. 22-23. In ground five, Defendant claims that counsel was

1 ineffective for failing to adequately investigate the second set of photo lineups. Petition at p.
2 24. Specifically, for failing to obtain the original copy of the second set of photo lineups. In
3 ground six, Defendant claims appellate counsel was ineffective for failing to raise a cruel and
4 unusual punishment claim on appeal. Petition at 25.

5 Defendant raises all these claims for the first time in the instant Petition. Accordingly,
6 this Court finds that these claims are an abuse of the writ because they could have been raised
7 in Defendant's first petition. Franklin v. State, 110 Nev. 750, 752, 877 P.2d 1058, 1059
8 (1994); NRS 34.810(1).

9 This Court finds that Defendant fails to show good cause to overcome the procedural
10 bars. To avoid procedural default under NRS 34.726 and NRS 34.810, a defendant has the
11 burden of pleading and proving specific facts that demonstrate good cause for his failure to
12 present his claim in earlier proceedings or comply with the statutory requirements. See Hogan
13 v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993); Phelps v. Nevada Dep't of
14 Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988).

15 To excuse a procedural default a defendant must demonstrate the following: 1) "[t]hat
16 the delay is not the fault of the petitioner" and 2) that the petitioner will be "unduly
17 prejudice[d]" if the petition is dismissed as untimely. Accord. NRS 34.810(3). Under the
18 first requirement, "a petitioner must show that an impediment external to the defense prevented
19 him or her from complying with the state procedural default rules." Hathaway v. State, 119
20 Nev. 248, 252, 71 P.3d 503, 506 (2003) (citing Pellegrini v. State, 117 Nev. 860, 886-87, 34
21 P.3d 519, 537 (2001); Lozada v. State, 110 Nev. 349, 353, 871 P.2d 944, 946 (1994); Passanisi
22 v. Director, Dep't Prisons, 105 Nev. 63, 66, 769 P.2d 72, 74 (1989). Once a petitioner has
23 established cause, he must show actual prejudice resulting from the errors of which he
24 complains, i.e., "a petitioner must show that errors in the proceedings underlying the judgment
25 worked to the petitioner's actual and substantial disadvantage." State v. Huebler, 128 Nev.
26 Adv. Rep. 19, ___, 275 P.3d 91, 94-95 (Nev. 2012) (citing Hogan v. Warden, 109 Nev. 952,
27 959-60, 860 P.2d 710, 716 (1993)).

28 //

1 As grounds for good cause, Defendant asserts his limited education and lack of legal
2 knowledge. Petition at p. 5-8. However, this Court finds that these claims are not recognized
3 as an impediment external to the defense constituting good cause to overcome procedural bars.
4 Indigent status, lack of assistance, and lack of knowledge of the law and legal procedures do
5 not constitute good cause to excuse the delay. See Phelps, 104 Nev. at 660, 764 P.2d at 1306,
6 superseded by statute on other grounds as stated in State v. Haberstroh, 119 Nev. 173, 69 P.3d
7 676 (2003).

8 Similarly, this Court finds that Defendant's claim that lack of legal assistance should
9 constitute good cause because Nevada's habeas procedure for post-conviction petitions "runs
10 afoul of Constitutional safeguards" is without merit. The United States Supreme Court has
11 ruled that defendants have no constitutional right to counsel in post-conviction proceedings.
12 Coleman v. Thompson, 501 U.S. 722, 111 S. Ct. 2546 (1991). Similarly, the Nevada Supreme
13 Court ruled that the Nevada Constitution does not provide the right to counsel in post-
14 conviction proceedings. McKague v. Warden, 112 Nev. 159, 163, 912 P.2d 255, 258 (1996).
15 Accordingly, Nevada's habeas procedure for post-conviction does not violate any
16 constitutional rights.

17 This Court finds that Defendant has failed to make an adequate showing of actual
18 innocence. The United States Supreme Court has held that in order for a defendant to succeed
19 based on a claim of actual innocence, he must prove that "it is more likely than not that no
20 reasonable juror would have convicted him in light of the new evidence' presented in habeas
21 proceedings." Calderon v. Thompson, 523 U.S. 538, 560, 118 S. Ct. 1489, 1503 (1998)
22 (quoting Schlup v. Delo, 513 U.S. 298, 327, 115 S. Ct. 851, 867 (1995)). Procedurally barred
23 claims may be considered on the merits, only if the claim of actual innocence is sufficient to
24 bring the petitioner within the narrow class of cases implicating a fundamental miscarriage of
25 justice. Schlup, 513 U.S. at 314 115 S. Ct. at 861).

26 First, Defendant has not presented any new evidence – let alone any new evidence
27 making it more likely than not that no juror would convict him in light of that new evidence.
28 As new evidence, Defendant presents an email from a firearm expert, Lance Martini.

1 However, Defendant concedes that counsel had this email and decided not to use it at trial.
2 Therefore, this Court finds that Defendant's claim that the email is new evidence is without
3 merit. Additionally, this Court finds that Defendant fails to demonstrate that a reasonable juror
4 *more likely than not* would not have convicted him in light of this email. (Emphasis added).

5 Furthermore, this Court finds that Defendant has failed to demonstrate prejudice. NRS
6 34.726(1)(b); see Pellegrini, 117 Nev. at 887, 34 P.3d at 537 (noting that defendant failed to
7 demonstrate "good cause and actual prejudice to overcome the [mandatory] statutory
8 procedural bars."). To establish prejudice, a petitioner must show error that worked to his
9 actual and substantial disadvantage and infected the entire proceedings with error of
10 constitutional dimensions. United States v. Frady, 456 U.S. 152, 170 (1982); see also Hogan
11 v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993).

12 As part of his actual innocence claim, Defendant requests touch DNA testing to be
13 performed on exterior surface of the gloves, gun, and shoes collected as evidence by police.
14 Petition at p. 27-29. This Court finds that Defendant fails to demonstrate that he has met the
15 requirement to obtain genetic marker testing. Defendant's Petition fails to comply with NRS
16 176.0918, which sets forth the requirements that a petition requesting a genetic marker analysis
17 of evidence must follow. Defendant fails to use the appropriate form as mandated by the
18 requirements and the record does not reflect that Defendant has served the Attorney General.
19 Therefore, Defendant's request is denied.

20 Additionally, this Court finds that Defendant fails to demonstrate a reasonable
21 possibility that he would not have been prosecuted or convicted if exculpatory results had been
22 obtained through a genetic marker analysis of the evidence. NRS 176.0918(3)(b). In this case,
23 the evidence against Defendant was overwhelming. Defendant was in possession of a green
24 Ford Taurus, which matched the description of the vehicle used by the perpetrators. Officers
25 searched Defendant's Ford Taurus and found guns matching the description of the guns used
26 in the crime, and a .357 shell casing, which was the same caliber as the weapon used to shoot
27 the victim. Additionally, Defendant was recorded asking his girlfriend to change her testimony
28 and inform officers that Defendant picked her up at 7:00 p.m. Defendant was also recorded

1 talking to another man about fabricating an alibi and asking about the guns that were found in
2 his car. Finally, Defendant was videotaped at a 7-eleven convenience store using an ATM
3 card stolen during the crime. In light of all the evidence against Defendant, he fails to
4 demonstrate that he would not have been prosecuted or convicted if exculpatory results have
5 been obtained from touch DNA analysis. Therefore, Defendant's request is denied.

6 Pursuant to NRS 176.0918 (4)(a), this Court may enter an order dismissing a petition
7 for genetic marker analysis without a hearing if this Court determines based on the information
8 contained in the petition, that the defendant does not meet the requirements set forth in NRS
9 176.0918. Defendant fails to demonstrate that he meets the requirements set forth in NRS
10 176.0918. Therefore, Defendant's request is denied without a hearing.

11 As part of his actual innocence claim, Defendant raises issues with the sufficiency of
12 the evidence presented against him at trial. Petition at p. 30-36. However, this Court finds
13 that the sufficiency of the evidence claim is not properly raised in a post-conviction petition
14 and is waived. This claim should have been raised, if at all, on direct appeal. The failure to
15 do so now precludes review because the claim is considered waived. NRS 34.810(1)(b)(2);
16 see also Franklin v. State, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994) (overruled on other
17 grounds by Thomas v. State, 115 Nev. 148, 150, 979 P.2d 222, 223-24 (1999) (holding that
18 "claims of ineffective assistance of trial and appellate counsel must first be pursued in post-
19 conviction proceedings.... [A]ll other claims that are appropriate for a direct appeal must be
20 pursued on direct appeal, or they will be *considered waived in subsequent*
21 *proceedings.*")(emphasis added). NRS 34.724(2) (stating that a post-conviction petition is not
22 a substitute for the remedy of a direct review).

23 Moreover, this Court finds that Defendant attempts to reargue claims that were
24 explicitly rejected by the Nevada Supreme Court on direct appeal. Where an issue has already
25 been decided on the merits by the Nevada Supreme Court, the Court's ruling is law of the case,
26 and the issue will not be revisited. Pellegrini v. State, 117 Nev. 860, 34 P.3d 519 (2001); see
27 also McNelton v. State, 115 Nev. 396, 990 P.2d 1263, 1276 (1999); Hall v. State, 91 Nev. 314,
28 315-16, 535 P.2d 797, 798-99 (1975); Valerio v. State, 112 Nev. 383, 386, 915 P.2d 874, 876

1 (1996); Hogan v. Warden, 109 Nev. 952, 860 P.2d 710 (1993). "The doctrine of the law of
2 the case cannot be avoided by a more detailed and precisely focused argument subsequently
3 made after reflection upon the previous proceedings." Hall, 91 Nev. at 316, 535 P.2d at 799.
4 Accordingly, issues previously decided on direct appeal may not be reargued in a habeas
5 petition. Pellegrini, 117 Nev. at 888, 34 P.3d at 538. Furthermore, the district court cannot
6 overrule the Nevada Supreme Court. Nev. Const. Art. VI § 6.

7 Defendant has already argued on direct appeal that a suggestive pretrial photo lineup
8 impermissible tainted the in-court identification and that the 7-eleven surveillance video was
9 improperly admitted. Slaughter Jr. v. State, Docket No. 61991 (Order of Affirmance, March
10 12, 2014). The Nevada Supreme Court determined that the District Court did not err in finding
11 that the pretrial photo lineup was not suggestive and did not abuse its discretion admitting the
12 7-eleven surveillance video. Id. Accordingly, as Defendant raises identical claims in the
13 instant Petition, this Court finds that such claims are barred by the doctrine of law of the case.

14 Finally, as part of his actual innocence claim, Defendant claims counsel failed to present
15 exculpatory evidence during trial. Petition at p.31-33. However this Court finds that
16 Defendant's claim is successive and an abuse of the writ. NRS 34.810(2).

17 This Court finds that Defendant is not entitled to appointment of counsel. The United
18 States Supreme Court ruled in Coleman, 501 U.S. at 726, 111 S. Ct. at 2552, that the Sixth
19 Amendment provides no right to counsel in post-conviction proceedings. Similarly, the
20 Nevada Supreme Court observed that "[t]he Nevada Constitution...does not guarantee a right
21 to counsel in post-conviction proceedings, as we interpret the Nevada Constitution's right to
22 counsel provision as being coextensive with the Sixth Amendment to the United States
23 Constitution." McKague, 112 Nev. at 163, 912 P.2d at 258.

24 NRS 34.750 provides, in pertinent part:

25 [a] petition may allege that the Defendant is unable to pay the costs
26 of the proceedings or employ counsel. If the court is satisfied that
27 the allegation of indigency is true and the petition is not dismissed
28 summarily, the court may appoint counsel at the time the court
orders the filing of an answer and a return. In making its
determination, the court may consider whether:

//

- 1 (a) The issues are difficult;
2 (b) The Defendant is unable to comprehend the
proceedings; or
3 (c) Counsel is necessary to proceed with discovery.

4 Under NRS 34.750, it is clear that the court has discretion in determining whether to
5 appoint counsel. McKague specifically held that with the exception of NRS 34.820(1)(a)
6 which requires appointed counsel when the petitioner is under a sentence of death, one does
7 not have “[a]ny constitutional or statutory right to counsel at all” in post-conviction
8 proceedings. 112 Nev. at 164, 912 P.2d at 258. Further, the Nevada Supreme Court has
9 observed that a petitioner “must show that the requested review is not frivolous before he may
10 have an attorney appointed.” Peterson v. Warden, Nev. State Prison, 87 Nev. 134, 136, 483
11 P.2d 204, 205 (1971) (citing former statute NRS 177.345(2)). This Court finds that
12 Defendant’s claims are procedurally barred and without merit. Thus, Defendant fails to show
13 that the requested review is not frivolous. Peterson, 87 Nev. at 136, 483 P.2d at 205.
14 Accordingly, Defendant’s request for appointment of counsel is denied.

15 Finally, this Court finds that Defendant is not entitled to an evidentiary hearing. NRS
16 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

- 17 1. The judge or justice, upon review of the return, answer and
18 all supporting documents which are filed, shall determine whether
19 an evidentiary hearing is required. A petitioner must not be
20 discharged or committed to the custody of a person other than the
21 respondent unless an evidentiary hearing is held.
22 2. If the judge or justice determines that the petitioner is not
entitled to relief and an evidentiary hearing is not required, he shall
dismiss the petition without a hearing.
23 3. If the judge or justice determines that an evidentiary
24 hearing is required, he shall grant the writ and shall set a date for
25 the hearing.

26 The Nevada Supreme Court has held that if a petition can be resolved without
27 expanding the record, then no evidentiary hearing is necessary. Marshall v. State, 110 Nev.
28 1328, 885 P.2d 603 (1994); Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002).
However, a defendant is entitled to an evidentiary hearing if his petition is supported by
specific factual allegations, which, if true, would entitle him to relief unless the factual
allegations are repelled by the record. Marshall, 110 Nev. at 1331, 885 P.2d at 605.

1 Here, an evidentiary hearing is unwarranted because the petition may be resolved
2 without expanding the record. Mann, 118 Nev. at 356, 46 P.3d at 1231; Marshall, 110 Nev. at
3 1331, 885 P.2d at 605. Defendant's claims are procedurally barred with no good cause to
4 overcome the procedural bars. No evidentiary hearing is warranted in order to deny such
5 claims. Accordingly, Defendant's request for an evidentiary is denied.

6 **ORDER**

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

9 DATED this 25 day of May, 2016.

10
11 
DISTRICT JUDGE

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

14 BY 

15 OFELIA MONJE
16 Deputy District Attorney
Nevada Bar #011663

17
18
19 **CERTIFICATE OF SERVICE**

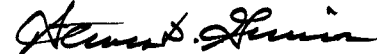
20 I certify that on the 23rd day of May, 2016, I mailed a copy of the foregoing proposed
21 Findings of Fact, Conclusions of Law, and Order to:

22 RICKIE SLAUGHTER,
23 aka Rickie L. Slaughter #85902
24 ELY STATE PRISON
25 4569 NORTH STATE ROUTE 490
26 P.O. BOX 1989
27 ELY, NV 89301

28 BY 

R. JOHNSON
Secretary for the District Attorney's Office

ED/OM/rj/M-1


CLERK OF THE COURT

NEO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

RICKIE SLAUGHTER,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent,

Case No: 04C204957

Dept No: III

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

PLEASE TAKE NOTICE that on June 10, 2016, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on June 13, 2016.

STEVEN D. GRIERSON, CLERK OF THE COURT
/s/ Chaunte Pleasant

Chaunte Pleasant, Deputy Clerk

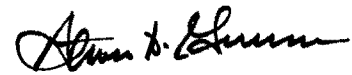
CERTIFICATE OF MAILING

I hereby certify that on this 13 day of June 2016, I placed a copy of this Notice of Entry in:

- ☒ The bin(s) located in the Regional Justice Center of:
Clark County District Attorney's Office
Attorney General's Office – Appellate Division-
- ☒ The United States mail addressed as follows:
Rickie Slaughter # 85902
P.O. Box 1989
Ely, NV 89301

/s/ Chaunte Pleasant

Chaunte Pleasant, Deputy Clerk



CLERK OF THE COURT

1 **FCL**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **OFELIA MONJE**
6 **Deputy District Attorney**
7 **Nevada Bar #011663**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **-vs-**

CASE NO: 04C204957

12 **RICKIE SLAUGHTER,**
13 **aka Rickie L. Slaughter, #1896569**

DEPT NO: III

14 **Defendant.**

15 **FINDINGS OF FACT, CONCLUSIONS OF**
16 **LAW AND ORDER**

17 **DATE OF HEARING: APRIL 28, 2016**
18 **TIME OF HEARING: 9:00 AM**

19 **THIS CAUSE** having come on for hearing before the Honorable DOUGLAS W.
20 **HERNDON**, District Judge, on the 28th day of April, 2016, the Petitioner not being present,
21 **PROCEEDING IN FORMA PAUPERIS**, the Respondent being represented by STEVEN B.
22 **WOLFSON**, Clark County District Attorney, by and through TALEEN PANDUKHT, Chief
23 **Deputy District Attorney**, and the Court having considered the matter, including briefs,
24 **transcripts, and documents on file herein, now therefore, the Court makes the following**
25 **findings of fact and conclusions of law:**

26 **FINDINGS OF FACT, CONCLUSIONS OF LAW**

27 **On September 28, 2004, the State filed an Information charging RICKIE**
28 **SLAUGHTER, aka Rickie L. Slaughter (hereinafter "Defendant") with: COUNT 1 –**
Conspiracy to Commit Kidnapping (Felony – NRS 199.480, 200.320); COUNT 2 –

1 Conspiracy to Commit Robbery (Felony – NRS 199.480); COUNT 3 – Conspiracy to Commit
2 Murder (Felony – NRS 199.480); COUNTS 4 & 5 – Attempt Murder with Use of a Deadly
3 Weapon (Felony – NRS 200.010, 200.030, 193.330, 193.165); COUNT 6 – Battery With Use
4 of a Deadly Weapon (Felony – NRS 200.481); COUNT 7 – Attempt Robbery with Use of a
5 Deadly Weapon (Felony – NRS 200.380, 193.330, 193.165); COUNT 8 – Robbery With Use
6 of a Deadly Weapon (Felony – NRS 200.380, 193.165); COUNT 9 – Burglary While in
7 Possession of a Firearm (Felony – NRS 205.060); COUNT 10 – Burglary (Felony – NRS
8 205.060); COUNTS 11, 12, 13, 14, 15 & 16 – First Degree Kidnapping With Use of a Deadly
9 Weapon (Felony – NRS 200.310, 200.320, 193.165); and COUNT 17 – Mayhem (Felony –
10 NRS 200.280).

11 On April 4, 2005, Defendant entered into a Guilty Plea Agreement, wherein he agreed
12 to plead guilty to: COUNT 1 – Attempt Murder With Use of a Deadly Weapon (Felony –
13 NRS 200.010, 200.030, 193.330, 193.165); COUNT 2 – Robbery With Use of a Deadly
14 Weapon (Felony – NRS 200.380, 193.165); COUNT 3 – First Degree Kidnapping (Felony –
15 NRS 200.310, 200.320), and COUNT 4 – First Degree Kidnapping With Use of a Deadly
16 Weapon (Felony – NRS 200.310, 200.320, 193.165).

17 On August 8, 2005, Defendant was adjudicated guilty and sentenced to Nevada
18 Department of Corrections (NDC) as follows: as to COUNT 1 – a minimum of 90 months
19 and maximum of 240 months, plus an equal consecutive minimum of 90 months and maximum
20 of 240 months for use of a deadly weapon; as to COUNT 2 – a minimum of 72 months a
21 maximum of 180 months, plus an equal and consecutive minimum of 72 months a maximum
22 of 180 months for the use of a deadly weapon; concurrent to COUNT 1; as to COUNT 3 –
23 Life with the Possibility of Parole after a minimum of 15 years; concurrent to COUNTS 1 &
24 2; as to COUNT 4 – Life with a the Possibility of Parole after a minimum of 5 years, plus an
25 equal consecutive Life with the Possibility of Parole after a minimum of 5 for the use of a
26 deadly weapon; concurrent to COUNTS 1, 2 & 3. Defendant received no credit for time
27 served. Judgment of Conviction was filed on August 31, 2005. Defendant did not file a direct
28 appeal.

1 On August 7, 2006, Defendant filed a Petition for Writ of Habeas Corpus. Among other
2 things, Defendant claimed that his guilty plea was not voluntarily entered because he was
3 promised and led to believe that he would be eligible for parole after serving a minimum of 15
4 years. The State filed its Opposition on November 17, 2006. The District Court denied
5 Defendant's Petition on December 18, 2006. The Findings of Fact, Conclusions of Law and
6 Order was filed on January 29, 2007. On January 11, 2007, Defendant filed a Notice of
7 Appeal. On July 24, 2007, the Nevada Supreme Court affirmed the denial of several of the
8 claims raised in Defendant's Petition, but reversed the denial of Defendant's claim regarding
9 the voluntariness of his plea and remanded the matter for an evidentiary hearing and directed
10 the Attorney General to file a response to the underlying sentence structure/parole eligibility
11 claim. Slaughter Jr. v. State, Docket No. 48742 (Order Affirming in Part, Vacating in Part and
12 Remanding, July 24, 2007).

13 Upon remand, the District Court appointed post-conviction counsel to assist Defendant,
14 however, Defendant later elected to proceed pro per. On June 19, 2008, an evidentiary hearing
15 was held. After conducting an evidentiary hearing, the District Court denied Defendant's
16 claim that his guilty plea was involuntarily entered, but ordered Department of Corrections to
17 parole appellant from sentences for the deadly weapon enhancements for COUNTS 1, 2 & 4
18 at the same time as the sentences for the primary COUNTS 1, 2 & 5. Defendant filed a Notice
19 of Appeal on September 9, 2008. On March 27, 2009, the Nevada Supreme Court reversed
20 the judgment of the District Court, and ordered Defendant to be permitted an opportunity to
21 withdraw his guilty plea. Slaughter Jr. v. State, Docket No. 52385 (Order of Reversal and
22 Remand, March 27, 2009).

23 Defendant's jury trial commenced on May 12, 2011. On May 20, 2011, the jury
24 returned a verdict of guilty on all counts. On November 18, 2011, Defendant filed a Motion
25 for a New Trial. The State filed its Opposition on January 12, 2012. Defendant filed a Reply
26 on March 15, 2012. On May 17, 2012, the District Court denied Defendant's Motion.

27 On October 16, 2012, Defendant was adjudicated guilty and sentenced to the NDC as
28 follows: as to COUNT 1 – a minimum of 24 months and maximum of 60 months; as to

1 COUNT 2 – a minimum of 24 months and maximum of 60 months, consecutive to COUNT
2 1; as to COUNT 3 – a minimum of 60 months and maximum of 180, plus a consecutive
3 minimum of 60 months and maximum of 180 months for the deadly weapons enhancement,
4 consecutive to COUNT 2; as to COUNT 5 – a minimum of 48 months and maximum of 120
5 months, plus a consecutive minimum of 48 months and maximum of 120 months for the deadly
6 weapon enhancement, concurrent to COUNT 3; as to COUNT 6 – a minimum of 48 months
7 and maximum of 120 months, plus a consecutive minimum of 48 months and maximum of
8 120 months for the deadly weapon enhancement, consecutive to COUNT 3; as to COUNT 7
9 – a minimum of 48 months and maximum of 120 months, concurrent to COUNT 6; as to
10 COUNT 8 – a minimum of 24 months and a maximum of 60 months, concurrent to COUNT
11 7; as to COUNT 9 – Life with the Possibility of Parole after a minimum of 15 years, plus a
12 consecutive Life with the Possibility of Parole after a minimum of 15 years for the deadly
13 weapon enhancement; as to COUNTS 10-14 – Life with the Possibility of Parole after 5 years,
14 plus a consecutive Life with the Possibility of Parole after 5 years, all concurrent to COUNT
15 9. Defendant received 2,626 days for credit time served. Defendant was not adjudicated on
16 COUNT 4.

17 Judgment of Conviction was filed on October 22, 2012. Defendant filed a Notice of
18 Appeal on October 24, 2012. The Nevada Supreme Court affirmed the Judgment of
19 Conviction on March 12, 2014. Remittitur issued on April 30, 2014.

20 On March 25, 2015, Defendant filed a post-conviction Petition for Writ of Habeas
21 Corpus. The State filed its Response on June 2, 2015. The Court denied Defendant's Petition
22 on June 18, 2015. Findings of Fact, Conclusions of Law and Order was filed on July 15, 2015.
23 On July 30, 2015, Defendant filed a Notice of Appeal. Defendant's appeal is currently pending
24 under Docket No. 68532.

25 On February 12, 2016, Defendant filed a post-conviction Petition for Writ of Habeas
26 Corpus and Motion to Appoint Counsel. The State filed its Response on April 6, 2016. A
27 hearing was held on April 28, 2016.

28 //

1 This Court finds that Defendant's Petition is time-barred with no good cause shown for
2 delay. The mandatory provision of NRS 34.726(1) states:

3 Unless there is good cause shown for delay, a petition that
4 challenges the validity of a judgment or sentence must be filed
5 within 1 year of the entry of the judgment of conviction or, if an
6 appeal has been taken from the judgment, within 1 year after the
7 Supreme Court issues its remittitur. For the purposes of this
8 subsection, good cause for delay exists if the petitioner
demonstrates to the satisfaction of the court:

- 9 (a) That the delay is not the fault of the petitioner; and
10 (b) That dismissal of the petition as untimely will unduly
11 prejudice the petitioner.

12 The Nevada Supreme Court has held that NRS 34.726 should be construed by its plain
13 meaning. Pellegrini v. State, 117 Nev. 860, 873-74, 34 P.3d 519, 528 (2001). As per the
14 language of the statute, the one-year time bar proscribed by NRS 34.726 begins to run from
15 the date the judgment of conviction is filed or a remittitur from a timely direct appeal is filed.
16 Dickerson v. State, 114 Nev. 1084, 1087, 967 P.2d 1132, 1133-34 (1998).

17 The one-year time limit for preparing petitions for post-conviction relief under NRS
18 34.726 is strictly applied. In Gonzales v. State, 118 Nev. 590, 596, 53 P.3d 901, 904 (2002),
19 the Nevada Supreme Court rejected a habeas petition that was filed two days late despite
20 evidence presented by the defendant that he purchased postage through the prison and mailed
21 the petition within the one-year time limit.

22 Furthermore, the Nevada Supreme Court has held that the district court has a duty to
23 consider whether a defendant's post-conviction petition claims are procedurally barred. State
24 v. Eighth Judicial Dist. Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). The
25 Riker Court found that "[a]pplication of the statutory procedural default rules to post-
26 conviction habeas petitions is mandatory," noting:

27 Habeas corpus petitions that are filed many years after conviction
28 are an unreasonable burden on the criminal justice system. The
necessity for a workable system dictates that there must exist a
time when a criminal conviction is final.

29 Id. Additionally, the Court noted that procedural bars "cannot be ignored [by the district court]
30 when properly raised by the State." Id. at 233, 112 P.3d at 1075. The Nevada Supreme Court

1 has granted no discretion to the district courts regarding whether to apply the statutory
2 procedural bars; the rules *must* be applied. Id.

3 Defendant's Remittitur was issued on April 30, 2014. Therefore, Defendant had until
4 April 30, 2015, to file a timely Petition. However, Defendant's instant Petition was not filed
5 until February 12, 2016, almost a year after the one-year time frame expired. Therefore, this
6 Court finds that Defendant's Petition is untimely.

7 Additionally, this Court finds that Defendant's Petition is successive and an abuse of
8 the writ. NRS 34.810(2) provides that:

9 A second or successive petition must be dismissed if the judge or
10 justice determines that it fails to allege new or different grounds
11 for relief and that the prior determination was on the merits or, if
12 new and different grounds are alleged, the judge or justice finds
that the failure of the petitioner to assert those grounds in a prior
petition constitute an abuse of the writ.

13 Moreover, "[a] court must dismiss a habeas petition if it presents claims that either were or
14 could have been presented in an earlier proceeding, unless the court finds both cause for failing
15 to present the claims earlier or for raising them again and actual prejudice to the petitioner."
16 Evans v. State, 117 Nev. 609, 646-47, 29 P.3d 498, 523 (2001).

17 In ground three, Defendant claims that counsel was ineffective for failing to develop
18 testimony and evidence regarding the perpetrators departure from the crime scene and the time
19 911 was called. Petition at p. 20-21. Generally, once a defendant files a notice of appeal with
20 the Nevada Supreme Court, that divests the district court of jurisdiction to hear the matter until
21 remittitur issues. See Buffington v. State, 110 Nev. 124, 126, 868 P.2d 643, 644 (1994).
22 However, "despite [the Court's] general rule that the perfection of an appeal divests the district
23 court of jurisdiction to act except with regard to matters collateral to or independent from the
24 appealed order, the district court nevertheless retains a limited jurisdiction to review
25 motions...." Foster v. Dingwall, 126 Nev. ___, 228 P.3d 453, 455 (2010). Accordingly, where
26 a defendant seeks "to alter, vacate, or otherwise change or modify an order or judgment
27 challenged on appeal [he] should file a motion for relief from the order or judgment in the
28 district court." Id. If a defendant files such a motion, the "district court has jurisdiction to

1 direct briefing on the motion, hold a hearing regarding the motion, and enter an order denying
2 the motion, but lacks jurisdiction to enter an order granting such a motion.” Id.

3 Here, in Defendant’s previous petition, filed March 25, 2015, he had already presented
4 the claim that trial counsel was ineffective for not developing testimony regarding the time the
5 911 phone call was made and how long it would take to drive from the crime scene to Tiffany
6 Johnson’s (“Johnson”) work. The District Court denied the petition on the merits. Defendant
7 filed a Notice of Appeal from his order denying his Petition for Writ of Habeas Corpus, which
8 is still pending before the Nevada Supreme Court. Because Defendant is raising the same
9 claim in the instant petition, this is not a collateral matter independent from the appealed order.
10 Therefore, this Court finds that it does does not have jurisdiction over this claim. Furthermore,
11 this Court finds that this claim is successive, as it has been previously raised in Defendant’s
12 first timely Petition. NRS 34.810(2).

13 Additionally, this Court finds that Defendant’s claims in ground one, two, four, and five
14 are an abuse of the writ because Defendant could have raised these claims in his first timely
15 petition. NRS 34.810(2). In ground one, Defendant claims that counsel was ineffective for
16 failing to adequately investigate information regarding the type of bullet the victim was shot
17 with and failing to adequately cross-examine the State’s firearm expert. Petition at p. 9- 14.
18 In ground two, Defendant claims that trial and appellate counsel were ineffective for failing to
19 challenge numerous instances of prosecutorial misconduct. Petition at p. 14-19. Specifically,
20 Defendant claims that the State committed prosecutorial misconduct when it: 1) questioned
21 Professor Geoffrey Loftus in a way to insinuate facts outside the record; 2) suggested the jury
22 was aligned with the prosecution; 3) intentionally distorted exculpatory testimony; 4) implied
23 incriminating evidence not admitted at trial; 5) improperly asserted personal opinion and
24 invoked the authority of the State; 6) vouched for a State witness; 7) misrepresented evidence.
25 Id. Additionally, Defendant claims that trial and appellate counsel were ineffective for failing
26 to challenge false testimony. Petition at p. 19. In ground four, Defendant claims that counsel
27 was ineffective for promising the jury favorable testimony in his opening statement that he did
28 not produce. Petition at p. 22-23. In ground five, Defendant claims that counsel was

1 ineffective for failing to adequately investigate the second set of photo lineups. Petition at p.
2 24. Specifically, for failing to obtain the original copy of the second set of photo lineups. In
3 ground six, Defendant claims appellate counsel was ineffective for failing to raise a cruel and
4 unusual punishment claim on appeal. Petition at 25.

5 Defendant raises all these claims for the first time in the instant Petition. Accordingly,
6 this Court finds that these claims are an abuse of the writ because they could have been raised
7 in Defendant's first petition. Franklin v. State, 110 Nev. 750, 752, 877 P.2d 1058, 1059
8 (1994); NRS 34.810(1).

9 This Court finds that Defendant fails to show good cause to overcome the procedural
10 bars. To avoid procedural default under NRS 34.726 and NRS 34.810, a defendant has the
11 burden of pleading and proving specific facts that demonstrate good cause for his failure to
12 present his claim in earlier proceedings or comply with the statutory requirements. See Hogan
13 v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993); Phelps v. Nevada Dep't of
14 Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988).

15 To excuse a procedural default a defendant must demonstrate the following: 1) "[t]hat
16 the delay is not the fault of the petitioner" and 2) that the petitioner will be "unduly
17 prejudice[d]" if the petition is dismissed as untimely. Accord. NRS 34.810(3). Under the
18 first requirement, "a petitioner must show that an impediment external to the defense prevented
19 him or her from complying with the state procedural default rules." Hathaway v. State, 119
20 Nev. 248, 252, 71 P.3d 503, 506 (2003) (citing Pellegrini v. State, 117 Nev. 860, 886-87, 34
21 P.3d 519, 537 (2001); Lozada v. State, 110 Nev. 349, 353, 871 P.2d 944, 946 (1994); Passanisi
22 v. Director, Dep't Prisons, 105 Nev. 63, 66, 769 P.2d 72, 74 (1989). Once a petitioner has
23 established cause, he must show actual prejudice resulting from the errors of which he
24 complains, i.e., "a petitioner must show that errors in the proceedings underlying the judgment
25 worked to the petitioner's actual and substantial disadvantage." State v. Huebler, 128 Nev.
26 Adv. Rep. 19, ___, 275 P.3d 91, 94-95 (Nev. 2012) (citing Hogan v. Warden, 109 Nev. 952,
27 959-60, 860 P.2d 710, 716 (1993)).

28 //

1 As grounds for good cause, Defendant asserts his limited education and lack of legal
2 knowledge. Petition at p. 5-8. However, this Court finds that these claims are not recognized
3 as an impediment external to the defense constituting good cause to overcome procedural bars.
4 Indigent status, lack of assistance, and lack of knowledge of the law and legal procedures do
5 not constitute good cause to excuse the delay. See Phelps, 104 Nev. at 660, 764 P.2d at 1306,
6 superseded by statute on other grounds as stated in State v. Haberstroh, 119 Nev. 173, 69 P.3d
7 676 (2003).

8 Similarly, this Court finds that Defendant's claim that lack of legal assistance should
9 constitute good cause because Nevada's habeas procedure for post-conviction petitions "runs
10 afoul of Constitutional safeguards" is without merit. The United States Supreme Court has
11 ruled that defendants have no constitutional right to counsel in post-conviction proceedings.
12 Coleman v. Thompson, 501 U.S. 722, 111 S. Ct. 2546 (1991). Similarly, the Nevada Supreme
13 Court ruled that the Nevada Constitution does not provide the right to counsel in post-
14 conviction proceedings. McKague v. Warden, 112 Nev. 159, 163, 912 P.2d 255, 258 (1996).
15 Accordingly, Nevada's habeas procedure for post-conviction does not violate any
16 constitutional rights.

17 This Court finds that Defendant has failed to make an adequate showing of actual
18 innocence. The United States Supreme Court has held that in order for a defendant to succeed
19 based on a claim of actual innocence, he must prove that "it is more likely than not that no
20 reasonable juror would have convicted him in light of the new evidence' presented in habeas
21 proceedings." Calderon v. Thompson, 523 U.S. 538, 560, 118 S. Ct. 1489, 1503 (1998)
22 (quoting Schlup v. Delo, 513 U.S. 298, 327, 115 S. Ct. 851, 867 (1995)). Procedurally barred
23 claims may be considered on the merits, only if the claim of actual innocence is sufficient to
24 bring the petitioner within the narrow class of cases implicating a fundamental miscarriage of
25 justice. Schlup, 513 U.S. at 314 115 S. Ct. at 861).

26 First, Defendant has not presented any new evidence – let alone any new evidence
27 making it more likely than not that no juror would convict him in light of that new evidence.
28 As new evidence, Defendant presents an email from a firearm expert, Lance Martini.

1 However, Defendant concedes that counsel had this email and decided not to use it at trial.
2 Therefore, this Court finds that Defendant's claim that the email is new evidence is without
3 merit. Additionally, this Court finds that Defendant fails to demonstrate that a reasonable juror
4 *more likely than not* would not have convicted him in light of this email. (Emphasis added).

5 Furthermore, this Court finds that Defendant has failed to demonstrate prejudice. NRS
6 34.726(1)(b); see Pellegrini, 117 Nev. at 887, 34 P.3d at 537 (noting that defendant failed to
7 demonstrate "good cause and actual prejudice to overcome the [mandatory] statutory
8 procedural bars."). To establish prejudice, a petitioner must show error that worked to his
9 actual and substantial disadvantage and infected the entire proceedings with error of
10 constitutional dimensions. United States v. Frady, 456 U.S. 152, 170 (1982); see also Hogan
11 v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993).

12 As part of his actual innocence claim, Defendant requests touch DNA testing to be
13 performed on exterior surface of the gloves, gun, and shoes collected as evidence by police.
14 Petition at p. 27-29. This Court finds that Defendant fails to demonstrate that he has met the
15 requirement to obtain genetic marker testing. Defendant's Petition fails to comply with NRS
16 176.0918, which sets forth the requirements that a petition requesting a genetic marker analysis
17 of evidence must follow. Defendant fails to use the appropriate form as mandated by the
18 requirements and the record does not reflect that Defendant has served the Attorney General.
19 Therefore, Defendant's request is denied.

20 Additionally, this Court finds that Defendant fails to demonstrate a reasonable
21 possibility that he would not have been prosecuted or convicted if exculpatory results had been
22 obtained through a genetic marker analysis of the evidence. NRS 176.0918(3)(b). In this case,
23 the evidence against Defendant was overwhelming. Defendant was in possession of a green
24 Ford Taurus, which matched the description of the vehicle used by the perpetrators. Officers
25 searched Defendant's Ford Taurus and found guns matching the description of the guns used
26 in the crime, and a .357 shell casing, which was the same caliber as the weapon used to shoot
27 the victim. Additionally, Defendant was recorded asking his girlfriend to change her testimony
28 and inform officers that Defendant picked her up at 7:00 p.m. Defendant was also recorded

1 talking to another man about fabricating an alibi and asking about the guns that were found in
2 his car. Finally, Defendant was videotaped at a 7-eleven convenience store using an ATM
3 card stolen during the crime. In light of all the evidence against Defendant, he fails to
4 demonstrate that he would not have been prosecuted or convicted if exculpatory results have
5 been obtained from touch DNA analysis. Therefore, Defendant's request is denied.

6 Pursuant to NRS 176.0918 (4)(a), this Court may enter an order dismissing a petition
7 for genetic marker analysis without a hearing if this Court determines based on the information
8 contained in the petition, that the defendant does not meet the requirements set forth in NRS
9 176.0918. Defendant fails to demonstrate that he meets the requirements set forth in NRS
10 176.0918. Therefore, Defendant's request is denied without a hearing.

11 As part of his actual innocence claim, Defendant raises issues with the sufficiency of
12 the evidence presented against him at trial. Petition at p. 30-36. However, this Court finds
13 that the sufficiency of the evidence claim is not properly raised in a post-conviction petition
14 and is waived. This claim should have been raised, if at all, on direct appeal. The failure to
15 do so now precludes review because the claim is considered waived. NRS 34.810(1)(b)(2);
16 see also Franklin v. State, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994) (overruled on other
17 grounds by Thomas v. State, 115 Nev. 148, 150, 979 P.2d 222, 223-24 (1999) (holding that
18 "claims of ineffective assistance of trial and appellate counsel must first be pursued in post-
19 conviction proceedings.... [A]ll other claims that are appropriate for a direct appeal must be
20 pursued on direct appeal, or they will be *considered waived in subsequent*
21 *proceedings.*")(emphasis added). NRS 34.724(2) (stating that a post-conviction petition is not
22 a substitute for the remedy of a direct review).

23 Moreover, this Court finds that Defendant attempts to reargue claims that were
24 explicitly rejected by the Nevada Supreme Court on direct appeal. Where an issue has already
25 been decided on the merits by the Nevada Supreme Court, the Court's ruling is law of the case,
26 and the issue will not be revisited. Pellegrini v. State, 117 Nev. 860, 34 P.3d 519 (2001); see
27 also McNelton v. State, 115 Nev. 396, 990 P.2d 1263, 1276 (1999); Hall v. State, 91 Nev. 314,
28 315-16, 535 P.2d 797, 798-99 (1975); Valerio v. State, 112 Nev. 383, 386, 915 P.2d 874, 876

1 (1996); Hogan v. Warden, 109 Nev. 952, 860 P.2d 710 (1993). "The doctrine of the law of
2 the case cannot be avoided by a more detailed and precisely focused argument subsequently
3 made after reflection upon the previous proceedings." Hall, 91 Nev. at 316, 535 P.2d at 799.
4 Accordingly, issues previously decided on direct appeal may not be reargued in a habeas
5 petition. Pellegrini, 117 Nev. at 888, 34 P.3d at 538. Furthermore, the district court cannot
6 overrule the Nevada Supreme Court. Nev. Const. Art. VI § 6.

7 Defendant has already argued on direct appeal that a suggestive pretrial photo lineup
8 impermissible tainted the in-court identification and that the 7-eleven surveillance video was
9 improperly admitted. Slaughter Jr. v. State, Docket No. 61991 (Order of Affirmance, March
10 12, 2014). The Nevada Supreme Court determined that the District Court did not err in finding
11 that the pretrial photo lineup was not suggestive and did not abuse its discretion admitting the
12 7-eleven surveillance video. Id. Accordingly, as Defendant raises identical claims in the
13 instant Petition, this Court finds that such claims are barred by the doctrine of law of the case.

14 Finally, as part of his actual innocence claim, Defendant claims counsel failed to present
15 exculpatory evidence during trial. Petition at p.31-33. However this Court finds that
16 Defendant's claim is successive and an abuse of the writ. NRS 34.810(2).

17 This Court finds that Defendant is not entitled to appointment of counsel. The United
18 States Supreme Court ruled in Coleman, 501 U.S. at 726, 111 S. Ct. at 2552, that the Sixth
19 Amendment provides no right to counsel in post-conviction proceedings. Similarly, the
20 Nevada Supreme Court observed that "[t]he Nevada Constitution...does not guarantee a right
21 to counsel in post-conviction proceedings, as we interpret the Nevada Constitution's right to
22 counsel provision as being coextensive with the Sixth Amendment to the United States
23 Constitution." McKague, 112 Nev. at 163, 912 P.2d at 258.

24 NRS 34.750 provides, in pertinent part:

25 [a] petition may allege that the Defendant is unable to pay the costs
26 of the proceedings or employ counsel. If the court is satisfied that
27 the allegation of indigency is true and the petition is not dismissed
28 summarily, the court may appoint counsel at the time the court
orders the filing of an answer and a return. In making its
determination, the court may consider whether:

//

- 1 (a) The issues are difficult;
2 (b) The Defendant is unable to comprehend the
proceedings; or
3 (c) Counsel is necessary to proceed with discovery.

4 Under NRS 34.750, it is clear that the court has discretion in determining whether to
5 appoint counsel. McKague specifically held that with the exception of NRS 34.820(1)(a)
6 which requires appointed counsel when the petitioner is under a sentence of death, one does
7 not have “[a]ny constitutional or statutory right to counsel at all” in post-conviction
8 proceedings. 112 Nev. at 164, 912 P.2d at 258. Further, the Nevada Supreme Court has
9 observed that a petitioner “must show that the requested review is not frivolous before he may
10 have an attorney appointed.” Peterson v. Warden, Nev. State Prison, 87 Nev. 134, 136, 483
11 P.2d 204, 205 (1971) (citing former statute NRS 177.345(2)). This Court finds that
12 Defendant’s claims are procedurally barred and without merit. Thus, Defendant fails to show
13 that the requested review is not frivolous. Peterson, 87 Nev. at 136, 483 P.2d at 205.
14 Accordingly, Defendant’s request for appointment of counsel is denied.

15 Finally, this Court finds that Defendant is not entitled to an evidentiary hearing. NRS
16 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

- 17 1. The judge or justice, upon review of the return, answer and
18 all supporting documents which are filed, shall determine whether
19 an evidentiary hearing is required. A petitioner must not be
20 discharged or committed to the custody of a person other than the
21 respondent unless an evidentiary hearing is held.
22 2. If the judge or justice determines that the petitioner is not
entitled to relief and an evidentiary hearing is not required, he shall
dismiss the petition without a hearing.
23 3. If the judge or justice determines that an evidentiary
24 hearing is required, he shall grant the writ and shall set a date for
25 the hearing.

26 The Nevada Supreme Court has held that if a petition can be resolved without
27 expanding the record, then no evidentiary hearing is necessary. Marshall v. State, 110 Nev.
28 1328, 885 P.2d 603 (1994); Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002).
However, a defendant is entitled to an evidentiary hearing if his petition is supported by
specific factual allegations, which, if true, would entitle him to relief unless the factual
allegations are repelled by the record. Marshall, 110 Nev. at 1331, 885 P.2d at 605.

1 Here, an evidentiary hearing is unwarranted because the petition may be resolved
2 without expanding the record. Mann, 118 Nev. at 356, 46 P.3d at 1231; Marshall, 110 Nev. at
3 1331, 885 P.2d at 605. Defendant's claims are procedurally barred with no good cause to
4 overcome the procedural bars. No evidentiary hearing is warranted in order to deny such
5 claims. Accordingly, Defendant's request for an evidentiary is denied.

6 **ORDER**

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

9 DATED this 25 day of May, 2016.

10
11 
DISTRICT JUDGE

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

14 BY 

15 OFELIA MONJE
16 Deputy District Attorney
Nevada Bar #011663

17
18
19 **CERTIFICATE OF SERVICE**

20 I certify that on the 23rd day of May, 2016, I mailed a copy of the foregoing proposed
21 Findings of Fact, Conclusions of Law, and Order to:

22 RICKIE SLAUGHTER,
23 aka Rickie L. Slaughter #85902
24 ELY STATE PRISON
4569 NORTH STATE ROUTE 490
25 P.O. BOX 1989
ELY, NV 89301

26 BY 

27 R. JOHNSON
28 Secretary for the District Attorney's Office

ED/OM/rj/M-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 05, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

October 05, 2004**9:00 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Jennifer
Kimmel/jk Relief
Clerk: April Watkins
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Krisko, Susan R.
Public Defender
Rue, Jeffrey T.
Slaughter, Rickie

Attorney
Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Ex Parte Motion For Release of Medical Records, FILED IN OPEN COURT. Colloquy regarding Defendant's request for Own Recognizance (O.R.) release for marriage. Ms. Krisko stated opposition. COURT ORDERED, request is DENIED. Defendant requested to retain private counsel. FURTHER ORDERED, matter set for hearing. DEFT. SLAUGHTER ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. FURTHER ORDERED, Writ may be filed 21 days after date of receipt.

CUSTODY

10/19/04 9:00 A.M. CONFIRMATION OF COUNSEL (PRIVATE) // EX PARTE MOTION FOR
RELEASE OF MEDICAL RECORDS

11/30/04 9:00 A.M. CALENDAR CALL

04C204957

12/6/04 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 19, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

October 19, 2004**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 10-19-04
Court Clerk: Annette
Duncan
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Cox, G. Darren
Krisko, Susan R.
Public Defender
Slaughter, Rickie
Wommer, Paul E.

Attorney
Attorney
Attorney
Defendant
Attorney

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL (PRIVATE)...EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS...PUBLIC DEFENDER'S MOTION WITHDRAW
Statement by Ms. Krisko. COURT ORDERED, Public Defender's Motion GRANTED; PD WITHDRAWN. Mr. WOMMER APPOINTED and CONFIRMED as Counsel of Record. COURT ORDERED, Ex Parte Motion MOOT and an Order has already been signed and filed. FURTHER, trial date STANDS.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 30, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

November 30, 2004**9:00 AM****Calendar Call**

CALENDAR CALL
Court Clerk: Jennifer
Kimmel
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty

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

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Both sides announced ready for a 2-to-3 day trial with 10-13 witnesses, none out of state. COURT ORDERED, case REFERRED to OVERFLOW.

CUSTODY

12-03-04 9:30 A.M. OVERFLOW (VII) S.KRISKO/P.WOMMER 2-3 DAYS 10-13 WITNESSES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 03, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

December 03, 2004**9:30 AM****Overflow**

**OVERFLOW (16) S
KRISKO / P
WOMMER 2-3
DAYS/10-13
WITNESSES/NO
OUT OF STATE
Court Clerk: Denise
Trujillo
Reporter/Recorder:
Jackie Nelson Heard
By: McGroarty, John
S.**

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

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, pursuant to stipulation, this matter CONTINUED to next weeks overflow calendar.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 10, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

December 10, 2004**9:30 AM****Overflow****OVERFLOW (16) S
KRISKO / P
WOMMER 2-3
DAYS/10-13
WITNESSES/NO
OUT OF STATE
Court Clerk: Tina
Hurd
Reporter/Recorder:
JoAnn Orduna
Heard By: Stewart
Bell****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Krisko, Susan R.

Attorney

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter REFERRED TO DEPARTMENT I for trial on Monday at 9:30 a.m.; counsel to meet with Judge Cory in chambers prior to trial. Court advised, due to the size of Judge Cory's courtroom, this Court will find a larger courtroom for jury selection and advise Judge Cory and the jail.

CUSTODY

12-13-04 9:30 AM JURY TRIAL (DEPT. I)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 13, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

December 13, 2004**9:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Cheryl
Case****Reporter/Recorder:****Debbie Van Blaricom****Heard By: Ken Cory****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Di Giacomo, Marc P.

Attorney

Krisko, Susan R.

Attorney

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- Mr. Wommer stated Defendant refuses to dress for Court and will not attend the trial. Second Amended Information was FILED IN OPEN COURT. Matter TRAILED.

Matter RECALLED. Same parties present. Defendant present. Defendant submitted Motion To Dismiss Counsel (Ex Parte) And Appointment Of Alternate Counsel, which was FILED IN OPEN COURT. Court reviewed Motion. Argument by Defendant. Based upon the allegations in the Motion, Court excused the Deputy District Attorneys from the Courtroom. Upon Court's inquiry, Mr. Wommer stated he has adequately for trial, and there are no issues for a Writ. Colloquy regarding Defendant's medical records and scars. COURT ORDERED, Motion To Dismiss Counsel DENIED; Motion For Appointment Of Alternate Counsel DENIED. FURTHER, COURT ORDERED, Defendant's request for a continuance GRANTED; Defendant shall have the opportunity to obtain medical records. Defendant requested a faretta canvass and stated he would do the trial himself with co-counsel. Mr. Wommer stated he could be stand-by counsel to answer procedural and evidentiary questions. Court conducted faretta canvass. Defendant stated he understood and wanted to

represent himself in this case. COURT SO ORDERED. FURTHER, COURT ORDERED, Mr. Wommer APPOINTED AS STAND-BY COUNSEL. Mr. Wommer stated he would visit Defendant tomorrow and provide discovery. Ms. Krisko and Mr. DiGiacomo present. Colloquy regarding trial continuance. Defendant requested this case be referred back to Judge McGroarty. Mr. DiGiacomo inquired about the faretti canvass. Upon Court's inquiry, Defendant requested a trial continuance of six months. Ms. Krisko inquired about Defendant's right to a speedy trial. Defendant WAIVED his right to a trial within sixty days. Ms. Krisko requested a transcript of the faretti canvass. Court noted a Motion to unseal the transcript could be filed. COURT ORDERED, faretti canvass portion of the transcript UNSEALED. COURT ORDERED, matter REFERRED BACK TO DEPARTMENT SIXTEEN for trial setting.

CUSTODY

12/16/04 9:00 AM TRIAL SETTING

CLERK'S NOTE: Exhibits 1-92, which were marked as proposed exhibits, were returned to Mr. DiGiacomo on 12/13/04. Thirty-three exhibits which were not marked as proposed exhibits were returned to Detective Prieto on 12/14/04.cc

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 16, 2004**

04C204957

The State of Nevada vs Rickie Slaughter

December 16, 2004**9:00 AM****Conversion Hearing Type****TRIAL SETTING****Court Clerk: Jennifer
Kimmel****Reporter/Recorder:****Peggy Isom Heard****By: John McGroarty****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Krisko, Susan R.

Slaughter, Rickie

Wommer, Paul E.

Attorney

Defendant

Attorney

JOURNAL ENTRIES

- Colloquy regarding transcript, previously unsealed. COURT CONFIRMED transcript of Farretta canvass has previously been UNSEALED and shall remain unsealed, with all other matters remaining sealed. COURT ORDERED, Trial RESET.

CUSTODY

2/8/05 9:00 A.M. CALENDAR CALL

2/14/05 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 31, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

January 31, 2005**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS (1/31/05)
Relief Clerk: April
Watkins
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Nelson III, Roy L.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/ORDER AUTHORIZING MARRIAGE OF DEFT...DEFT'S PRO PER APPLICATION TO PROCEED INFORMA PAUPERIS

Mr. Wommer advised the State has not responded and the Deft. will be asking for additional time. Statement by Deft. COURT ORDERED, matters CONTINUED.

CUSTODY

CONTINUED TO: 2/7/05 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 07, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

February 07, 2005**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS - 2/7/05
Court Clerk: Jennifer
Kimmel
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO INSPECT ALL EVIDENCE FAVORABLE TO DEFENSE...DEFENDANT'S PRO PER MOTION FOR APPOINTMENT OF INVESTIGATOR...DEFENDANT'S PRO PER MOTION FOR PERMISSION FOR INCARCERATED PERSON TO MARRY/ORDER AUTHORIZING MARRIAGE OF DEFENDANT...DEFENDANT'S PRO PER APPLICATION TO PROCEED IN FORMA PAUPERIS

Statements by Deft., argument by counsel. COURT ORDERED as follows: Regarding Deft's Motion to Inspect all evidence favorable to Defense, Motion is DENIED as all discovery requests have been provided to Deft. or his counsel, Mr. Wommer. Regarding Deft's Motion for Appointment of Investigator, this Motion is GRANTED, given there is no opposition. Additionally Regarding Deft's Motion to Proceed in Forma Pauperis given there is no opposition, matter is GRANTED. FURTHER, regarding Deft's Motion for Permission to Marry, Motion is GRANTED subject to the Rules, Regulations and Procedures of the Clark County Detention Center (CCDC). Order offered to Court

and SIGNED and FILED IN OPEN COURT.
CUSTODY

CLERK'S NOTE: A copy of the Order Granting Deft. Permission to Marry was mailed, via Proper Person Clerk to Deft. on 2/11/05. jk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 08, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

February 08, 2005**9:00 AM****Calendar Call**

CALENDAR CALL
Court Clerk: Jennifer
Kimmel
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty

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

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Mr. Jim Conklin, Investigator, also present. Both sides announced ready for trial. Ms. Krisko requesting #1 on next stack. COURT ORDERED, Trial RESET.

CUSTODY

3/15/05 9:00 A.M. CALENDAR CALL

3/21/05 1:30 P.M. TRIAL BY JURY (#1)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 14, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

February 14, 2005**9:00 AM****Request**

**STATE'S REQUEST
RESET TRIAL DATE
Relief Clerk: April
Watkins
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Nelson III, Roy L.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Statements by counsel and Deft. COURT ORDERED, State's request GRANTED; trial date VACATED and RESET.

CUSTODY

3/29/05 9:00 AM CALENDAR CALL

4/4/05 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 21, 2005

04C204957

The State of Nevada vs Rickie Slaughter

March 21, 2005

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (3/21/05)
Relief Clerk: April
Watkins
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO PRESERVE EVIDENCE. REQUEST TO INSPECT ORIGINAL PHOTO LINEUP...DEFT'S PRO PER MOTION TO REVEAL CONFIDENTIAL INFORMANT Third Amended Information FILED IN OPEN COURT. Deft. requested matter be continued to prepare for argument. Ms. Krisko requested motion set for March 29, 2005, be moved to new continuance date. COURT ORDERED, matters CONTINUED and matter set for March 29, 2005, moved to new date.

CUSTODY

3/23/05 9:00 AM DEFT'S PRO PER MOTION TO PRESERVE EVIDENCE/REQUEST TO INSPECT ORIGINAL PHOTO LINEUP...DEFT'S PRO PER MOTION TO REVEAL CONFIDENTIAL INFORMANT...DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 23, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

March 23, 2005**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS (3/23/05)
Court Clerk: April
Watkins Relief
Clerk: Nancy
Noble/nn
Reporter/Recorder:
Peggy Isom Heard
By: John McGroarty**

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

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MTN TO PRESERVE EVIDENCE, REQUEST TO INSPECT ORIGINAL PHOTO LINEUPS...DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT....DEFT'S PRO PER MOTION TO REVEAL CONFIDENTIAL INFORMANT....

COURT ORDERED matters CONTINUED to be handled at Calendar Call.

CUSTODY

03/29/05 9:00 AM DEFT'S MTN PRESERVE EVIDENCE, DEFT REQ INSPECT ORIG PHOTO LINEUPS, DEFT'S REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM, DEFT'S MTN TO REVEAL CONFIDENTIAL INFORMANT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 29, 2005

04C204957

The State of Nevada vs Rickie Slaughter

March 29, 2005

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS (3/29/05)**
**Court Clerk: April
Watkins**
**Reporter/Recorder:
Peggy Isom Heard**
By: John McGroarty

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Krisko, Susan R.
 Slaughter, Rickie
 Wommer, Paul E.

Attorney
 Defendant
 Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER REQUEST FOR ISSUANCE OF SUBPOENA DUCES TECUM FOR DEFT'S MEDICAL RECORDS...DEFT'S PRO PER MOTION TO PRESERVE EVIDENCE/REQUEST TO INSPECT ORIGINAL PHOTO LINEUPS...DEFT'S PRO PER MOTION TO REVEAL CONFIDENTIAL INFORMANT...DEFT'S PRO PER REQUEST COURT ORDER TO RECEIVE LAW BOOKS

Ms. Krisko advised she has subpoena and provided to the Deft. in open court. COURT ORDERED, Deft's Pro Per Request for Issuance MOOT. Ms. Krisko stated as to Deft's Pro Per Motion to Preserve Evidence, originals will be provided at trial. FURTHER ORDERED, Deft's Pro Per Motion to Preserve GRANTED. Deft. argued in support of Motion to Reveal Confidential Informant. COURT ORDERED, Motion to Reveal DENIED. Deft. requested the Court review in camera. FURTHER ORDERED, request DENIED. COURT ORDERED, Deft's Pro Per Request Court Order to Receive Law Books GRANTED.

Ms. Krisko requested matter be sent to overflow. Opposition by the Deft. Ms. Krisko argued the State

invoked it's speedy trial rights which have already been violated. CONFERENCE AT BENCH.
FURTHER ORDERED, matter REFERRED to OVERFLOW.
CUSTODY

4/1/05 9:30 AM OVERFLOW (16) S. KRISKO/PRO PER/P. WOMMER (STANDBY); 2-3 DAYS 10-13
WITNESSES; NOT OUT OF STATE WITNESSES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 01, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

April 01, 2005**9:30 AM****Overflow**

**OVERFLOW (16) S
KRISKO/PRO PER-
WOMMER 3
DAYS/10-13
WITNESSES/NO
OUT OF STATE
Relief Clerk:
Georgette Byrd/gb
Reporter/Recorder:
Renee Silvaggio
Heard By: Stewart
Bell**

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

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Deft. filed his Pro Per Motion to Continue due to stand by counsel not being available for trial. Mr. Wommer stated he will be in an Elko trial. Additionally, defendants investigator will not be available to testify regarding an alibi witnesses. The defendant further stated he has suppression motions he wants to argue; he never got to listen to jail phone conversations; he needs his booking photo to verify it was not him in the line up and he needs his expert witnesses to testify. The defendant further pointed out that the case has not been going on very long and has not created any hardship for the State. COURT ORDERED, when parties get to this point there are no continuances, this case

04C204957

will go to trial in department III next week.

CUSTODY

04/04/05 1:30 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 04, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

April 04, 2005**1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk: Carol
Green****Reporter/Recorder:
Yvonne Valentin****Heard By: Douglas
Herndon****HEARD BY:****COURTROOM:****COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**

Di Giacomo, Marc P.

Attorney

Krisko, Susan R.

Attorney

Slaughter, Rickie

Defendant

Wommer, Paul E.

Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Standby counsel, Mr. Wommer not present. Record made by Defendant regarding issues he has which are reasons he does not want to proceed to trial today. Statement by Defendant's investigator, Jim Conklin. Response by Ms. Krisko that she believes that these are delay tactics. Argument by Defendant. Court stated the Mr. Wommer previously announced ready for trial, however, Defendant spoke with Judge Cory outside the presence of the State and was granted a continuance and also was allowed to represent himself. Further, on 2/8 the Court minutes reflect that both sides announced ready for trial on 2/14. Defendant stated that minutes are in error and he is not ready as he was just granted a private investigator. Additionally, Defendant advised that he never saw the original photo line-up, however, he did receive the booking photo. Original photo line-up marked as a proposed exhibit and was given to Defendant. COURT ORDERED, Request for Continuance is DENIED.

Mr. Wommer present. Matter recessed for parties to discuss negotiation.

Matter recalled with same parties present. FOURTH AMENDED INFORMATION and GUILTY PLEA AGREEMENT FILED IN OPEN COURT. NEGOTIATIONS: State agrees to retain right to argue for fifteen (15) years to life as to Count 3, but stipulates that life without parole is not available; State will not oppose concurrent time; Defendant retains right to argue for fifteen (15) to forty (40) yeas as to Count 3. Defendant SLAUGHTER ARRAIGNED AND PLED GUILTY TO COUNT 1 - Attempt Murder With Use Of A Deadly Weapon (F), Count 2 - Robbery With Use Of A Deadly Weapon (F), Count 3 - First Degree Kidnapping (F), resulting in substantial bodily harm, and Count 4 - First Degree Kidnapping With Use Of A Deadly Weapon (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing. Defendant REMANDED to Custody. Proposed Exhibits returned to the State.
CUSTODY

6/6/05 10:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 06, 2005**

04C204957

The State of Nevada vs Rickie Slaughter

June 06, 2005**10:30 AM****Sentencing****SENTENCING****Court Clerk: Carol
Green****Reporter/Recorder:****Mary Beth Cook****Heard By: Herndon,
Douglas W****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Court noted that Parole and Probation did not interview Defendant as he was transferred to Nevada State Prison on another case. COURT ORDERED, matter CONTINUED until after interview and amended presentence report is prepared. Court stated it would like to remand Defendant to Detention Center for a few days and have interviewed by Thursday. Defendant Slaughter advised that he is in a program at Nevada State Prison and would prefer to go back and would agree to a phone interview. COURT ORDERED, matter CONTINUED; Parole and Probation is to conduct a phone interview and prepare an amended presentence report.

CUSTODY (COC-NDP)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2005

04C204957

The State of Nevada vs Rickie Slaughter

August 08, 2005

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 8/8/05
Court Clerk: Carol
Green
Reporter/Recorder:
Sharon Howard
Heard By: Douglas
Herndon**

HEARD BY:

COURTROOM:

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES**PRESENT:**

Krisko, Susan R.
Slaughter, Rickie
Wommer, Paul E.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER REQUEST FOR AMENDED PLEA...SENTENCING

Defendant Slaughter advised that he filed a Motion for Appointment of Counsel for sentencing. Upon inquiry by the Court, Mr. Wommer, who is standby counsel, advised that he is prepared to proceed. COURT ORDERED, Deft's Pre Per Motion to Appoint Counsel which is set for hearing on 8/16 is GRANTED, Court will allow Mr. Wommer to proceed with Sentencing and motion is VACATED from 8/16 calendar.

As to Deft's Pro Per Request for Amended Plea, Ms. Krisko advised that she has discussed with Defendant and will stipulate to argue for a sentence of 15 years to Life, noting that she has written that stipulation on Mr. Slaughter's paperwork, and Mr. Slaughter can argue 15 years to 40 years. COURT ORDERED, Deft's Pro Per Request for Amended Plea is MOOT.

DEFT. SLAUGHTER ADJUDGED GUILTY of Count 1 - ATTEMPT MURDER WITH USE OF A

DEADLY WEAPON (F), COUNT 2 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT 3 - FIRST DEGREE KIDNAPPING (F), and COUNT 4 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Argument by Ms. Krisko. Statement by Defendant. Argument by Mr. Wommer. In addition to the \$25.00 Administrative Assessment Fee, \$150 DNA Fee, submitting to Genetic marker testing, and \$35,000 Restitution, COURT ORDERED, on COUNT 1 Defendant SLAUGHTER is SENTENCED to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and a MINIMUM of NINETY (90) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and a MINIMUM of NINETY (90) MONTHS for Use of a Deadly Weapon; on COUNT 2, Defendant SLAUGHTER is SENTENCED to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC), plus and equal and CONSECUTIVE MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a MINIMUM of SEVENTY-TWO (72) MONTHS for Use of a Deadly Weapon, CONCURRENT with Count 1; on COUNT 3, Defendant SLAUGHTER is SENTENCED to a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC), with a MINIMUM of 15 YEARS before Parole Eligibility, CONCURRENT with Counts 1 and 2; on COUNT 4, Defendant SLAUGHTER is SENTENCED to LIFE in the Nevada Department of Corrections (NDC), with a MINIMUM of 5 YEARS before Parole Eligibility, plus and equal and CONSECUTIVE LIFE in the Nevada Department of Prisons, with a MINIMUM of 5 YEARS before Parole Eligibility for Use of a Deadly Weapon, CONCURRENT with Counts 1, 2, and 3, with NO Credit for Time Served. Ms. Krisko noted an issue of concurrent with C196399. Further, COURT ORDERED, since Defendant is given no credit for time served in this case, this sentence is CONCURRENT with C196399.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 13, 2006**

04C204957

The State of Nevada vs Rickie Slaughter

September 13, 2006**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 9/13/06
Court Clerk: Carol
Green
Reporter/Recorder:
Norma Silverman
Heard By: J. Charles
Thompson**

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

Krisko, Susan R.

Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR COURT MINUTES AND TRANSCRIPTS OF COURT MINUTES AT STATE'S EXPENSE...DEFT'S PRO PER MOTION FOR LEAVE TO SUPPLEMENT PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION TO APPOINT COUNSEL

As to Defendant's Pro Per Motion for Leave to Proceed in Forma Pauperis, COURT ORDERED, motion GRANTED. Argument by Ms. Krisko that there is nothing complex for Defendant to have counsel appointed and no need for court minutes or transcripts, and there is no reason for him to file a supplemental petition. Court noted that the time to file a petition has expired, so a petition to file a supplement would have expired as well. Further, Defendant pled guilty and Court does not see any error showing the need for transcripts or counsel to be appointed. As Court does not see merit to motions, COURT ORDERED, Deft's Pro Per Motion for Court Minutes and Transcripts of Court Minutes at State's Expense, Defendant's Pro Per Motion for Leave to Supplement Petition for Writ of Habeas Corpus and Deft's Pro Per Motion to Appoint Counsel are DENIED.