

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 68 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON**

4 (Popeyes Chicken – 6121 Vegas Drive)

5 *(Please check the appropriate box, select only one)*

6 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
7 WEAPON

8 ☐ Guilty of BURGLARY

9 ☐ Not Guilty

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11 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
12 follows:

13 **COUNT 69 - CONSPIRACY TO COMMIT ROBBERY**

14 *(Please check the appropriate box, select only one)*

15 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY

16 ☐ Not Guilty

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18 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
19 follows:

20 **COUNT 70 - CONSPIRACY TO COMMIT KIDNAPPING**

21 *(Please check the appropriate box, select only one)*

22 ☐ Guilty of CONSPIRACY TO COMMIT KIDNAPPING

23 ☒ Not Guilty

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00497

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 71 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**

4 (Alma Gomez)

5 *(please check the appropriate box, select only one)*

6 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
7 WEAPON

8 ☐ Guilty of FIRST DEGREE KIDNAPPING

9 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
10 DEADLY WEAPON

11 ☐ Guilty of SECOND DEGREE KIDNAPPING

12 ☒ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
13 WEAPON

14 ☐ Guilty of FALSE IMPRISONMENT

15 ☐ Not Guilty

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17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 72 - ROBBERY WITH USE OF A DEADLY WEAPON (Alma Gomez)**

20 *(Please check the appropriate box, select only one)*

21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON

22 ☐ Guilty of ROBBERY

23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 73 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**

4 (Angelica Abrego)

5 *(please check the appropriate box, select only one)*

6 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
7 WEAPON

8 ☐ Guilty of FIRST DEGREE KIDNAPPING

9 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
10 DEADLY WEAPON

11 ☐ Guilty of SECOND DEGREE KIDNAPPING

12 ☒ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
13 WEAPON

14 ☐ Guilty of FALSE IMPRISONMENT

15 ☐ Not Guilty

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17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 74 - ROBBERY WITH USE OF A DEADLY WEAPON (Angelica Abrego)**

20 *(Please check the appropriate box, select only one)*

21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON

22 ☐ Guilty of ROBBERY

23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 75** - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

4 (Gabriela Oyoque)

5 *(please check the appropriate box, select only one)*

6 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
7 WEAPON

8 ☐ Guilty of FIRST DEGREE KIDNAPPING

9 *NK* ~~☒~~ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
10 DEADLY WEAPON

11 ☐ Guilty of SECOND DEGREE KIDNAPPING

12 ☒ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
13 WEAPON

14 ☐ Guilty of FALSE IMPRISONMENT

15 ☐ Not Guilty

16
17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 76** - ROBBERY WITH USE OF A DEADLY WEAPON (Gabriela Oyoque)

20 *(Please check the appropriate box, select only one)*

21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON

22 ☐ Guilty of ROBBERY

23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 77 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**

4 (Rafael Velazquez-Barragan)

5 *(please check the appropriate box, select only one)*

6 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
7 WEAPON

8 ☐ Guilty of FIRST DEGREE KIDNAPPING

9 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
10 DEADLY WEAPON

11 ☐ Guilty of SECOND DEGREE KIDNAPPING

12 ☒ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
13 WEAPON

14 ☐ Guilty of FALSE IMPRISONMENT

15 ☐ Not Guilty

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17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 78 - ROBBERY WITH USE OF A DEADLY WEAPON (Rafael Velazquez-**

20 Barragan)

21 *(Please check the appropriate box, select only one)*

22 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON

23 ☐ Guilty of ROBBERY

24 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 79** - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

4 (Jose Espinoza)

5 *(please check the appropriate box, select only one)*

- 6 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
7 WEAPON
- 8 ☐ Guilty of FIRST DEGREE KIDNAPPING
- 9 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
10 DEADLY WEAPON
- 11 ☐ Guilty of SECOND DEGREE KIDNAPPING
- 12 ☒ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
13 WEAPON
- 14 ☐ Guilty of FALSE IMPRISONMENT
- 15 ☐ Not Guilty

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17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 80** - ROBBERY WITH USE OF A DEADLY WEAPON (Jose Espinoza)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
- 22 ☐ Guilty of ROBBERY
- 23 ☐ Not Guilty
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1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 81** - CONSPIRACY TO COMMIT ROBBERY (Taco Bell – 3264 S. Nellis
4 Boulevard)

5 *(Please check the appropriate box, select only one)*

- 6 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 82** - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ATTEMPT ROBBERY WITH USE OF A DEADLY
14 WEAPON
15 ☐ Guilty of ATTEMPT ROBBERY
16 ☐ Not Guilty

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19 DATED this 23 day of May, 2016

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22 FOREPERSON
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00503

INSTRUCTION NO. 30

The State is not required to have recovered the deadly weapon used in an alleged crime, or to produce the deadly weapon in court at trial, to establish that a deadly weapon was used in the commission of the crime.

00447

Burglary, First Degree Kidnapping with Use of a Deadly Weapon, Attempt First Degree Kidnapping with Use of a Deadly Weapon, and Attempt Robbery with Use of a Deadly Weapon are all specific intent crimes. Defendant cannot be liable under conspiracy and/or aiding and abetting theory for those crimes for acts committed by a co-conspirator, unless Defendant also had the requisite specific intent.

Robbery is a general intent crime. As such, Defendant may be liable under conspiracy theory for Robbery for acts committed by a co-conspirator which are one of the probable and natural consequences of the object of the conspiracy.

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Specific intent is the intent to accomplish the precise act which the law prohibits. General intent is the intent to do that which the law prohibits. It is not necessary for the prosecution to prove that the defendant intended the precise harm or the precise result which eventuated if a crime is a general intent crime.

Although your verdict must be unanimous as to the charge, you do not have to agree on the theory of liability. Therefore, even if you cannot agree on whether the facts establish that the defendant is liable as a principal, aider and abettor, or co-conspirator, so long as all of you agree that the evidence establishes the defendant's guilt of the offense, you shall find him guilty of the offense.

A prior inconsistent statement may be considered as substantive evidence that the facts described in the statement actually occurred.

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

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2 The Defendant is presumed innocent until the contrary is proved. This presumption
3 places upon the State the burden of proving beyond a reasonable doubt every material
4 element of the crime charged and that the Defendant is the person who committed the
5 offense.

6 A reasonable doubt is one based on reason. It is not mere possible doubt but is such a
7 doubt as would govern or control a person in the more weighty affairs of life. If the minds of
8 the jurors, after the entire comparison and consideration of all the evidence, are in such a
9 condition that they can say they feel an abiding conviction of the truth of the charge, there is
10 not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or
11 speculation.

12 If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a
13 verdict of not guilty.
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2 You are here to determine if the Defendant is guilty or not guilty based on the
3 evidence in the case. You are not called upon to return a verdict as to whether any other
4 person is guilty or not guilty. So, if the evidence in the case convinces you beyond a
5 reasonable doubt of the guilt of the Defendant, you should so find, even though you may
6 believe one or more persons are also guilty.
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The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

Any evidence of a statement made by one alleged conspirator other than at this trial shall not be considered by you as against another alleged conspirator unless you shall first determine from other independent evidence that at the time the statement was made a conspiracy to commit a crime existed and unless you shall further determine that the statement was made during the course and in furtherance of the conspiracy.

Whenever there is slight evidence that a conspiracy existed, and that the defendant was one of the members of the conspiracy, then the statements and the acts by any member of the conspiracy may be considered by the jury as evidence in the case as to the defendant. This is true even though the statements and acts may have occurred in the absence and without the knowledge of the defendant, provided such statements and acts were knowingly made and done during the continuance of such conspiracy, and in furtherance of some object or purpose of the conspiracy.

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2 An accomplice is hereby defined as one who is liable for prosecution, for the identical
3 offense charged against the defendant on trial in the cause in which the testimony of the
4 accomplice is given.

5 To be an accomplice, the person must have aided, promoted, encouraged, or
6 instigated by act or advice the commission of such offense with knowledge of the unlawful
7 purpose of the person who committed the offense.

8 You are instructed that Donte Johns is an accomplice in this case.

9 The conviction shall not be had on the testimony of an accomplice unless she is
10 corroborated by other evidence which in itself, and without the aid of the testimony of the
11 accomplice, tends to connect the defendant with the commission of the offense; and the
12 corroboration shall not be sufficient if it merely shows the commission of the offense or the
13 circumstances thereof.
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2 You have heard testimony from Donte Johns, a witness who will receive a benefit for
3 his testimony and cooperation with the State. That testimony was given in exchange for an
4 inducement in connection with this case. You may consider this inducement as one of
5 many circumstances that you may take into consideration in weighing the credibility of such
6 a witness.
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Donte Johns has plead guilty to a crime arising out of the same events for which Tony Hobson and Brandon Starr are on trial. This Guilty Plea is not evidence against the defendant, and you may consider it only in determining Donte Johns' believability.

INSTRUCTION NO. 43

To corroborate the testimony of an accomplice there must be evidence of some act or fact related to the offense which, if believed, by itself and without any aid, interpretation or direction from the testimony of the accomplice, tends to connect the defendant with the commission of the offense charged.

However, it is not necessary that the evidence of the corroboration be sufficient in itself to establish every element of the offense charged, or that it corroborate every fact to which the accomplice testifies.

In determining whether an accomplice has been corroborated, you must first assume the testimony of the accomplice has been removed from the case. You must then determine whether there is any remaining evidence which tends to connect the defendant with the commission of the offense.

If there is not such independent evidence which tends to connect the defendant with the commission of the offense, the testimony of the accomplice is not corroborated.

The fact that a witness was given an inducement in exchange for his cooperation may be considered by you only for the purpose of determining the credibility of that witness. The existence of such an inducement does not necessarily destroy or impair the credibility of the witness. It is one of the circumstances that you may take into consideration in weighing the testimony of such a witness.

1 The accomplice corroboration rule is a separate and distinct legal requirement from
2 the statements of a co-conspirator made in the course of and in furtherance of a conspiracy.
3 When an accomplice testifies, their testimony must be corroborated. The other evidence in
4 the case, including co-conspirator statements in the course and in furtherance of the
5 conspiracy may be evidence utilized to establish the corroboration.
6

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

A witness who has special knowledge, skill, experience, training or education in a particular science, profession or occupation is an expert witness. An expert witness may give his opinion as to any matter in which he is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.

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2 Defendant Brandon Starr is charged with offenses that are violent in nature, and to
3 refute that he is violent in nature he presented good character evidence. Good character
4 evidence, when considered in connection with other evidence in the case, may generate a
5 reasonable doubt sufficient to justify you in acquitting Defendant Starr of the charges.
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Defendant Brandon Starr has introduced evidence for the purpose of showing that he was not present at the time and place of the commission of the alleged offenses occurring on November 3 and 4, 2014. If, after a consideration of all the evidence, you have a reasonable doubt that the defendant was present at the time the crime was committed, he is entitled to an acquittal on the counts that are alleged to have occurred on November 3 and 4, 2014.

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2 It is a constitutional right of a defendant in a criminal trial that he may not be
3 compelled to testify. Thus, the decision as to whether he should testify is left to the
4 defendant on the advice and counsel of his attorney. You must not draw any inference of
5 guilt from the fact that he does not testify, nor should this fact be discussed by you or enter
6 into your deliberations in any way.
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Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

In your deliberation you may not discuss or consider the subject of punishment, as that is a matter which lies solely with the court. Your duty is confined to the determination of whether the Defendants are guilty or not guilty.

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant and his/her counsel.

Playbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a playback, you must carefully describe the testimony to be played back so that the court recorder can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

When you retire to consider your verdict, you must select one of your number to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

INSTRUCTION NO. 54

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN: Will K. 1918
DISTRICT JUDGE

00472

1 VER

@ 2:19 pm
FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT
@ 2:19 pm
MAY 23 2016

BY, Kory Schlitz
KORY SCHLITZ, DEPUTY

6 DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 BRANDON STARR,

11 Defendant.

CASE NO: C-14-303022-2

DEPT NO: XIX

12 VERDICT

13 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
14 follows:

15 COUNT 1 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (El Pollo
16 Loco - 4011 E. Charleston Boulevard)

17 *(Please check the appropriate box, select only one)*

- 18 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
19 WEAPON
20 ☐ Guilty of BURGLARY
21 ☐ Not Guilty

22
23 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
24 follows:

25 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

26 *(Please check the appropriate box, select only one)*

- 27 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
28 ☐ Not Guilty

C-14-303022-2
VER
Verdict
4548296

00473



1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 3** - ROBBERY WITH USE OF A DEADLY WEAPON (Jamie Schoebel)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty
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9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 4** - ROBBERY WITH USE OF A DEADLY WEAPON (Diana Mena)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty
16

17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 5** - ROBBERY WITH USE OF A DEADLY WEAPON (Jose Borja)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
22 ☐ Guilty of ROBBERY
23 ☐ Not Guilty
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1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 6** - ROBBERY WITH USE OF A DEADLY WEAPON (Jennifer Hernandez)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty
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9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 7** - ROBBERY WITH USE OF A DEADLY WEAPON (David Caballero)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty
16

17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 8** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (7-Eleven
20 - 4581 E. Charleston Boulevard)

21 *(Please check the appropriate box, select only one)*

- 22 ☐ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
23 WEAPON
24 ☐ Guilty of BURGLARY
25 ☒ Not Guilty
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1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 9 - CONSPIRACY TO COMMIT ROBBERY**

4 *(Please check the appropriate box, select only one)*

- 5 ☐ Guilty of CONSPIRACY TO COMMIT ROBBERY
6 ☒ Not Guilty
7

8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 10 - ROBBERY WITH USE OF A DEADLY WEAPON (Darnell Butler)**

11 *(Please check the appropriate box, select only one)*

- 12 ☐ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
13 ☐ Guilty of ROBBERY
14 ☒ Not Guilty
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16 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
17 follows:

18 **COUNT 11 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Pizza
19 Hut – 6130 W. Lake Mead Boulevard)**

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
22 WEAPON
23 ☐ Guilty of BURGLARY
24 ☐ Not Guilty
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1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 12 - CONSPIRACY TO COMMIT ROBBERY**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
6 ☐ Not Guilty
7

8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 13 - ROBBERY WITH USE OF A DEADLY WEAPON (Shannon Poole)**

11 *(Please check the appropriate box, select only one)*

- 12 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
13 ☐ Guilty of ROBBERY
14 ☐ Not Guilty
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16 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
17 follows:

18 **COUNT 14 - ROBBERY WITH USE OF A DEADLY WEAPON (Daniel Heffner)**

19 *(Please check the appropriate box, select only one)*

- 20 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
21 ☐ Guilty of ROBBERY
22 ☐ Not Guilty
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1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 15 - ROBBERY WITH USE OF A DEADLY WEAPON (George Thimaksi)**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

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9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 16 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Pizza
12 Hut – 5015 E. Sahara Avenue)**

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
15 WEAPON
16 ☐ Guilty of BURGLARY
17 ☐ Not Guilty

18
19 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
20 follows:

21 **COUNT 17 - CONSPIRACY TO COMMIT ROBBERY**

22 *(Please check the appropriate box, select only one)*

- 23 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
24 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 18** - ROBBERY WITH USE OF A DEADLY WEAPON (Trevor Faraone)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 19** - ROBBERY WITH USE OF A DEADLY WEAPON (Ashley Carmichael)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty

16
17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 20** - ROBBERY WITH USE OF A DEADLY WEAPON (Thomas Bagwell)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
22 ☐ Guilty of ROBBERY
23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 21** - ROBBERY WITH USE OF A DEADLY WEAPON (Guy Brown)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty
8

9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 22** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Little
12 Caesar's – 4258 E. Charleston Boulevard)

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
15 WEAPON
16 ☐ Guilty of BURGLARY
17 ☐ Not Guilty
18

19 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
20 follows:

21 **COUNT 23** - CONSPIRACY TO COMMIT ROBBERY

22 *(Please check the appropriate box, select only one)*

- 23 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
24 ☐ Not Guilty
25
26
27
28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 24** - ROBBERY WITH USE OF A DEADLY WEAPON (Idania Sacba)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 25** - ROBBERY WITH USE OF A DEADLY WEAPON (Jesus Dorame)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty

16
17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 26** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

20 (Popeyes Chicken – 4505 E. Bonanza Road)

21 *(Please check the appropriate box, select only one)*

- 22 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
23 WEAPON
24 ☐ Guilty of BURGLARY
25 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 27 - CONSPIRACY TO COMMIT ROBBERY**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
6 ☐ Not Guilty

7
8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 28 - ROBBERY WITH USE OF A DEADLY WEAPON (Jeronimo Urbina)**

11 *(Please check the appropriate box, select only one)*

- 12 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
13 ☐ Guilty of ROBBERY
14 ☐ Not Guilty

15
16 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
17 follows:

18 **COUNT 29 - ROBBERY WITH USE OF A DEADLY WEAPON (Juan Taingo)**

19 *(Please check the appropriate box, select only one)*

- 20 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
21 ☐ Guilty of ROBBERY
22 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 30** - ROBBERY WITH USE OF A DEADLY WEAPON (Angelica Ornelas)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 31** - ROBBERY WITH USE OF A DEADLY WEAPON (Johana Vasquez)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty

16
17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 32** - ROBBERY WITH USE OF A DEADLY WEAPON (Karina Aguilar)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
22 ☐ Guilty of ROBBERY
23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 33 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON** (Burger
4 King – 2599 S. Nellis Boulevard)

5 *(Please check the appropriate box, select only one)*

6 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
7 WEAPON

8 ☐ Guilty of BURGLARY

9 ☐ Not Guilty

10
11 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
12 follows:

13 **COUNT 34 - CONSPIRACY TO COMMIT ROBBERY**

14 *(Please check the appropriate box, select only one)*

15 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY

16 ☐ Not Guilty

17
18 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
19 follows:

20 **COUNT 35 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON** (Cornell
21 Combs)

22 *(Please check the appropriate box, select only one)*

23 ☒ Guilty of ATTEMPT ROBBERY WITH USE OF A DEADLY
24 WEAPON

25 ☐ Guilty of ATTEMPT ROBBERY

26 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 36** - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Sonia Soto
4 De Mason)

5 *(Please check the appropriate box, select only one)*

6 ☒ Guilty of ATTEMPT ROBBERY WITH USE OF A DEADLY
7 WEAPON

8 ☐ Guilty of ATTEMPT ROBBERY

9 ☐ Not Guilty

10
11 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
12 follows:

13 **COUNT 37** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
14 (Wendy's - 990 N. Nellis Boulevard)

15 *(Please check the appropriate box, select only one)*

16 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
17 WEAPON

18 ☐ Guilty of BURGLARY

19 ☐ Not Guilty

20
21 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
22 follows:

23 **COUNT 38** - CONSPIRACY TO COMMIT ROBBERY

24 *(Please check the appropriate box, select only one)*

25 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY

26 ☐ Not Guilty

27

28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 39** - ROBBERY WITH USE OF A DEADLY WEAPON (Noemy Morroquin)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 40** - ROBBERY WITH USE OF A DEADLY WEAPON (Janie Fannon)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty

16
17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 41** - ROBBERY WITH USE OF A DEADLY WEAPON (Jesus Lopez)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
22 ☐ Guilty of ROBBERY
23 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 42 - ROBBERY WITH USE OF A DEADLY WEAPON (Anthony Maddaford)**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty
8

9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 43 - ROBBERY WITH USE OF A DEADLY WEAPON (Juan Mendoza)**

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty
16

17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 44 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON**

20 (Wendy's - 7150 W. Lake Mead Boulevard)

21 *(Please check the appropriate box, select only one)*

- 22 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
23 WEAPON
24 ☐ Guilty of BURGLARY
25 ☐ Not Guilty
26
27
28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 45 - CONSPIRACY TO COMMIT ROBBERY**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
6 ☐ Not Guilty

7
8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 46 - ROBBERY WITH USE OF A DEADLY WEAPON (Jessica Hubbard)**

11 *(Please check the appropriate box, select only one)*

- 12 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
13 ☐ Guilty of ROBBERY
14 ☐ Not Guilty

15
16 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
17 follows:

18 **COUNT 47 - ROBBERY WITH USE OF A DEADLY WEAPON (Jorge Morales)**

19 *(Please check the appropriate box, select only one)*

- 20 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
21 ☐ Guilty of ROBBERY
22 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 48 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON**

4 (Popeyes Chicken – 60 N. Stephanie Street)

5 *(Please check the appropriate box, select only one)*

6 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
7 WEAPON

8 ☐ Guilty of BURGLARY

9 ☐ Not Guilty

10
11 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
12 follows:

13 **COUNT 49 - CONSPIRACY TO COMMIT ROBBERY**

14 *(Please check the appropriate box, select only one)*

15 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY

16 ☐ Not Guilty

17
18 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
19 follows:

20 **COUNT 50 - ROBBERY WITH USE OF A DEADLY WEAPON (Alejandre Uribe)**

21 *(Please check the appropriate box, select only one)*

22 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON

23 ☐ Guilty of ROBBERY

24 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 51** - ROBBERY WITH USE OF A DEADLY WEAPON (Skyler Cox)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 52** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (El Pollo
12 Loco – 7380 W. Cheyenne Avenue)

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
15 WEAPON
16 ☐ Guilty of BURGLARY
17 ☐ Not Guilty

18
19 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
20 follows:

21 **COUNT 53** - CONSPIRACY TO COMMIT KIDNAPPING

22 *(Please check the appropriate box, select only one)*

- 23 ☐ Guilty of CONSPIRACY TO COMMIT KIDNAPPING
24 ☒ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 54 - CONSPIRACY TO COMMIT ROBBERY**

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
6 ☐ Not Guilty
7

8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 55 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**

11 (Yanais Silva-Rios)

12 *(please check the appropriate box, select only one)*

- 13 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
14 WEAPON
15 ☐ Guilty of FIRST DEGREE KIDNAPPING
16 ☐ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
17 DEADLY WEAPON
18 ☐ Guilty of SECOND DEGREE KIDNAPPING
19 ☐ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
20 WEAPON
21 ☐ Guilty of FALSE IMPRISONMENT
22 ☒ Not Guilty
23
24
25
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28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 56** - ROBBERY WITH USE OF A DEADLY WEAPON (Yanais Silva-Rios)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty
8

9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 57** - ROBBERY WITH USE OF A DEADLY WEAPON (Laura Lopez)

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
14 ☐ Guilty of ROBBERY
15 ☐ Not Guilty
16

17 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
18 follows:

19 **COUNT 58** - ROBBERY WITH USE OF A DEADLY WEAPON (Sergio Bautista)

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
22 ☐ Guilty of ROBBERY
23 ☐ Not Guilty
24
25
26
27
28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 59** - ROBBERY WITH USE OF A DEADLY WEAPON (Luis Lopez)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 60** - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Taco
12 Bell – 9480 W. Lake Mead Boulevard)

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of BURGLARY WHILE IN POSSESSION OF A DEADLY
15 WEAPON
16 ☐ Guilty of BURGLARY
17 ☐ Not Guilty

18
19 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
20 follows:

21 **COUNT 61** - CONSPIRACY TO COMMIT ROBBERY

22 *(Please check the appropriate box, select only one)*

- 23 ☒ Guilty of CONSPIRACY TO COMMIT ROBBERY
24 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 62 - CONSPIRACY TO COMMIT KIDNAPPING**

4 *(Please check the appropriate box, select only one)*

- 5 ☐ Guilty of CONSPIRACY TO COMMIT KIDNAPPING
6 ☒ Not Guilty

7
8 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
9 follows:

10 **COUNT 63 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**

11 (Vanessa Gonzalez-Aparicio)

12 *(please check the appropriate box, select only one)*

- 13 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
14 WEAPON
15 ☐ Guilty of FIRST DEGREE KIDNAPPING
16 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
17 DEADLY WEAPON
18 ☐ Guilty of SECOND DEGREE KIDNAPPING
19 ☐ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
20 WEAPON
21 ☐ Guilty of FALSE IMPRISONMENT
22 ☐ Not Guilty

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 64** - ROBBERY WITH USE OF A DEADLY WEAPON (Vanessa Gonzalez-
4 Aparicio)

5 *(Please check the appropriate box, select only one)*

- 6 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
7 ☐ Guilty of ROBBERY
8 ☐ Not Guilty
9

10 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
11 follows:

12 **COUNT 65** - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON
13 (Holly Hadeed)

14 *(please check the appropriate box, select only one)*

- 15 ☐ Guilty of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
16 WEAPON
17 ☐ Guilty of FIRST DEGREE KIDNAPPING
18 ☒ Guilty of SECOND DEGREE KIDNAPPING WITH USE OF A
19 DEADLY WEAPON
20 ☐ Guilty of SECOND DEGREE KIDNAPPING
21 ☐ Guilty of FALSE IMPRISONMENT WITH USE OF A DEADLY
22 WEAPON
23 ☐ Guilty of FALSE IMPRISONMENT
24 ☐ Not Guilty
25
26
27
28

1 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
2 follows:

3 **COUNT 66** - ROBBERY WITH USE OF A DEADLY WEAPON (Holly Hadeed)

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of ROBBERY WITH USE OF A DEADLY WEAPON
6 ☐ Guilty of ROBBERY
7 ☐ Not Guilty

8
9 We, the jury in the above entitled case, find the Defendant BRANDON STARR, as
10 follows:

11 **COUNT 67** - ATTEMPT FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
12 WEAPON (Jamie Ward)

13 *(please check the appropriate box, select only one)*

- 14 ☐ Guilty of ATTEMPT FIRST DEGREE KIDNAPPING WITH USE OF
15 A DEADLY WEAPON
16 ☐ Guilty of ATTEMPT FIRST DEGREE KIDNAPPING
17 ☐ Guilty of ATTEMPT SECOND DEGREE KIDNAPPING WITH USE
18 OF A DEADLY WEAPON
19 ☐ Guilty of ATTEMPT SECOND DEGREE KIDNAPPING
20 ☒ Not Guilty

1 other employees and ordered them to lay on the ground while one or more of their number
2 forced JUAN MENDOZA into the office, then one or more of their number ordered JUAN
3 MENDOZA to open the safe at gunpoint and then one or more of their number struck the
4 said JUAN MENDOZA in the head with a firearm, and then one or more of their number
5 removed the U.S. Currency from the safe and placed it into a blue bag, and then Defendant
6 BRANDON STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator
7 fled the business with the U.S. Currency, and one of their number and/or an unknown co-
8 conspirator acting as lookout and the getaway driver, by providing counsel and/or
9 encouragement to one another by actions and words, and acting in concert throughout;
10 and/or (3) pursuant to a conspiracy to commit this crime.

11 COUNT 42 – ROBBERY WITH USE OF A DEADLY WEAPON

12 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
13 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
14 feloniously take personal property, to-wit: U.S. Currency, from the person of ANTHONY
15 MADDAFORD, or in his presence, by means of force or violence, or fear of injury to, and
16 without the consent and against the will of ANTHONY MADDAFORD, with use of a
17 deadly weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable under
18 one or more of the following principles of criminal liability, to-wit: (1) by directly
19 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
20 the intent that this crime be committed by entering into a course of conduct whereby
21 Defendant TONY LEE HOBSON, Defendant BRANDON STARR, and an unknown co-
22 conspirator did enter WENDY'S with firearms, one or more of their number gathered
23 ANTHONY MADDAFORD and the other employees and ordered them to lay on the ground
24 while one or more of their number forced JUAN MENDOZA into the office, then one or
25 more of their number ordered JUAN MENDOZA to open the safe at gunpoint and then one
26 or more of their number struck the said JUAN MENDOZA in the head with a firearm, and
27 then one or more of their number removed the U.S. Currency from the safe and placed it into
28 a blue bag, and then Defendant BRANDON STARR, Defendant TONY LEE HOBSON, and

00397

1 the unknown co-conspirator fled the business with the U.S. Currency, and one of their
2 number and/or an unknown co-conspirator acting as lookout and the getaway driver, by
3 providing counsel and/or encouragement to one another by actions and words, and acting in
4 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

5 COUNT 43 – ROBBERY WITH USE OF A DEADLY WEAPON

6 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
7 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
8 feloniously take personal property, to-wit: U.S. Currency, from the person of JUAN
9 MENDOZA, or in his presence, by means of force or violence, or fear of injury to, and
10 without the consent and against the will of JUAN MENDOZA, with use of a deadly weapon,
11 to-wit: a firearm, said Defendants being criminally liable under one or more of the following
12 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
13 aiding or abetting in the commission of this crime, with the intent that this crime be
14 committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON,
15 Defendant BRANDON STARR, and an unknown co-conspirator did enter WENDY'S with
16 firearms, one or more of their number gathered the other employees and ordered them to lay
17 on the ground while one or more of their number forced JUAN MENDOZA into the office,
18 then one or more of their number ordered JUAN MENDOZA to open the safe at gunpoint
19 and then one or more of their number struck the said JUAN MENDOZA in the head with a
20 firearm, and then one or more of their number removed the U.S. Currency from the safe and
21 placed it into a blue bag, and then Defendant BRANDON STARR, Defendant TONY LEE
22 HOBSON, and the unknown co-conspirator fled the business with the U.S. Currency, and
23 one of their number and/or an unknown co-conspirator acting as lookout and the getaway
24 driver, by providing counsel and/or encouragement to one another by actions and words, and
25 acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

26 COUNT 44 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

27 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
28 November 21, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit

1 robbery, that certain WENDY'S occupied by JESSICA HUBBARD and/or JORGE
2 MORALES and/or DANIEL Last Name Unknown and/or ADRIANNA Last Name
3 Unknown, located at 7150 W. Lake Mead, Clark County, Nevada, while possessing and/or
4 gaining possession of, firearm, a deadly weapon, during the commission of the crime and/or
5 before leaving the structure, Defendants being responsible under one or more of the
6 following principles of criminal liability, to-wit: 1) by directly committing the said offense
7 and/or 2) by conspiring with each other to commit the said offense and/or 3) by aiding or
8 abetting each other in the commission of the offense with the intent to commit the offense by
9 traveling to the crime scene together, Defendant TONY LEE HOBSON and Defendant
10 BRANDON STARR entering the business, one of their number and/or an unknown co-
11 conspirator acted as a lookout and getaway driver, all acting with the intent to commit a
12 robbery within the business, Defendants providing each other counsel and/or encouragement
13 and acting in concert throughout.

14 ///

15 COUNT 45 - CONSPIRACY TO COMMIT ROBBERY

16 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
17 November 21, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an
18 unknown co-conspirator to commit a robbery.

19 COUNT 46 – ROBBERY WITH USE OF A DEADLY WEAPON

20 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and/or an unknown
21 co-conspirator did on or about November 21, 2014 then and there wilfully, unlawfully, and
22 feloniously take personal property, to-wit: U.S. Currency, from the person of JESSICA
23 HUBBARD, or in her presence, by means of force or violence, or fear of injury to, and
24 without the consent and against the will of JESSICA HUBBARD, with use of a deadly
25 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
26 following principles of criminal liability, to-wit: (1) by directly committing this crime;
27 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
28 crime be committed by entering into a course of conduct whereby Defendant TONY LEE

1 HOBSON and Defendant BRANDON STARR did enter WENDY'S with firearms, one of
2 their number gathered JORGE MORALES and/or other employees and forced them into the
3 office at gunpoint, then either Defendant TONY LEE HOBSON or Defendant BRANDON
4 STARR pointed a gun to the head of said JESSICA HUBBARD and demanded that she open
5 the safe and remove the U.S. Currency from it, and one of their number directed her to place
6 the money inside of a cardboard box, and then one of their number directed JESSICA
7 HUBBARD and/or JORGE MORALES and/or other employees to remain in the office, and
8 then both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the
9 business with the U.S. Currency, and one of their number and/or an unknown co-conspirator
10 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
11 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
12 conspiracy to commit this crime.

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15 COUNT 47 – ROBBERY WITH USE OF A DEADLY WEAPON

16 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and/or an unknown
17 co-conspirator did on or about November 21, 2014 then and there wilfully, unlawfully, and
18 feloniously take personal property, to-wit: U.S. Currency, from the person of JORGE
19 MORALES, or in his presence, by means of force or violence, or fear of injury to, and
20 without the consent and against the will of JORGE MORALES, with use of a deadly
21 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
22 following principles of criminal liability, to-wit: (1) by directly committing this crime;
23 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
24 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
25 HOBSON and Defendant BRANDON STARR did enter WENDY'S with firearms, one of
26 their number gathered JORGE MORALES and/or other employees and forced them into the
27 office at gunpoint, then either Defendant TONY LEE HOBSON or Defendant BRANDON
28 STARR pointed a gun to the head of said JESSICA HUBBARD and demanded that she open

1 the safe and remove the U.S. Currency from it, and one of their number directed her to place
2 the money inside of a cardboard box, and then one of their number directed JESSICA
3 HUBBARD and/or JORGE MORALES and/or other employees to remain in the office, and
4 then both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the
5 business with the U.S. Currency, and one of their number and/or an unknown co-conspirator
6 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
7 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
8 conspiracy to commit this crime.

9 COUNT 48 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

10 **DEFENDANTS** did on or about November 22, 2014 wilfully, unlawfully, and
11 feloniously enter, with intent to commit robbery, that certain POPEYES occupied by
12 MARIA SANCHEZ and/or GAMALIEL ENRIQUEZ and/or MELISSA LOYOLA-
13 LLAMJOA and/or GUILLERMO RAMIREZ and/or ALEJANDRA URIBE and/or
14 SKYLER COX and/or SILVIA VILLEGAS, located at 60 Stephanie, Clark County, Nevada,
15 and Defendants did possess and/or gain possession of a deadly weapon, to-wit: a knife
16 and/or firearm, during the commission of the crime and/or before leaving the structure,
17 Defendants being responsible under one or more of the following principles of criminal
18 liability, to-wit: 1) by directly committing the said offense and/or 2) by conspiring with each
19 other to commit the said offense and/or 3) by aiding or abetting each other in the commission
20 of the offense with the intent to commit the offense by traveling to the crime scene together,
21 Defendant TONY LEE HOBSON and Defendant BRANDON STARR entering the business,
22 while Defendant DONTE MAQUEL JOHNS acting as a lookout and getaway driver, all
23 acting with the intent to commit a robbery within the business, Defendants providing each
24 other counsel and/or encouragement and acting in concert throughout.

25 COUNT 49 - CONSPIRACY TO COMMIT ROBBERY

26 **DEFENDANTS** did on or about November 22, 2014, wilfully, unlawfully, and
27 feloniously conspire with each other to commit a robbery.

28 COUNT 50 - ROBBERY WITH USE OF A DEADLY WEAPON

1 **DEFENDANTS** did on or about November 22, 2014 then and there wilfully,
2 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
3 ALEJANDRA URIBE, or in her presence, by means of force or violence, or fear of injury to,
4 and without the consent and against the will of ALEJANDRA URIBE, with use of a deadly
5 weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable under one or
6 more of the following principles of criminal liability, to-wit: (1) by directly committing this
7 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
8 this crime be committed by entering into a course of conduct whereby Defendant TONY
9 LEE HOBSON and Defendant BRANDON STARR did enter POPEYES CHICKEN with a
10 firearm and/or knife, one of their number held all the other employees at gunpoint while the
11 other of their number directed the said ALEJANDRA URIBE to the safe and forced her to
12 empty the U.S. currency from the safe, into a blue bag, while the other held SKYLER COX
13 and/or the other employees at knife and/or gunpoint, and then both Defendant BRANDON
14 STARR and Defendant TONY LEE HOBSON fled the business with the U.S. Currency,
15 Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by
16 providing counsel and/or encouragement to one another by actions and words, and acting in
17 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

18 COUNT 51 - ROBBERY WITH USE OF A DEADLY WEAPON

19 **DEFENDANTS** did on or about November 22, 2014 then and there wilfully,
20 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
21 SKYLER COX, or in his presence, by means of force or violence, or fear of injury to, and
22 without the consent and against the will of SKYLER COX, with use of a deadly weapon, to-
23 wit: a firearm and/or knife, said Defendants being criminally liable under one or more of the
24 following principles of criminal liability, to-wit: (1) by directly committing this crime;
25 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
26 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
27 HOBSON and Defendant BRANDON STARR did enter POPEYES CHICKEN with a
28 firearm and/or knife, one of their number held all the other employees at gunpoint while the

1 other of their number directed the said ALENDRA URIBE to the safe and forced her to
2 empty the U.S. currency from the safe, into a blue bag, while the other held SKYLER COX
3 and/or the other employees at knife and/or gunpoint, and then both Defendant BRANDON
4 STARR and Defendant TONY LEE HOBSON fled the business with the U.S. Currency,
5 Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by
6 providing counsel and/or encouragement to one another by actions and words, and acting in
7 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

8 COUNT 52 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

9 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
10 feloniously enter, with intent to commit robbery, that certain EL POLLO LOCO occupied by
11 LAURA LOPEZ and/or YANAIS SILVA-RIOS and/or LUIS LOPEZ and/or SERGIO
12 BAUTISTA, located at 7380 W. Cheyenne, Clark County, Nevada, while possessing and/or
13 gaining possession of, a firearm, a deadly weapon, during the commission of the crime
14 and/or before leaving the structure, Defendants being responsible under one or more of the
15 following principles of criminal liability, to-wit: 1) by directly committing the said offense
16 and/or 2) by conspiring with each other to commit the said offense and/or 3) by aiding or
17 abetting each other in the commission of the offense with the intent to commit the offense by
18 traveling to the crime scene together, Defendant TONY LEE HOBSON and Defendant
19 BRANDON STARR entering the business, while Defendant DONTE MAQUEL JOHNS
20 acting as a lookout and getaway driver, all acting with the intent to commit a robbery within
21 the business, Defendants providing each other counsel and/or encouragement and acting in
22 concert throughout.

23 COUNT 53 - CONSPIRACY TO COMMIT KIDNAPPING

24 **DEFENDANTS** did on or about November 23, 2014, wilfully, unlawfully, and
25 feloniously conspire with each other to commit a kidnapping.

26 COUNT 54 - CONSPIRACY TO COMMIT ROBBERY

27 **DEFENDANTS** did on or about November 23, 2014, wilfully, unlawfully, and
28 feloniously conspire with each other to commit a kidnapping.

1 COUNT 55 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

2 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
3 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
4 YANAIS SILVA-RIOS, a human being, with the intent to hold or detain the said YANAIS
5 SILVA-RIOS against her will, and without her consent, for the purpose of committing
6 robbery, with use of a deadly weapon, to-wit: a firearm, said Defendants being criminally
7 liable under one or more of the following principles of criminal liability, to-wit: (1) by
8 directly committing this crime; and/or (2) by aiding or abetting in the commission of this
9 crime, with the intent that this crime be committed by entering into a course of conduct
10 whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter
11 EL POLLO LOCO with firearms, one of their number grabbed YANAIS SILVA-RIOS and
12 forced her back inside of the business as she walked to her car and/or prevented her from
13 leaving the business, then Defendant BRANDON STARR and Defendant TONY LEE
14 HOBSON forced the said YANAIS SILVA-RIOS and other employees to get onto the
15 ground, and then one of their number demanded that the safe be opened and removed the
16 U.S. Currency inside of it, and one of their number took the cell phone of LAURA LOPEZ,
17 and then both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled
18 the business with the cell phone and U.S. Currency, Defendant DONTE MAQUEL JOHNS
19 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
20 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
21 conspiracy to commit this crime.

22 COUNT 56 – ROBBERY WITH USE OF A DEADLY WEAPON

23 **DEFENDANTS** did on or about November 23, 2014 then and there wilfully,
24 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and a cell phone,
25 from the person of YANAIS SILVA-RIOS, or in her presence, by means of force or
26 violence, or fear of injury to, and without the consent and against the will of YANAIS
27 SILVA-RIOS, with use of a deadly weapon, to-wit: a firearm, said Defendants being
28 criminally liable under one or more of the following principles of criminal liability, to-wit:

(1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter EL POLLO LOCO with firearms, one of their number prevented the employees from fleeing out the back door and grabbed YANAIS SILVA-RIOS , and forced YANAIS SILVA RIOS and/or LUIS LOPEZ and/or SERGIO BAUTISTA to lie on the ground at gunpoint, then Defendant BRANDON STARR and/or Defendant TONY LEE HOBSON forced the said LAURA LOPEZ into the office and demanded that she open the safe and remove the U.S. Currency from it, and one of their number directed her to place the money inside of a blue bag, and then one of their number took the cell phone of LAURA LOPEZ, and then both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the cell phone and U.S. Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by providing counsel and/or encouragement to one another by actions and words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

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COUNT 57 – ROBBERY WITH USE OF A DEADLY WEAPON

DEFENDANTS did on or about November 23, 2014 then and there wilfully, unlawfully, and feloniously take personal property, to-wit: U.S. Currency and a cell phone, from the person of LAURA LOPEZ, or in her presence, by means of force or violence, or fear of injury to, and without the consent and against the will of LAURA LOPEZ, with use of a deadly weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter EL POLLO LOCO with firearms, one of their number prevented the employees from fleeing out the back door and grabbed YANAIS SILVA-RIOS, and forced YANAIS SILVA RIOS and/or LUIS LOPEZ

1 and/or SERGIO BAUTISTA to lie on the ground at gunpoint, then Defendant BRANDON
2 STARR and/or Defendant TONY LEE HOBSON forced the said LAURA LOPEZ into the
3 office and demanded that she open the safe and remove the U.S. Currency from it, and one
4 of their number directed her to place the money inside of a blue bag, and then one of their
5 number took the cell phone of LAURA LOPEZ, and then both Defendant BRANDON
6 STARR and Defendant TONY LEE HOBSON fled the business with the cell phone and U.S.
7 Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver,
8 by providing counsel and/or encouragement to one another by actions and words, and acting
9 in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

10 COUNT 58 – ROBBERY WITH USE OF A DEADLY WEAPON

11 **DEFENDANTS** did on or about November 23, 2014 then and there wilfully,
12 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and a cell phone,
13 from the person of SERGIO BAUTISTA, or in his presence, by means of force or violence,
14 or fear of injury to, and without the consent and against the will of SERGIO BAUTISTA,
15 with use of a deadly weapon, to-wit: a firearm, said Defendants being criminally liable under
16 one or more of the following principles of criminal liability, to-wit: (1) by directly
17 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
18 the intent that this crime be committed by entering into a course of conduct whereby
19 Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter EL POLLO
20 LOCO with firearms, one of their number prevented the employees from fleeing out the back
21 door and grabbed YANAIS SILVA-RIOS, and forced YANAIS SILVA RIOS and/or LUIS
22 LOPEZ and/or SERGIO BAUTISTA to lie on the ground at gunpoint, then Defendant
23 BRANDON STARR and/or Defendant TONY LEE HOBSON forced the said LAURA
24 LOPEZ into the office and demanded that she open the safe and remove the U.S. Currency
25 from it, and one of their number directed her to place the money inside of a blue bag, and
26 then one of their number took the cell phone of LAURA LOPEZ, and then both Defendant
27 BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the cell
28 phone and U.S. Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the

1 getaway driver, by providing counsel and/or encouragement to one another by actions and
2 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
3 crime.

4 COUNT 59 – ROBBERY WITH USE OF A DEADLY WEAPON

5 **DEFENDANTS** did on or about November 23, 2014 then and there wilfully,
6 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and a cell phone,
7 from the person of LUIS LOPEZ, or in her presence, by means of force or violence, or fear
8 of injury to, and without the consent and against the will of LUIS LOPEZ, with use of a
9 deadly weapon, to-wit: a firearm, said Defendants being criminally liable under one or more
10 of the following principles of criminal liability, to-wit: (1) by directly committing this crime;
11 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
12 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
13 HOBSON and Defendant BRANDON STARR did enter EL POLLO LOCO with firearms,
14 one of their number prevented the employees from fleeing out the back door and grabbed
15 YANAIS SILVA-RIOS, and forced YANAIS SILVA RIOS and/or LUIS LOPEZ and/or
16 SERGIO BAUTISTA to lie on the ground at gunpoint, then Defendant BRANDON STARR
17 and/or Defendant TONY LEE HOBSON forced the said LAURA LOPEZ into the office and
18 demanded that she open the safe and remove the U.S. Currency from it, and one of their
19 number directed her to place the money inside of a blue bag, and then one of their number
20 took the cell phone of LAURA LOPEZ, and then both Defendant BRANDON STARR and
21 Defendant TONY LEE HOBSON fled the business with the cell phone and U.S. Currency,
22 Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by
23 providing counsel and/or encouragement to one another by actions and words, and acting in
24 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

25 COUNT 60 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

26 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
27 feloniously enter, with intent to commit robbery, that certain TACO BELL occupied by
28 VANESSA GONZALEZ-APARICIO and/or JAMMIE WARD and/or HOLLY HADEED,

1 located at 9480 West Lake Mead, Clark County, Nevada, while possessing and/or gaining
2 possession of a deadly weapon, to-wit: a firearm, during the commission of the crime and/or
3 before leaving the structure, Defendants being responsible under one or more of the
4 following principles of criminal liability, to-wit: 1) by directly committing the said offense
5 and/or 2) by conspiring with each other to commit the said offense and/or 3) by aiding or
6 abetting each other in the commission of the offense with the intent to commit the offense by
7 traveling to the crime scene together, Defendant TONY LEE HOBSON and Defendant
8 BRANDON STARR entering the business, while Defendant DONTE MAQUEL JOHNS
9 acting as a lookout and getaway driver, all acting with the intent to commit a robbery within
10 the business, Defendants providing each other counsel and/or encouragement and acting in
11 concert throughout.

12 COUNT 61 – CONSPIRACY TO COMMIT ROBBERY

13 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
14 feloniously conspire with each other to commit a robbery.

15 COUNT 62 - CONSPIRACY TO COMMIT KIDNAPPING

16 **DEFENDANTS** did on or about November 23, 2014, wilfully, unlawfully, and
17 feloniously conspire with each other to commit a kidnapping.

18 COUNT 63 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

19 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
20 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
21 VANESSA GONZALEZ-APARICIO, a human being, with the intent to hold or detain the
22 said VANESSA GONZALEZ-APARICIO against her will, and without her consent, for the
23 purpose of committing robbery, with use of a deadly weapon, to-wit: a firearm, said
24 Defendants being criminally liable under one or more of the following principles of criminal
25 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
26 commission of this crime, with the intent that this crime be committed by entering into a
27 course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON
28 STARR did enter TACO BELL with firearms, one of their number prevented the employees

1 from fleeing out the back door as they exited, and grabbed VANESSA GONZALEZ-
2 APARICIO and forced VANESSA GONZALEZ-APARICIO and HOLLY HADEED back
3 inside the business at gunpoint, then Defendant BRANDON STARR and Defendant TONY
4 LEE HOBSON forced the said VANESSA GONZALEZ-APARICIO and HOLLY
5 HADEED into the office at gunpoint, and then one of their number demanded that the safe
6 be opened, and one of their number took the cell phone of VANESSA GONZALEZ-
7 APARICIO, and then both Defendant BRANDON STARR and Defendant TONY LEE
8 HOBSON fled the business with the cell phone, Defendant DONTÉ MAQUÉL JOHNS
9 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
10 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
11 conspiracy to commit this crime.

12 COUNT 64 – ROBBERY WITH USE OF A DEADLY WEAPON

13 **DEFENDANTS** did on or about November 23, 2014 then and there wilfully,
14 unlawfully, and feloniously take personal property, to-wit: a cell phone, from the person of
15 VANESSA GONZALEZ-APARICIO, or in her presence, by means of force or violence, or
16 fear of injury to, and without the consent and against the will of VANESSA GONZALEZ-
17 APARICIO, with use of a deadly weapon, to-wit: a firearm, said Defendants being
18 criminally liable under one or more of the following principles of criminal liability, to-wit:
19 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
20 this crime, with the intent that this crime be committed by entering into a course of conduct
21 whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter
22 TACO BELL with firearms, one of their number prevented the employees from fleeing out
23 the back door and grabbed VANESSA GONZALEZ-APARICIO, and forced VANESSA
24 GONZALEZ-APARICIO and HOLLY HADEED back inside the business at gunpoint, then
25 Defendant BRANDON STARR and Defendant TONY LEE HOBSON forced the said
26 VANESSA GONZALEZ-APARICIO and HOLLY HADEED into the office at gunpoint,
27 and then one of their number demanded that the safe be opened, and one of their number
28 took the cell phone of VANESSA GONZALEZ-APARICIO, and then both Defendant

1 BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the cell
2 phone, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by
3 providing counsel and/or encouragement to one another by actions and words, and acting in
4 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

5 COUNT 65 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

6 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
7 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
8 HOLLY HADEED, a human being, with the intent to hold or detain the said HOLLY
9 HADEED against her will, and without her consent, for the purpose of committing robbery,
10 with use of a deadly weapon, to-wit: a firearm, said Defendants being criminally liable under
11 one or more of the following principles of criminal liability, to-wit: (1) by directly
12 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
13 the intent that this crime be committed by entering into a course of conduct whereby
14 Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter TACO
15 BELL with firearms, one of their number prevented the employees from fleeing out the back
16 door as they exited, and grabbed VANESSA GONZALEZ-APARICIO and forced
17 VANESSA GONZALEZ-APARICIO and HOLLY HADEED back inside the business at
18 gunpoint, then Defendant BRANDON STARR and Defendant TONY LEE HOBSON forced
19 the said VANESSA GONZALEZ-APARICIO and HOLLY HADEED into the office at
20 gunpoint, and then one of their number demanded that the safe be opened, and one of their
21 number took the cell phone of VANESSA GONZALEZ-APARICIO, and then both
22 Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the business
23 with the cell phone, Defendant DONTE MAQUEL JOHNS acting as lookout and the
24 getaway driver, by providing counsel and/or encouragement to one another by actions and
25 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
26 crime.

27 COUNT 66 – ROBBERY WITH USE OF A DEADLY WEAPON

28 **DEFENDANTS** did on or about November 23, 2014 then and there wilfully,

1 unlawfully, and feloniously take personal property, to-wit: a cell phone, from the person of
2 HOLLY HADEED, or in her presence, by means of force or violence, or fear of injury to,
3 and without the consent and against the will of HOLLY HADEED, with use of a deadly
4 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
5 following principles of criminal liability, to-wit: (1) by directly committing this crime;
6 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
7 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
8 HOBSON and Defendant BRANDON STARR did enter TACO BELL with firearms, one of
9 their number prevented the employees from fleeing out the back door and forced them back
10 inside the business at gunpoint, and then Defendant BRANDON STARR and Defendant
11 TONY LEE HOBSON forced the said HOLLY HADEED and VANESSA GONZALEZ-
12 APARICIO into the office at gunpoint, and then one of their number demanded that the safe
13 be opened, and one of their number took the cell phone of VANESSA GONZALEZ-
14 APARICIO, and then both Defendant BRANDON STARR and Defendant TONY LEE
15 HOBSON fled the business with the cell phone, Defendant DONTE MAQUEL JOHNS
16 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
17 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
18 conspiracy to commit this crime.

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21 COUNT 67 – ATTEMPT FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY
22 WEAPON

23 **DEFENDANTS** did on or about November 23, 2014 wilfully, unlawfully, and
24 feloniously attempt to seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or
25 carry away JAMMIE WARD, a human being, with the intent to hold or detain JAMMIE
26 WARD against her will, and without her consent, for the purpose of committing robbery,
27 with use of a deadly weapon, to-wit: a firearm, said Defendants being criminally liable under
28 one or more of the following principles of criminal liability, to-wit: (1) by directly

1 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
2 the intent that this crime be committed by entering into a course of conduct whereby
3 Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter TACO
4 BELL with firearms, one of their number prevented the employees from fleeing out the back
5 door as they exited, and tried to prevent the said JAMIE WARD from fleeing, and one of
6 their number grabbed VANESSA GONZALEZ-APARICIO and forced VANESSA
7 GONZALEZ-APARICIO and HOLLY HADEED back inside the business at gunpoint, then
8 Defendant BRANDON STARR and Defendant TONY LEE HOBSON forced the said
9 VANESSA GONZALEZ-APARICIO and HOLLY HADEED into the office at gunpoint,
10 and then one of their number demanded that the safe be opened, and one of their number
11 took the cell phone of VANESSA GONZALEZ-APARICIO, and then both Defendant
12 BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the cell
13 phone, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by
14 providing counsel and/or encouragement to one another by actions and words, and acting in
15 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

16 COUNT 68 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

17 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,
18 unlawfully, and feloniously enter, with intent to commit robbery, that certain POPEYES
19 CHICKEN occupied by ALMA GOMEZ and/or ANGELICA ABREGO and/or GABRIELA
20 OYOQUE and/or RAFAEL VELAZQUEZ-BORRAGAN and/or JOSE ESPINOZA, located
21 at 6121 Vegas Drive, Las Vegas, Clark County, Nevada, and said Defendants did possess a
22 deadly weapon and/or gain possession of a deadly weapon, to-wit: a firearm and/or ax-like
23 object during the commission of the crime and/or before leaving the structure, Defendants
24 being responsible under one or more of the following principles of criminal liability, to-wit:
25 1) by directly committing the said offense and/or 2) by conspiring with each other to commit
26 the said offense and/or 3) by aiding or abetting each other in the commission of the offense
27 with the intent to commit the offense by traveling to the crime scene together, Defendant
28 TONY LEE HOBSON and Defendant BRANDON STARR entering the business, while

1 Defendant DONTE MAQUEL JOHNS acting as a lookout and getaway driver, all acting
2 with the intent to commit a robbery within the business, Defendants providing each other
3 counsel and/or encouragement and acting in concert throughout.

4 COUNT 69 – CONSPIRACY TO COMMIT ROBBERY

5 **DEFENDANTS** did on or about November 24, 2014 wilfully, unlawfully, and
6 feloniously conspire with each other to commit a robbery.

7 COUNT 70 - CONSPIRACY TO COMMIT KIDNAPPING

8 **DEFENDANTS** did on or about November 24, 2014, wilfully, unlawfully, and
9 feloniously conspire with each other to commit a kidnapping.

10 COUNT 71 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

11 **DEFENDANTS** did, on or about November 24, 2014, wilfully, unlawfully, and
12 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
13 ALMA GOMEZ, a human being, with the intent to hold or detain ALMA GOMEZ against
14 her will, and without her consent, for the purpose of committing robbery; with use of a
15 deadly weapon, to-wit: a firearm and/or ax-like object; the said Defendants being criminally
16 liable under one or more of the following principles of criminal liability, to-wit: (1) by
17 directly committing this crime; and/or (2) by aiding or abetting in the commission of this
18 crime, with the intent that this crime be committed by entering into a course of conduct
19 whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter
20 POPEYES CHICKEN with a firearm and/or ax-like object, did prevent the said ALMA
21 GOMEZ from leaving the business, and did move the said ALMA GOMEZ and order her to
22 the ground, demanding U.S. Currency, and thereafter taking said U.S. Currency, Defendant
23 DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by providing counsel
24 and/or encouragement to one another by actions and words, and acting in concert
25 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

26 COUNT 72 - ROBBERY WITH USE OF A DEADLY WEAPON

27 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,
28 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and a cellular

1 telephone, from the person of ALMA GOMEZ, or in her presence, by means of force or
2 violence, or fear of injury to, and without the consent and against the will of ALMA
3 GOMEZ, with use of a deadly weapon, to-wit: a firearm and/or ax-like object, said
4 Defendants being criminally liable under one or more of the following principles of criminal
5 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
6 commission of this crime, with the intent that this crime be committed by entering into a
7 course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON
8 STARR did enter POPEYES CHICKEN with a firearm and/or ax-like object, one of their
9 number held all the other employees at gunpoint while the other of their number directed the
10 said ALMA GOMEZ to show him where the safe was, gave her a blue bag, and told her to
11 open the bag and fill it with the U.S. Currency from the safe and cash registers, then one of
12 their number took the said ALMA GOMEZ's cellular telephone and then both Defendant
13 BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the U.S.
14 Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver,
15 by providing counsel and/or encouragement to one another by actions and words, and acting
16 in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

17 COUNT 73 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

18 **DEFENDANTS** did, on or about November 24, 2014, wilfully, unlawfully, and
19 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
20 ANGELICA ABREGO, a human being, with the intent to hold or detain ANGELICA
21 ABREGO against her will, and without her consent, for the purpose of committing robbery;
22 with use of a deadly weapon, to-wit: a firearm and/or ax-like object; the Defendants being
23 criminally liable under one or more of the following principles of criminal liability, to-wit:
24 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
25 this crime, with the intent that this crime be committed by entering into a course of conduct
26 whereby Defendants TONY LEE HOBSON and BRANDON STARR did enter POPEYES
27 CHICKEN with a firearm and/or ax-like object, did prevent the said ANGELICA ABREGO
28 from leaving the business, did move the said ANGELICA ABREGO and order her to the

1 ground, demanding U.S. Currency, and thereafter taking said U.S. Currency, Defendant
2 DONTE MAQUEL JOHNS acted as the lookout and getaway driver, by providing counsel
3 and/or encouragement to one another by actions and words, and acting in concert
4 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

5 COUNT 74 - ROBBERY WITH USE OF A DEADLY WEAPON

6 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,
7 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
8 ANGELICA ABREGO, or in her presence, by means of force or violence, or fear of injury
9 to, and without the consent and against the will of ANGELICA ABREGO, with use of a
10 deadly weapon, to-wit: a firearm and/or ax-like object, said Defendants being criminally
11 liable under one or more of the following principles of criminal liability, to-wit: (1) by
12 directly committing this crime; and/or (2) by aiding or abetting in the commission of this
13 crime, with the intent that this crime be committed by entering into a course of conduct
14 whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter
15 POPEYES CHICKEN with a firearm and/or ax-like object, one of their number held the said
16 ANGELICA ABREGO and other employees at gunpoint while the other of their number
17 directed ALMA GOMEZ to show him where the safe was, gave her a blue bag, and told her
18 to open the bag and fill it with the U.S. Currency from the safe and cash registers, then both
19 Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the business
20 with the U.S. Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the
21 getaway driver, by providing counsel and/or encouragement to one another by actions and
22 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
23 crime.

24 COUNT 75 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

25 **DEFENDANTS** did, on or about November 24, 2014, wilfully, unlawfully, and
26 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
27 GABRIELA OYOQUE, a human being, with the intent to hold or detain GABRIELA
28 OYOQUE against her will, and without her consent, for the purpose of committing robbery;

1 with use of a deadly weapon, to-wit: a firearm and/or ax-like object; the Defendants being
2 criminally liable under one or more of the following principles of criminal liability, (1) by
3 directly committing this crime; and/or (2) by aiding or abetting in the commission of this
4 crime, with the intent that this crime be committed by entering into a course of conduct
5 whereby Defendants TONY LEE HOBSON and BRANDON STARR did enter POPEYES
6 CHICKEN with a firearm and/or ax-like object, did prevent the said GABRIELA OYOQUE
7 from leaving the business, did move the said GABRIELA OYOQUE and order her to the
8 ground, demanding U.S. Currency, and thereafter taking said U.S. Currency, Defendant
9 DONTE MAQUEL JOHNS acted as the lookout and getaway driver, by providing counsel
10 and/or encouragement to one another by actions and words, and acting in concert
11 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

12 COUNT 76 - ROBBERY WITH USE OF A DEADLY WEAPON

13 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,
14 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
15 GABRIELA OYOQUE, or in her presence, by means of force or violence, or fear of injury
16 to, and without the consent and against the will of GABRIELA OYOQUE, with use of a
17 deadly weapon, to-wit: a firearm and/or ax-like object, said Defendants being criminally
18 liable under one or more of the following principles of criminal liability, to-wit: (1) by
19 directly committing this crime; and/or (2) by aiding or abetting in the commission of this
20 crime, with the intent that this crime be committed by entering into a course of conduct
21 whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter
22 POPEYES CHICKEN with a firearm and/or ax-like object, one of their number held the said
23 GABRIELA OYOQUE and other employees at gunpoint while the other of their number
24 directed ALMA GOMEZ to show him where the safe was, gave her a blue bag, and told her
25 to open the bag and fill it with the U.S. Currency from the safe and cash registers, then both
26 Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the business
27 with the U.S. Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the
28 getaway driver, by providing counsel and/or encouragement to one another by actions and

1 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
2 crime.

3 COUNT 77 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

4 **DEFENDANTS** did, on or about November 24, 2014, wilfully, unlawfully, and
5 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
6 RAFAEL VELAZQUEZ-BARRAGAN, a human being, with the intent to hold or detain
7 RAFAEL VELAZQUEZ-BARRAGAN against his will, and without his consent, for the
8 purpose of committing robbery; with use of a deadly weapon to-wit: a firearm and/or ax-like
9 object; the Defendants being criminally liable under one or more of the following principles
10 of criminal liability, (1) by directly committing this crime; and/or (2) by aiding or abetting in
11 the Commission of this crime, with the intent that this crime be committed by entering into a
12 course of conduct whereby Defendants TONY LEE HOBSON and BRANDON STARR did
13 enter POPEYES CHICKEN with a firearm and/or ax-like object, did prevent the said
14 RAFAEL VELAZQUEZ-BARRAGAN from leaving the business, did move the said
15 RAFAEL VELAZQUEZ-BARRAGAN and order him to the ground, demanding U.S.
16 Currency, and thereafter taking said U.S. Currency, Defendant DONTE MAQUEL JOHNS
17 acted as the lookout and getaway driver, by providing counsel and/or encouragement to one
18 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
19 conspiracy to commit this crime.

20 COUNT 78 - ROBBERY WITH USE OF A DEADLY WEAPON

21 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,
22 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
23 RAFAEL VELAZQUEZ-BARRAGAN, or in his presence, by means of force or violence, or
24 fear of injury to, and without the consent and against the will of RAFAEL VELAZQUEZ-
25 BARRAGAN, with use of a deadly weapon, to-wit: a firearm and/or ax-like object, said
26 Defendants being criminally liable under one or more of the following principles of criminal
27 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
28 commission of this crime, with the intent that this crime be committed by entering into a

1 course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON
2 STARR did enter POPEYES CHICKEN with a firearm and/or ax-like object, one of their
3 number held the said RAFAEL VELAZQUEZ-BARRAGAN and other employees at
4 gunpoint while the other of their number directed ALMA GOMEZ to show him where the
5 safe was, gave her a blue bag, and told her to open the bag and fill it with the U.S. Currency
6 from the safe and cash registers, then both Defendant BRANDON STARR and Defendant
7 TONY LEE HOBSON fled the business with the U.S. Currency, Defendant DONTE
8 MAQUEL JOHNS acting as lookout and the getaway driver, by providing counsel and/or
9 encouragement to one another by actions and words, and acting in concert throughout;
10 and/or (3) pursuant to a conspiracy to commit this crime.

11 COUNT 79 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

12 **DEFENDANTS** did, on or about November 24, 2014, wilfully, unlawfully, and
13 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away
14 JOSE ESPINOZA, a human being, with the intent to hold or detain JOSE ESPINOZA
15 against his will, and without his consent, for the purpose of committing robbery; with use of
16 a deadly weapon to-wit: a firearm and/or ax-like object; the Defendants being criminally
17 liable under one or more of the following principles of criminal liability, (1) by directly
18 committing this crime; and/or (2) by aiding or abetting in the Commission of this crime, with
19 the intent that this crime be committed by entering into a course of conduct whereby
20 Defendants TONY LEE HOBSON and BRANDON STARR did enter POPEYES
21 CHICKEN with a firearm and/or ax-like object, did prevent the said JOSE ESPINOZA from
22 leaving the business, did move the said JOSE ESPINOZA and order him to the ground,
23 demanding U.S. Currency, and thereafter taking said U.S. Currency, Defendant DONTE
24 MAQUEL JOHNS acted as the lookout and getaway driver, by providing counsel and/or
25 encouragement to one another by actions and words, and acting in concert throughout;
26 and/or (3) pursuant to a conspiracy to commit this crime.

27 COUNT 80 - ROBBERY WITH USE OF A DEADLY WEAPON

28 **DEFENDANTS** did, on or about November 24, 2014, then and there wilfully,

1 unlawfully, and feloniously take personal property, to-wit: U.S. Currency, from the person of
2 JOSE ESPINOZA, or in his presence, by means of force or violence, or fear of injury to, and
3 without the consent and against the will of JOSE ESPINOZA, with use of a deadly weapon,
4 to-wit: a firearm and/or ax-like object, said Defendants being criminally liable under one or
5 more of the following principles of criminal liability, to-wit: (1) by directly committing this
6 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
7 this crime be committed by entering into a course of conduct whereby Defendant TONY
8 LEE HOBSON and Defendant BRANDON STARR did enter POPEYES CHICKEN with a
9 firearm and/or ax-like object, one of their number held the said JOSE ESPINOZA and other
10 employees at gunpoint while the other of their number directed ALMA GOMEZ to show
11 him where the safe was, gave her a blue bag, and told her to open the bag and fill it with the
12 U.S. Currency from the safe and cash registers, then both Defendant BRANDON STARR
13 and Defendant TONY LEE HOBSON fled the business with the U.S. Currency, Defendant
14 DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by providing counsel
15 and/or encouragement to one another by actions and words, and acting in concert
16 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

17 COUNT 81 - CONSPIRACY TO COMMIT ROBBERY

18 **DEFENDANTS** did, on or about November 25, 2014, wilfully, unlawfully, and
19 feloniously conspire with each other to commit a robbery.

20 COUNT 82 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

21 **DEFENDANTS** did, on or about November 25, 2014, then and there wilfully,
22 unlawfully, and feloniously attempt to take personal property from the person of employees
23 and/or customers of TACO BELL located at 3264 S. Nellis Blvd., Las Vegas, Nevada, or in
24 their presence, by means of force or violence, or fear of injury to, and without the consent
25 and against the will of said employees and/or customers of TACO BELL located at 3264 S.
26 Nellis Blvd., Las Vegas, Nevada, by Defendants preparing to rob the said TACO BELL by
27 gathering weapons and concealing clothing, driving to the said TACO BELL with the
28 intention of committing a robbery therein, exiting the vehicle, and preparing to enter the

1 TACO BELL to commit the robbery, defendants being taken into custody by police prior to
2 the completion of the robbery, with use of a deadly weapon, to-wit: a firearm and/or ax-like
3 object; said Defendants being criminally liable under one or more of the following principles
4 of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or
5 abetting in the commission of this crime, with the intent that this crime be committed by
6 entering into a course of conduct whereby Defendant BRANDON STARR exited the vehicle
7 wearing a mask, walked to the trunk of the vehicle where the weapons were located to
8 retrieve the weapons from the trunk so that he and Defendant TONY LEE HOBSON could
9 enter the said TACO BELL with the deadly weapons and commit the robbery, Defendant
10 DONTE MAQUEL JOHNS drove the Defendants to the scene, acted as a lookout and would
11 be the getaway driver, by providing counsel and/or encouragement to one another by actions
12 and words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit
13 this crime.

14 It is the duty of the jury to apply the rules of law contained in these instructions to the
15 facts of the case and determine whether or not the Defendant is guilty of one or more of the
16 offenses charged.

17 Each charge and the evidence pertaining to it should be considered separately. The
18 fact that you may find a defendant guilty or not guilty as to one of the offenses charged
19 should not control your verdict as to any other offense charged.

20 In order to find the Defendant(s) guilty of one or more offense, you must determine
21 that the Defendant(s) was/were the one(s) who committed the acts, and that the acts
22 committed constituted a crime/crimes.

23
24 INSTRUCTION NO. _____

25 A conspiracy is an agreement between two or more persons for an unlawful purpose.
26 To be guilty of conspiracy, a defendant must intend to commit, or to aid in the commission
27 of, the specific crime agreed to. The crime is the agreement to do something unlawful; it
28 does not matter whether it was successful or not.

1
2 A conspiracy is an agreement between two or more persons for an unlawful purpose.
3 To be guilty of conspiracy, a defendant must intend to commit, or to aid in the commission
4 of, the specific crime agreed to. The crime is the agreement to do something unlawful; it
5 does not matter whether it was successful or not.

6 A person who knowingly does any act to further the object of a conspiracy, or
7 otherwise participates therein, is criminally liable as a conspirator. However, mere
8 knowledge or approval of, or acquiescence in, the object and purpose of a conspiracy
9 without an agreement to cooperate in achieving such object or purpose does not make one a
10 party to conspiracy. Conspiracy is seldom susceptible of direct proof and is usually
11 established by inference from the conduct of the parties. In particular, a conspiracy may be
12 supported by a coordinated series of acts, in furtherance of the underlying offense, sufficient
13 to infer the existence of an agreement.

14 A conspiracy to commit a crime does not end upon the completion of the crime. The
15 conspiracy continues until the co-conspirators have successfully gotten away and concealed
16 the crime.
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2 It is not necessary in proving a conspiracy to show a meeting of the alleged
3 conspirators or the making of an express or formal agreement. The formation and existence
4 of a conspiracy may be inferred from all circumstances tending to show the common intent
5 and may be proved in the same way as any other fact may be proved, either by direct
6 testimony of the fact or by circumstantial evidence, or by both direct and circumstantial
7 evidence.

Each member of a criminal conspiracy is liable for each act and bound by each declaration of every other member of the conspiracy if the act or the declaration is in furtherance of the object of the conspiracy.

The act of one conspirator pursuant to or in furtherance of the common design of the conspiracy is the act of all conspirators. Every conspirator is legally responsible for a specific intent crime of a co-conspirator so long as the specific intent crime was intended by the defendant. A conspirator is also legally responsible for a general intent crime that follows as one of the probable and natural consequence of the object of the conspiracy even if it was not intended as part of the original plan and even if he was not present at the time of the commission of such act.

Evidence that a person was in the company or associated with one or more other persons alleged or proven to have been members of a conspiracy is not, in itself, sufficient to prove that such person was a member of the alleged conspiracy. However, you are instructed that presence, companionship, and conduct before, during and after the offense are circumstances from which one's participation in the criminal intent may be inferred.

Where two or more persons are accused of committing a crime together, their guilt may be established without proof that each personally did every act constituting the offense charged.

All persons concerned in the commission of a crime who either directly and actively commit the act constituting the offense or who knowingly and with criminal intent aid and abet in its commission or, whether present or not, who advise and encourage its commission, with the intent that the crime be committed, are regarded by the law as principals in the crime thus committed and are equally guilty thereof.

A person aids and abets the commission of a crime if he knowingly and with criminal intent aids, promotes, encourages or instigates by act or advice, or by act and advice, the commission of such crime with the intention that the crime be committed.

The State is not required to prove precisely which defendant actually committed the crime and which defendant aided and abetted.

Mere presence at the scene of a crime or knowledge that a crime is being committed is not sufficient to establish that a defendant is guilty of an offense, unless you find beyond reasonable doubt that the defendant was a participant and not merely a knowing spectator.

However, the presence of a person at the scene of a crime and companionship with another person engaged in the commission of the crime and a course of conduct before and after the offense are circumstances which may be considered in determining whether such person aided and abetted the commission of that crime.

A person who conspires to commit the crime of Robbery with another is guilty of Conspiracy to Commit Robbery.

Robbery is the unlawful taking of personal property from the person of another, or in his presence, against his will, by means of force or violence or fear of injury, immediate or future, to his person or property, or the person or property of a member of his family, or of anyone in his company at the time of the robbery. Such force or fear must be used to:

1. Obtain or retain possession of the property,
2. To prevent or overcome resistance to the taking of the property, or
3. To facilitate escape with the property.

In any case the degree of force is immaterial if used to compel acquiescence to the taking of or escaping with the property. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

The value of property or money taken is not an element of the crime of Robbery, and it is only necessary that the State prove the taking of some property or money.

Personal property is "in the presence" of a person, in respect to robbery, when it is within the person's reach, inspection, observation or control, and the person could, if not prevented by intimidation, threat or use of violence, retain possession of the property.

It is unnecessary to prove both violence and intimidation. If the fact be attended with circumstances of threatening word or gesture as in common experience and is likely to create an apprehension of danger and induce a man to part with his property for the safety of his person, it is robbery. It is not necessary to prove actual fear, as the law will presume it in such a case.

Every person who, by day or night, enters any building and/or store with the intent to commit Robbery therein is guilty of Burglary.

Force or a "breaking" is not a necessary element of the crime.

It is not necessary that the State prove the defendant actually committed a Robbery inside building and/or store after he entered in order for you to find him guilty of Burglary. The gist of the crime of Burglary is the unlawful entry with criminal intent. Therefore, a Burglary was committed if the defendant entered the building and/or store with the intent to commit a Robbery regardless of whether or not that crime occurred.

The intention with which entry was made is a question of fact which may be inferred from the defendant's conduct and all other circumstances disclosed by the evidence.

When two or more persons participate in the commission of a Burglary, and one or more of them enters the building and/or store, it is not necessary to prove the other individual actually entered because one who aids and abets another in the commission of a Burglary is equally guilty as a principal.

INSTRUCTION NO. 17

Every person who in the commission of a Burglary commits any other crime may be prosecuted for each crime separately.

00434

Every person who commits the crime of Burglary, who has in his possession or gains possession of any Deadly Weapon at any time during the commission of the crime, at any time before leaving the structure, or upon leaving the structure, is guilty of Burglary while in Possession of a Deadly Weapon.

A "deadly weapon" is any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death; or any weapon, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death.

You are further instructed that a firearm is a deadly weapon.

"Firearm" includes:

1. Any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.
2. Any device used to mark the clothing of a person with paint or any other substance; and
3. Any device from which a metallic projectile, including any ball bearing or pellet, may be expelled by means of spring, gas, air or other force.

Every person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away any person by any means whatsoever with the intent to hold or detain, or who holds or detains, the person for the purpose of committing robbery upon or from the person is guilty of First Degree Kidnapping.

1 The crime of First Degree Kidnapping, as charged in this case, is a specific intent
2 crime. A specific intent, as the term implies, means more than the general intent to commit
3 the act. To establish specific intent, the State must prove that the defendant knowingly did
4 the act which the law forbids, purposely intending to violate that law.

5 An act is "knowingly" done if done voluntarily and intentionally, and not because of
6 mistake or accident or other innocent reason. The intention or purpose for which the victim
7 was held against his or her will is a question of fact to be determined by your consideration
8 of the evidence. The intention may be inferred from the defendant's conduct and all other
9 circumstances.

Where a person is charged with the crime of First Degree Kidnapping for the purpose of committing robbery it is not necessary to establish the robbery was actually committed. The crime of kidnapping is accomplished when the kidnapping was done for the purpose of committing a robbery.

1 When it is impossible to commit a particular crime without committing, at the same
2 time and by the same conduct, another offense of lesser grade or degree, the latter is, with
3 respect to the former, a "lesser included offense."
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5 If you are not satisfied beyond a reasonable doubt that the defendant is guilty of the
6 offense charged, he may, however, be found guilty of any lesser included offense, if the
7 evidence is sufficient to establish his guilt of such lesser offense beyond a reasonable doubt.
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The offense of First Degree Kidnapping necessarily includes the lesser offenses of
Second Degree Kidnapping and False Imprisonment.

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Every person who willfully and without authority of law seizes, inveigles, takes, carries away or kidnaps another person with the intent to keep the person secretly imprisoned within the state, or for the purpose of conveying the person out of the state without authority of law, or in any manner held to service or detained against his or her will, is guilty of Second Degree Kidnapping.

False imprisonment is an unlawful violation of the personal liberty of another, and consists of confinement or detention without sufficient legal authority.

1 You are instructed that if you find that the State has established that the defendant has
2 committed first degree kidnapping you shall select first degree kidnapping as your verdict.

3 You shall find the defendant guilty of second degree kidnapping only if:

4 (1) You have found the Defendants not guilty of first degree kidnapping, or

5 (2) All twelve of you are unable to agree whether to acquit or convict the defendants
6 of first degree.

7
8 If you are convinced beyond a reasonable doubt that the crime of kidnapping has been
9 committed by the defendant, but you have a reasonable doubt whether such kidnapping was
10 of the first or of the second degree, you must give the defendant the benefit of that doubt and
11 return a verdict of kidnapping of the second degree.

12 Likewise, you shall find the defendant guilty of false imprisonment only if:

13 (1) You have found the Defendants not guilty of first degree kidnapping and second
14 degree kidnapping, or

15 (2) If you are not convinced beyond a reasonable doubt that the crime of kidnapping
16 has been committed by the defendant, but you are convinced beyond a reasonable doubt that
17 an unlawful detention occurred.

18 If you are satisfied beyond a reasonable doubt that the detention was unlawful, but
19 you have a reasonable doubt whether the crime is kidnapping or false imprisonment, you
20 must give the defendant the benefit of that doubt and return a verdict false imprisonment
21 whichever is appropriate based on the facts of this case.

1
2 When a defendant is accused of First Degree Kidnapping with the specific intent to
3 commit an unlawful act and is also accused of the unlawful act itself, the defendant may not
4 be convicted of the kidnapping if the movement and/or confinement of the victim was
5 merely incidental to the unlawful act.

6 In this case, whether the movement and/or confinement of the victim is incidental to
7 the offense of robbery or whether the risk of harm to the victim was increased thereby is a
8 question for you to determine after considering all the facts and circumstances in the case.

9 In order for you to find the defendant guilty of both First Degree Kidnapping and an
10 associated offense of Robbery, you must also find beyond a reasonable doubt either:

- 11 1) that any movement or restraint of the victim was not incidental to the robbery;
- 12 2) that any incidental movement or restraint of the victim substantially increased the
13 risk of harm to the victim over and above that necessarily present in the robbery;
- 14 3) that any incidental movement or restraint of the victim substantially exceeded that
15 required to complete the robbery;
- 16 4) that the victim was physically restrained and such restraint substantially increased
17 the risk of harm to the victim; or
- 18 5) the movement or restraint had an independent purpose or significance.

19 Likewise, you may not convict the Defendants of one of the lesser included offenses
20 of Kidnapping (Second Degree Kidnapping or False Imprisonment) and the associated
21 offense of Robbery if the movement and/or confinement of the victim was merely incidental
22 to the unlawful act. Thus, you are required to make the same determination before you
23 convict the Defendants of Second Degree Kidnapping or False Imprisonment and the
24 associated offense of Robbery.

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The elements of an attempt to commit a crime are:

- (1) The intent to commit the crime;
- (2) Performance of some act towards its commission; and
- (3) Failure to consummate its commission.

You are instructed that if you find the defendant guilty of Burglary, Robbery, Attempt Robbery, Kidnapping or Attempt Kidnapping, you must also determine whether or not a deadly weapon was used in the commission of this crime.

If you find beyond a reasonable doubt that a deadly weapon was used in the commission of such an offense, then you shall return the appropriate guilty verdict reflecting "With Use of a Deadly Weapon".

If, however, you find that a deadly weapon was not used in the commission of such an offense, but you find that it was committed, then you shall return the appropriate guilty verdict reflecting that a deadly weapon was not used.

If more than one person commits a crime, and one of them uses a deadly weapon in the commission of that crime, each may be convicted of using the deadly weapon even though he did not personally himself use the weapon.

An unarmed offender "uses" a deadly weapon when the unarmed offender is liable for the offense, another person liable for the offense is armed with and uses a deadly weapon in the commission of the offense, and the unarmed offender had knowledge of the use of the deadly weapon.

may be occurring. When a mixture has been defined during interpretation as a two-person mixture and two heterozygous minor alleles are being detected above the analytical threshold, the possibility that allelic drop-out has occurred no longer exists as both minor alleles are accounted for.

When the minor male component of the controlled validation data reached an input of 0.1 ng, the known contributor alleles began to drop below the interpretation threshold, however all alleles were still detected above the analytical threshold. If abiding by the currently adopted Biology/DNA interpretation protocol, only four loci would be eligible for calculation of a likelihood ratio or CPI in order to statistically assess the presence of the minor contributor as part of the mixture in its entirety, and deconvolution of the possible minor genotypes would not be possible. Conversely, when allowed to consider the loci which exhibit a heterozygous minor genotype even when one or both alleles fall below the interpretation threshold, seven loci could be readily deduced for the minor contributor and calculation of an RMP and all but three loci would be eligible for the calculation of a likelihood ratio or CPI.

As expected, the amplification data associated with the 0.05 ng minor contributor input demonstrated increased variability between the three separate amplifications. However, for each amplification, several loci still successfully yielded both heterozygous minor alleles above the analytical threshold. No indications of drop-in were present in any of the profiles amplified during this study.

Conclusions:

As a result of these studies, Chapter 15 of the Biology/DNA Technical Manual will be updated effective on or before March 1, 2016 to include the new interpretation flowcharts to aid in the evaluation of *single* major contributors when performing mixture interpretation for assumed two and three-person mixtures, and further guidance in the interpretation and attempted resolution of four-person mixtures. The interpretation procedures will also be updated to include the ability to consider heterozygous data detected below the interpretation threshold when interpreting two-person mixtures. In addition, the *allele-specific* percent stutter values observed during the Identifier Plus validation will be added to the end of Chapter 14 as reference for use during mixture interpretation.

Mixture validation data was only created to the extent of four-person mixtures. Therefore, any mixture which exhibits signs that it is from greater than four contributors will be deemed as inconclusive due to the complexity of the data. No portion of these mixtures (to include possible single major components) will be considered suitable for comparison.

As the LVMPD Biology/DNA Detail has been online using Identifier Plus for casework since February 2011, there may be instances in which DNA profiles previously interpreted and reported may be re-evaluated as they make their way through the legal system. The mixture interpretation protocols in place prior to these additional mixture studies accurately referenced the necessity to evaluate the biological considerations regarding the DNA profile itself; the effects of degradation, additive effects of stutter and allele sharing, and assumptions based on the relative RFU contributions of each of the contributors when performing mixture interpretations. As a result of this memo, DNA reports previously disseminated will be re-evaluated on a case-by-case and as-needed basis to determine if the resultant data is still supported by the interpretation standards utilized at the time. In addition, please refer to the memo "Use of Statistics for Mixture Interpretation" dated February 23, 2016 for additional information specific to the calculation of DNA statistics.

References:

Buckleton, J.S., et al. (2007). Towards understanding the effect of uncertainty in the number of contributors to DNA stains. *Forensic Science International: Genetics*, 1, 20-28.

Haned, H., & et al. (2011). Estimating the number of contributors to forensic DNA mixtures: Does maximum likelihood perform better than maximum allele count? *J Forensic Sci*, 56(1), 23-28.

Paoletti, D.R., et al. (2005). Empirical analysis of the STR profiles resulting from conceptual mixtures. *Journal of Forensic Sciences*, 50, 1361-1366.

Perez, J., et al. (2011). Estimating the number of contributors to two-, three-, and four-person mixtures containing DNA in high template and low template amounts. *Croatian Medical Journal*, 52(3), 314-326.

Wang, T.W., Kalet, P., Pendleton, J., Glibert, K., Lucas, L., and Birdwell, J.D. 2005. The probable number of contributors to a STR DNA mixture.

<http://www.promega.com/products/pm/genetic-identity/ishi-conference-proceedings/16th-ishi-poster-abstracts/>

L V M P D
interoffice
MEMORANDUM

To : File
From : Jessica R. Charak, DNA Technical Leader *JRC*
Subject : Use of Statistics for Mixture Interpretation *0223 (L)*
Date : February 23, 2016

The original 2011 internal validation of Identifiler Plus included the validation of an empirically determined "interpretation threshold". The interpretation threshold is the peak height value above which it is reasonable to assume that, at a given locus, allelic dropout of a sister allele has not occurred. This threshold is also commonly referred to in the DNA community as the stochastic threshold. This threshold has been continually monitored and evaluated using empirical sensitivity series data generated on each 3130XL instrument during required performance checks to ensure the threshold remains properly set for the most current Identifiler Plus data being generated.

In general, data which is detected above the analytical threshold, but below the interpretation threshold may not be used for statistical calculation due to stochastic effects such as peak height imbalance, increased stutter, and allelic drop-out becoming more likely to occur. This may be a single peak in a single source sample or one or more peaks in a mixture or other sample not assumed to be single source. During mixture interpretation, care must be taken when determining which loci are eligible for use in statistical calculation as allele stacking may artificially result in data crossing the interpretation threshold.

Several exceptions may be made to this rule:

- 1) In August 2013, the LVMPD completed additional internal validation studies to demonstrate that *heterozygous loci within assumed single source profiles* in which one or both alleles fall below the interpretation threshold may be used for comparison and Random Match Probability (RMP) or Likelihood Ratio (LR) statistical calculations as it is reasonable to assume that allelic drop-out has not occurred due to two peaks being present. Refer to the memo "Interpreting Heterozygous Loci of Single Source Profiles Below Stochastic Threshold for Identifiler Plus". Documentation must be included during interpretation regarding the assumption that the data originated from only one contributor.
- 2) As demonstrated in the mixture study performed for two-person mixtures with decreasing minor contribution detailed in the "Evaluation of LVMPD Mixture Interpretation and Protocols" memo dated February 21, 2016, *heterozygous minor genotypes* can be reliably determined even when one or both of the alleles fall below the interpretation threshold for *defined two-person mixtures*. When a mixture has been defined during interpretation as a two-person mixture and two heterozygous minor alleles are being detected above the analytical threshold, the possibility that allelic drop-out has occurred no longer exists as both minor alleles are accounted for. Therefore heterozygous data detected below the interpretation threshold when interpreting assumed two-person mixtures may be utilized in RMP, LR, or Combined Probability of Inclusion (CPI) statistical calculations. Documentation must be included during interpretation regarding the assumption that the data originated from only two contributors.
- 3) Loci in mixture profiles which are documented to contain a *distinguishable single source major component with all alleles detected above the interpretation threshold* are also eligible for comparison and statistical calculation, even if additional minor/trace alleles are present below the interpretation threshold. Additionally, *loci containing deduced genotypes with all alleles detected above the interpretation threshold* which are deduced using a conditional known may be used for comparison and statistics, even if some or all of the conditional known alleles fall below the interpretation threshold.
- 4) Loci in mixture profiles which contain a distinguishable major component containing *multiple*

major/significant contributor alleles above the interpretation threshold may utilize a "restricted" statistic to assess the weight of only the alleles identified as being considered part of the major/significant component. During interpretation, the mixture data is "restricted" with consideration to the quantitative peak height information and inference of the number of contributors or contributor mixture ratios in order to limit the genotypic combinations of possible contributors. Only those peaks identified as belonging to the major/significant portion of the mixture will be used for comparison and statistical calculation using a restricted CPI or a restricted LR. In order to be eligible for calculation of a restricted CPI or restricted LR, there should be no possibility of allelic drop-out at any of the loci which will be utilized in the calculation.

As detailed in this memo, the LVMPD Biology/DNA Detail has utilized and applied an empirically determined and validated interpretation threshold to aid in the determination of when allelic drop-out may be occurring since going online using Identifier Plus for casework in February 2011. With the exception of the specific circumstances detailed in this memo, loci which contain data below the interpretation threshold are not and have not been used in statistical calculations and mixture interpretation. However, there may be instances in which DNA profiles previously interpreted and reported may be re-evaluated as they make their way through the legal system. DNA reports previously disseminated will be re-evaluated on a case-by-case and as-needed basis to determine if the resultant data and statistical calculations are still supported by the interpretation standards utilized at the time.

Exhibit C

Exhibit C

00351

From: Jessica Charak <[REDACTED]>
Date: April 25, 2016 at 2:54:13 PM PDT
To: "[REDACTED]"
Cc: Stephanie Larkin <[REDACTED]>, Elizabeth Mercer <[REDACTED]>, Kenneth Portz <[REDACTED]>, Shannon Merges <[REDACTED]>, "Kellie Gauthier" <[REDACTED]>, Crystal May <[REDACTED]>, Kim Murga <[REDACTED]>
Subject: RE: Hobson/Starr

Hi Mr. Tanasi-

I apologize for our delayed response. This is actually an excellent question. DNA technology constantly evolves: protocols change as often as technology advances. As such, interpretation protocols are not intended to be applied retroactively. As Stephana indicated below, we will not issue a new report with reinterpretations solely based on the fact that new procedures were adopted after a case was worked.

We re-evaluate DNA data and conclusions based on two scenarios:

- 1) Anytime a forensic DNA expert performs an evaluation of their previously reported data (be it while preparing for court, writing a supplemental report, etc.), the expert has the right to retract data that is no longer supported by a significant evolution in technology or fundamental practices.
- 2) When issued a court order.

The laboratory is currently in the process of internally validating the probabilistic genotyping software, STRmix, which will interpret and calculate likelihood ratios from DNA mixtures based on hypotheses of possible contributors. When this validation is complete, the Biology/DNA Detail's mixture interpretation protocols will once again change.

We understand that depending on the type of interpretation tools and statistical calculation software utilized (RMP in Popstats, likelihood ratios via Lab Retriever or STRmix, etc.) the end result will vary.

In the event you would like a likelihood ratio calculation performed, you may ask for a continuance in order to wait for the Biology/DNA Detail to complete the internal validation of STRmix, at which time an additional supplemental report can be issued. We anticipate the validation being completed in 2017.

Alternatively, a court order may be issued asking for re-interpretation of the data using the current Biology/DNA protocols.

Respectfully-
Jessica Charak

00352

Jessica R. Charak, MFS, F-ABC
DNA Technical Leader
Las Vegas Metropolitan Police Department

Note: Correspondence referencing cases may be retained as part of the Forensic Laboratory's case record and are subject to Information Disclosure Requests.

From: Richard Tanasi
Sent: Friday, April 15, 2016 5:33 PM
To: Stephanie Larkin
Cc: Elizabeth Mercer; Kenneth Portz; Lance Maningo
Subject: Hobson/Starr

Hello Ms. Larkin: I have one follow question regarding your email below. Under what circumstances would the lab reinterpret a case then? Have a nice weekend. Thanks.—Rich.

From: Stephanie Larkin
Sent: Friday, April 15, 2016 1:07 PM
To: Elizabeth Mercer; Crystal May
Cc: Kenneth Portz; Shannon Merges; Kellie Gauthier; Jessica Charak
Subject: RE: Hobson/Starr

Good afternoon,

The original report was issued in September 2015 and the new procedures were adopted as of March 1, 2016. We will not issue a new report with reinterpretations solely based on the fact that new procedures were adopted after a case was worked. The case was completed according to procedures in place at the time the data was interpreted, and the lab stands by the conclusions made. Let me know if you have any further questions.

Thank you,

Stephana Larkin
Forensic Scientist II/Quality Assurance Assistant TDY
Las Vegas Metropolitan Police Department Forensic Laboratory

Note: Correspondence referencing cases may be retained as part of the Forensic Laboratory's case record and are subject to Information Disclosure Requests.

00353

From: Elizabeth Mercer
Sent: Friday, April 15, 2016 10:35 AM
To: Stephanie Larkin; Crystal May
Cc: Kenneth Portz
Subject: FW: Hobson/Starr

Good morning Ladies,

Is this something you all even do at defense counsel's request? This is in regard to Crystal's work under Lab Case No. 15-01887.2. If it is something you do, are you able to complete it before 5/2? Please let us know when you have a moment. Thanks!

Thank you!

Liz Mercer
Chief Deputy District Attorney
Gun Crimes Unit
Clark County District Attorney's Office

From: Richard Tanasi
Sent: Friday, April 15, 2016 10:29 AM
To: Elizabeth Mercer
Cc: I ; Kenneth Portz <
Subject: Re: Hobson/Starr

Hello Liz/Nick-I just spoke with Dr. Rudin. She has reviewed the the mixture-memo dated 2-21-2106, and interpretation protocol dated 2-29-2016. Based on that review, my expert recommends I request to the lab reinterpret items 6 (left snap on glove) and item 8 (right snap on glove). The interpretation guidelines may change the conclusions reached in the DNA reports in this case. The complex mixtures may be reinterpreted in a more conservative fashion. In the end, the results may be more favorable to my client from an evidentiary stand point. Specifically, please see the conclusion section of the attached memo. If the lab cannot reinterpret items 6 (left snap on glove) and item 8 (right snap on glove) given the attached memo's conclusion before the current trial setting, I will have ask to continue the trial to allow time for the lab's reinterpretation. I'm passing this request along as soon as I learned of it. Please let me know. Thanks.—Rich.

On Apr 13, 2016, at 10:03 AM, Elizabeth Mercer <
wrote:

It's my understanding that they do not.

Sent from ! _____

On Wed, Apr 13, 2016 at 10:01 AM -0700, "Richard Tanasi"

< _____ > wrote:

Hello Liz-Does the lab intend to modify their DNA conclusions in this case based on their new interpretation protocols? Thank you.-Rich.

Sent from my iPhone

Richard Tanasi, Esq.
Tanasi Law Offices
Attorney/Owner

This email is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If the reader of this email is not the intended recipient, or the employee or agent responsible for delivering the email to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Exhibit D

Exhibit D

00356

1 **RICHARD E. TANASI, ESQ.**

2 Nevada Bar No. 9699

3 **TANASI LAW OFFICES**

4 601 S. Seventh Street, 2nd Floor

5 Las Vegas, NV 89101

6 Telephone: (702) 906-2411

7 Facsimile: (866) 299-5274

8 Email: rtanasi@tanasilaw.com

9 *Attorney for Defendant*

10 **EIGHTH JUDICIAL DISTRICT COURT**

11 **FOR THE DISTRICT OF NEVADA**

12 STATE OF NEVADA,

13 Plaintiff,

14 vs.

15 TONY LEE HOBSON, et al.

16 Defendants.

Case No.: C-14-303022-1

Dept.: 19

17 **ORDER**

18 THIS CAUSE having come on for hearing before the Honorable William Kephart,
19 District Judge, on the ____ day of ____, 2016, Defendant TONY HOBSON being present and
20 represented by counsel, RICHARD TANASI, and the State being represented by STEVEN B.
21 WOLFSON, District Attorney, by and through LIZ MERCER, Chief Deputy District Attorney,
22 and KENNETH PORTZ, Deputy District Attorney, and the Court having considered the matter,
23 including briefs, transcripts, arguments of counsel, and documents on file herein, now therefore,
24 the Court Orders as follows:

25 THEREFORE, IT IS HEREBY ORDERED that Defendant's Motion for Discovery is
26 GRANTED.

27 IT IS FURTHER ORDERED that Items 6 and 8 of the September 9, 2015 Report
28 prepared in this case shall be reinterpreted and/or reevaluated in accordance with LVMPD's
Interoffice Memorandums, dated February 21, 2016 and February 23, 2016.

TANASI LAW OFFICES

601 S. Seventh Street, 2nd Floor

Las Vegas, Nevada 89101

702-906-2411 • Fax 866-299-5274

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DATED this _____ day of _____, 2016

DISTRICT JUDGE

SUBMITTED BY:

Richard E. Tanasi, Esq.

TANASI LAW OFFICES

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Las Vegas, Nevada 89101

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MOT
RICHARD E. TANASI, ESQ.
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Attorney for Defendant

**FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT**

MAY 19 2016

BY Kory Schlitz
KORY SCHLITZ, DEPUTY

**EIGHTH JUDICIAL DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

* * * *

STATE OF NEVADA,

Plaintiff,

vs.

TONY LEE HOBSON,
BRANDON STARR

Defendants.

Case No.: C-14-303022-1
Dept No.: 19

**DEFENDANT HOBSON AND
STARR'S JOINT MEMORANDUM
IN SUPPORT OF PROPOSED JURY
INSTRUCTIONS**

COMES NOW, Defendant, TONY LEE HOBSON, by and through his attorney of record,
RICHARD E. TANASI, ESQ. of TANASI LAW OFFICES and Defendant, BRANDON STARR,
by and through his attorney of record, LANCE A. MANINGO, ESQ. of BELLON & MANINGO,
LTD.

I.

MEMORANDUM OF POINTS AND AUTHORITIES

Defendants HOBSON and STARR jointly propose the following instructions:¹

- 1. TESTIMONY OF WITNESSES INVOLVING SPECIAL CIRCUMSTANCES—
IMMUNITY, BENEFITS, ACCOMPLICE, PLEA**

C-14-303022-1
MEMO
Memorandum
4548194



¹ Sec. proposed Instructions attached hereto as Ex. A.

12

You have heard testimony from DONTE JOHNS, a witness who will receive a benefit for his testimony. That testimony was given in exchange for a promise by the State that the testimony will not be used in any case against him and a promise that he will receive favored treatment from the State in connection with this case. DONTE JOHNS has admitted to being an accomplice to the crimes charged. An accomplice is one who voluntarily and intentionally joins with another person in committing a crime.

DONTE JOHNS has pleaded guilty to a crime arising out of the same events for which TONY HOBSON AND BRANDON STARR is on trial. This guilty plea is not evidence against the defendant, and you may consider it only in determining this witness's believability. For these reasons, in evaluating the testimony of DONTE JOHNS, you should consider the extent to which or whether his testimony may have been influenced by any of these factors. In addition, you should examine the testimony of DONTE JOHNS with greater caution than that of other witnesses.

See, Crowe v. State, 84 Nev. 358 (1968)[In order to protect so far as possible the essential rights of the defendant it is required that trial courts call the attention of the jurors specifically to the possibility of news accounts and to admonish the jurors not to read or listen to them. Likewise there is abundant authority recognizing that formal cautionary instructions are equally essential to provide the jury with specific guidelines to assure the requisite balance of impartiality.]; see also, Buckley v. State, 95 Nev. 602 (1979), Ninth Circuit Model J.I. 4.9 TESTIMONY OF WITNESSES INVOLVING SPECIAL CIRCUMSTANCES—IMMUNITY, BENEFITS, ACCOMPLICE, PLEA *Comment* The instruction to consider accomplice testimony with "greater caution" is appropriate regardless of whether the accomplice's testimony favors the defense or prosecution. *United States v. Tirouda*, 394 F.3d 683, 687-88 (9th Cir.2005), *cert. denied*, 547 U.S. 1005 (2006). The Committee recommends giving this instruction whenever it is requested.

2. ACCOMPLICE WITNESS

An accomplice is hereby defined as one who is liable for prosecution, for the identical offense charged against the defendants on trial in the case in which the testimony of the accomplice is given. To be an accomplice, the person must have aided, promoted, encouraged, or instigated by act of advice the commission of such offense with knowledge of the unlawful purpose of the person or persons who committed the offense.

You are instructed that Donte Johns is an accomplice.

To use an accomplice's testimony in determining whether or not to convict the defendants of the charged crimes, you must find that the accomplice testimony is corroborated by other evidence, without the aid of the testimony of the accomplice,

and tends to connect the defendants with the commission of the offense. Corroboration shall not be sufficient if it merely shows the commission of the offense or the circumstances thereof.

NRS 175.291; Rowland v. State, 118 Nev. 31 (2002)

3. CREDIBILITY OF ACCOMPLICE TESTIMONY (ALTERNATIVE)

You are instructed that Donte Johns has been given an inducement in exchange for his cooperation in this prosecution. You may consider this inducement as one of many circumstances that you may take into consideration in weighing the credibility of such a witness.

4. INVERSE FLIGHT INSTRUCTION

The fact that the defendants did not (flee, leave the scene, leave the area) does not in itself prove that the defendant is not guilty, but is a fact that may be considered by you in light of all other proved facts in deciding the question of whether the defendant is guilty or not guilty.

See, Weber v. State, 121 Nev. 554 (2005)[Flight "signifies something more than a mere going away. It embodies the idea of going away with a consciousness of guilt, for the purpose of avoiding arrest.]; See also Blanco v. State, 392 F3d 382 (2004) for 9th circuit version of instruction).

5. DUAL ROLE TESTIMONY

You have heard testimony from CRYSTAL MAY, JESSICA CHARAK, and ERIK GILKERSON who to both facts and opinions and the reasons for his/her opinions.

Fact testimony is based on what the witness saw, heard or did. Opinion testimony is based on the education or experience of the witness.

As to the testimony about facts, it is your job to decide which testimony to believe and which testimony not to believe. You may believe everything a witness says, or part of it, or none of it. Take into account the factors discussed earlier in these instructions that were provided to assist you in weighing the credibility of witnesses.

As to the testimony about the witness's opinions, this opinion testimony is allowed because of the education or experience of this witness. Opinion testimony should be judged like any other testimony. You may accept all of it, part of it, or none of it. You should give it as much weight as you think it deserves, considering the witness's education and experience, the reasons given for the opinion, and all the other evidence in the case.

See, Ninth Circuit Model J.I. 4.14A DUAL ROLE TESTIMONY Comment. If a witness testifies to both facts and opinions, a cautionary instruction on the dual role of such a witness must be given. This situation can arise, for example, when a law enforcement witness testifies as both a fact witness and as an opinion witness. See United States v. Torralba-Mendia, 784 F.3d 652, 659 (9th Cir.2015); United States v. Vera, 770 F.3d 1232, 1246 (9th Cir.2014). In a criminal case, omitting such a cautionary or curative instruction is plain error, even if no party requests such an instruction or affirmatively opposes it. See Vera, 770 F.3d 1232 at 1246 (holding that court's failure to instruct jury on how to evaluate agent's dual role testimony prejudiced defendant when agent testified as both expert witness and lay, or fact, witness); see also Torralba-Mendia, 784 F.3d at 659 (noting holding in Vera and finding error in district court's omission of dual role instruction differentiating between lay and expert testimony). Indeed, in Torralba-Mendia, the government proposed such an instruction, the defendant objected and the court declined to give the instruction; the Ninth Circuit found plain error. *Id.* The court might also consider bifurcating a witness's testimony, separating a witness's percipient, or factual, testimony from the witness's expert opinions. See United States v. Anchrum, 590 F.3d 795, 803-04 (9th Cir.2009) (holding that district court "avoided blurring the distinction between [the case agent's] distinct role as a lay witness and his role as an expert witness" when it "clearly separated [the agent's] testimony into a first 'phase' consisting of his percipient observations, and a second 'phase' consisting of his credentials in the field of drug trafficking and expert testimony regarding the modus operandi of drug traffickers"). In addition, if an opinion witness is allowed to present otherwise inadmissible evidence under Fed. R. Evid. 703, an additional instruction may be needed. See Comment to Instruction 4.14. Also, when an opinion witness presents both expert opinion testimony and lay opinion testimony, as happened in Vera, further instructions may be needed.

6. CIRCUMSTANTIAL EVIDENCE

Circumstantial evidence alone can certainly sustain a criminal conviction. However, to be sufficient, all the circumstances taken together must exclude to a moral certainty every hypothesis but the single one of guilt.

Before you may rely on circumstantial evidence to conclude that a fact necessary to find the defendant guilty has been proved, you must be convinced that the State has proved each fact essential to that conclusion beyond a reasonable doubt. Also, before you may rely on circumstantial evidence to find the defendant guilty, you must be convinced that the only reasonable conclusion supported by the circumstantial evidence is that the defendant is guilty. If you can draw two or more reasonable conclusions from the circumstantial evidence, and one of those reasonable conclusions points to innocence and another to guilt, you must accept the one that points to innocence. However, when considering circumstantial evidence, you must accept only reasonable conclusions and reject any that are unreasonable.

State v. The Eighth Judicial District Court of The State of Nevada, The Honorable Judge Johnson, and Spuranovich, (Unpublished Nevada Supreme Court Order Granting Petition, No. 68837).

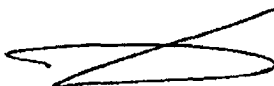
II.

CONCLUSION

Therefore, based upon the foregoing, Defendants request this Honorable Court instruct the jury as requested herein.

DATED this 9th day of May, 2016

TANASI LAW OFFICES



RICHARD E. TANASI, ESQ.
Nevada Bar No. 009699
601 S. Seventh St., 2nd Floor
Las Vegas, Nevada 89101

CERTIFICATE OF SERVICE

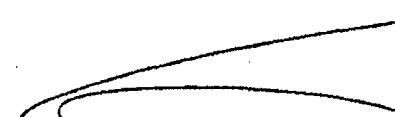
I hereby certify that on the 19th day of May, 2016, I served a true and correct copy of the **JOINT MEMORANDUM IN SUPPORT OF PROPOSED JURY INSTRUCTIONS**, addressed to the following counsel of record at the following address(es) as follows:

X **VIA HAND DELIVERY SERVICE:** by emailing the address(es) below.

Elizabeth Mercer, Esq.
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, NV 89155
elizabeth.mercer@clarkcountynvda.com
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Belon and Maningo
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Kenneth Portz, Esq.
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An employee of TANASI LAW OFFICES

Exhibit A

Exhibit A

INSTRUCTION NO. _____

You have heard testimony from DONTE JOHNS, a witness who will receive a benefit for his testimony. That testimony was given in exchange for a promise by the State that the testimony will not be used in any case against him and a promise that he will receive favored treatment from the State in connection with this case. DONTE JOHNS has admitted to being an accomplice to the crimes charged. An accomplice is one who voluntarily and intentionally joins with another person in committing a crime.

DONTE JOHNS has pleaded guilty to a crime arising out of the same events for which TONY HOBSON AND BRANDON STARR is on trial. This guilty plea is not evidence against the defendant, and you may consider it only in determining this witness's believability. For these reasons, in evaluating the testimony of DONTE JOHNS, you should consider the extent to which or whether his testimony may have been influenced by any of these factors. In addition, you should examine the testimony of DONTE JOHNS with greater caution than that of other witnesses.

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INSTRUCTION NO. _____

You are instructed that Donte Johns has been given an inducement in exchange for his cooperation in this prosecution. You may consider this inducement as one of many circumstances that you may take into consideration in weighing the credibility of such a witness.

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INSTRUCTION NO. _____

The fact that the defendants did not (flee, leave the scene, leave the area) does not in itself prove that the defendant is not guilty, but is a fact that may be considered by you in light of all other proved facts in deciding the question of whether the defendant is guilty or not guilty.

INSTRUCTION NO. _____

An accomplice is hereby defined as one who is liable for prosecution, for the identical offense charged against the defendants on trial in the case in which the testimony of the accomplice is given. To be an accomplice, the person must have aided, promoted, encouraged, or instigated by act of advice the commission of such offense with knowledge of the unlawful purpose of the person or persons who committed the offense.

You are instructed that Donte Johns is an accomplice.

To use an accomplice's testimony in determining whether or not to convict the defendants of the charged crimes, you must find that the accomplice testimony is corroborated by other evidence, without the aid of the testimony of the accomplice, and tends to connect the defendants with the commission of the offense. Corroboration shall not be sufficient if it merely shows the commission of the offense or the circumstances thereof.

NRS 175.291; Rowland v. State, 118 Nev. 31 (2002)

INSTRUCTION NO. _____

You have heard testimony from CRYSTAL MAY, JESSICA CHARAK, and ERIK GILKERSON who to both facts and opinions and the reasons for his/her opinions.

Fact testimony is based on what the witness saw, heard or did. Opinion testimony is based on the education or experience of the witness.

As to the testimony about facts, it is your job to decide which testimony to believe and which testimony not to believe. You may believe everything a witness says, or part of it, or none of it. Take into account the factors discussed earlier in these instructions that were provided to assist you in weighing the credibility of witnesses.

As to the testimony about the witness's opinions, this opinion testimony is allowed because of the education or experience of this witness. Opinion testimony should be judged like any other testimony. You may accept all of it, part of it, or none of it. You should give it as much weight as you think it deserves, considering the witness's education and experience, the reasons given for the opinion, and all the other evidence in the case.

INSTRUCTION NO. _____

Circumstantial evidence alone can certainly sustain a criminal conviction. However, to be sufficient, all the circumstances taken together must exclude to a moral certainty every hypothesis but the single one of guilt.

Before you may rely on circumstantial evidence to conclude that a fact necessary to find the defendant guilty has been proved, you must be convinced that the State has proved each fact essential to that conclusion beyond a reasonable doubt. Also, before you may rely on circumstantial evidence to find the defendant guilty, you must be convinced that the only reasonable conclusion supported by the circumstantial evidence is that the defendant is guilty. If you can draw two or more reasonable conclusions from the circumstantial evidence, and one of those reasonable conclusions points to innocence and another to guilt, you must accept the one that points to innocence. However, when considering circumstantial evidence, you must accept only reasonable conclusions and reject any that are unreasonable.

1 INST

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

MAY 23 2016

DISTRICT COURT
CLARK COUNTY, NEVADA

BY

Kory Schlitz
KORY SCHLITZ, DEPUTY

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 TONY LEE HOBSON #5992420,
11 BRANDON STARR #7014732

12 Defendants.

CASE NO: C-14-303022-1&2

DEPT NO: XIX

13 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. I)

14 MEMBERS OF THE JURY:

15 It is now my duty as judge to instruct you in the law that applies to this case. It is
16 your duty as jurors to follow these instructions and to apply the rules of law to the facts as
17 you find them from the evidence.

18 You must not be concerned with the wisdom of any rule of law stated in these
19 instructions. Regardless of any opinion you may have as to what the law ought to be, it
20 would be a violation of your oath to base a verdict upon any other view of the law than that
21 given in the instructions of the Court.
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27 C-14-303022-2
INST
Instructions to the Jury
4549294



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INSTRUCTION NO. _____

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

00372

An Indictment is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in a Second Superseding Indictment that on or about between the 28th day of October 28, 2014 and the 25th day of November, 2014 the Defendants TONY LEE HOBSON and BRANDON STARR committed the offenses of CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); CONSPIRACY TO COMMIT KIDNAPPING (Category B Felony - NRS 200.310, 200.320, 199.480 - NOC 50087); BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426); FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.310, 200.320, 193.165 - NOC 50055); ATTEMPT FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.310, 200.320, 193.330, 193.165 - NOC 50086); ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); and ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.330, 193.165 - NOC 50145) within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada as follows:

COUNT 1 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about October 28, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit robbery, that certain EL POLLO LOCO occupied by, JAMIE SCHOEBEL and/or DIANA MENA and/or JOSE BORJA and/or JENNIFER HERNANDEZ and/or DAVID CABALLERO, located at 4011 E. Charleston, Clark County, Nevada, while possessing and/or gaining possession of, a deadly weapon, to-wit: a knife and/or firearm, during the commission of the crime and/or before leaving the structure, Defendants being responsible under one or more of the following principles of criminal liability, to-wit: 1) by directly committing the said

1 offense and/or 2) by conspiring with each other to commit the said offense and/or 3) by
2 aiding or abetting each other in the commission of the offense with the intent to commit the
3 offense by traveling to the crime scene together, Defendant TONY LEE HOBSON and/or
4 Defendant BRANDON STARR, entering the business, while an unknown co-conspirator
5 acted as a lookout and drove them away from the scene, and all acting with the intent to
6 commit a robbery within the business, Defendants providing each other counsel and/or
7 encouragement and acting in concert throughout.

8 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

9 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
10 October 28, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an
11 unknown co-conspirator to commit a robbery.

12 COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

13 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
14 October 28, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
15 to-wit: U.S. Currency, from the person of JAMIE SCHOEBEL, or in her presence, by means
16 of force or violence, or fear of injury to, and without the consent and against the will of
17 JAMIE SCHOEBEL, with use of a deadly weapon, to-wit: a firearm and/or knife, said
18 Defendants being criminally liable under one or more of the following principles of criminal
19 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
20 commission of this crime, with the intent that this crime be committed by entering into a
21 course of conduct whereby Defendant TONY LEE HOBSON and/or Defendant BRANDON
22 STARR, did enter EL POLLO LOCO with firearms and/or a knife, one or more of their
23 number ordered the employees onto the ground at gunpoint/knifepoint, one or more of their
24 number directed the said JAMIE SCHOEBEL to the safe and commanded her to open it, one
25 of their number struck the said JAMIE SCHOEBEL, one of their number struck DIANA
26 MENA, one of their number struck JOSE BORJA, one or more of their number removed the
27 U.S. Currency from the safe, and then Defendant BRANDON STARR and Defendant
28 TONY LEE HOBSON, fled the business with the U.S. Currency, and one of their number

1 and/or and an unknown co-conspirator acting as lookout and/or getaway driver, by providing
2 counsel and/or encouragement to one another by actions and words, and acting in concert
3 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

4 COUNT 4 – ROBBERY WITH USE OF A DEADLY WEAPON

5 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
6 October 28, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
7 to-wit: U.S. Currency, from the person of DIANA MENA, or in her presence, by means of
8 force or violence, or fear of injury to, and without the consent and against the will of DIANA
9 MENA, with use of a deadly weapon, to-wit: a firearm and/or knife, said Defendants being
10 criminally liable under one or more of the following principles of criminal liability, to-wit:
11 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
12 this crime, with the intent that this crime be committed by entering into a course of conduct
13 whereby Defendant TONY LEE HOBSON and/or Defendant BRANDON STARR, did enter
14 EL POLLO LOCO with firearms and/or a knife, one or more of their number ordered the
15 employees, including the said DIANA MENA onto the ground at gunpoint/knifepoint, one or
16 more of their number directed JAMIE SCHOEBEL to the safe and commanded her to open
17 it, one of their number struck the said JAMIE SCHOEBEL, one of their number struck
18 DIANA MENA, one of their number struck JOSE BORJA, one or more of their number
19 removed the U.S. Currency from the safe, and then Defendant BRANDON STARR and
20 Defendant TONY LEE HOBSON, fled the business with the U.S. Currency, and one of their
21 number and/or and an unknown co-conspirator acting as lookout and/or getaway driver, by
22 providing counsel and/or encouragement to one another by actions and words, and acting in
23 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

24 COUNT 5 – ROBBERY WITH USE OF A DEADLY WEAPON

25 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
26 October 28, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
27 to-wit: U.S. Currency, from the person of JOSE BORJA, or in his presence, by means of
28 force or violence, or fear of injury to, and without the consent and against the will of JOSE

1 BORJA, with use of a deadly weapon, to-wit: a firearm and/or knife, said Defendants being
2 criminally liable under one or more of the following principles of criminal liability, to-wit:
3 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
4 this crime, with the intent that this crime be committed by entering into a course of conduct
5 whereby Defendant TONY LEE HOBSON and/or Defendant BRANDON STARR, did enter
6 EL POLLO LOCO with firearms and/or a knife, one or more of their number ordered the
7 employees, including the said JOSE BORJA onto the ground at gunpoint/knifepoint, one or
8 more of their number directed JAMIE SCHOEBEL to the safe and commanded her to open
9 it, one of their number struck the said JAMIE SCHOEBEL, one of their number struck
10 DIANA MENA, one of their number struck JOSE BORJA, one or more of their number
11 removed the U.S. Currency from the safe, and then Defendant BRANDON STARR and
12 Defendant TONY LEE HOBSON, fled the business with the U.S. Currency, and one of their
13 number and/or and an unknown co-conspirator acting as lookout and/or getaway driver, by
14 providing counsel and/or encouragement to one another by actions and words, and acting in
15 concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

16 COUNT 6 – ROBBERY WITH USE OF A DEADLY WEAPON

17 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
18 October 28, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
19 to-wit: U.S. Currency, from the person of JENNIFER HERNANDEZ, or in her presence, by
20 means of force or violence, or fear of injury to, and without the consent and against the will
21 of JENNIFER HERNANDEZ, with use of a deadly weapon, to-wit: a firearm and/or knife,
22 said Defendants being criminally liable under one or more of the following principles of
23 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or
24 abetting in the commission of this crime, with the intent that this crime be committed by
25 entering into a course of conduct whereby Defendant TONY LEE HOBSON and/or
26 Defendant BRANDON STARR, did enter EL POLLO LOCO with firearms and/or a knife,
27 one or more of their number ordered the employees, including the said JENNIFER
28 HERNANDEZ onto the ground at gunpoint/knifepoint, one or more of their number directed

1 the said JAMIE SCHOEBEL to the safe and commanded her to open it, one of their number
2 struck the said JAMIE SCHOEBEL, one of their number struck DIANA MENA, one of their
3 number struck JOSE BORJA, one or more of their number removed the U.S. Currency from
4 the safe, and then Defendant BRANDON STARR and Defendant TONY LEE HOBSON,
5 fled the business with the U.S. Currency, and one of their number and/or and an unknown
6 co-conspirator acting as lookout and/or getaway driver, by providing counsel and/or
7 encouragement to one another by actions and words, and acting in concert throughout;
8 and/or (3) pursuant to a conspiracy to commit this crime.

9 COUNT 7 – ROBBERY WITH USE OF A DEADLY WEAPON

10 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
11 October 28, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
12 to-wit: U.S. Currency, from the person of DAVID CABALLERO, or in his presence, by
13 means of force or violence, or fear of injury to, and without the consent and against the will
14 of DAVID CABALLERO, with use of a deadly weapon, to-wit: a firearm and/or knife, said
15 Defendants being criminally liable under one or more of the following principles of criminal
16 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
17 commission of this crime, with the intent that this crime be committed by entering into a
18 course of conduct whereby Defendant TONY LEE HOBSON and/or Defendant BRANDON
19 STARR, did enter EL POLLO LOCO with firearms and/or a knife, one or more of their
20 number ordered the employees, including the said DAVID CABAELLERO, onto the ground
21 at gunpoint/knifepoint, one or more of their number directed the said JAMIE SCHOEBEL to
22 the safe and commanded her to open it, one of their number struck the said JAMIE
23 SCHOEBEL, one of their number struck DIANA MENA, one of their number struck JOSE
24 BORJA, one or more of their number removed the U.S. Currency from the safe, and then
25 Defendant BRANDON STARR and Defendant TONY LEE HOBSON, fled the business
26 with the U.S. Currency, and one of their number and/or an unknown co-conspirator acting as
27 lookout and/or getaway driver, by providing counsel and/or encouragement to one another
28 by actions and words, and acting in concert throughout; and/or (3) pursuant to a conspiracy

1 to commit this crime.

2 COUNT 8 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

3 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
4 October 29, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit robbery,
5 that certain 7-11 occupied by, DARNELL BUTLER located at 4581 E. Charleston, Clark
6 County, Nevada, while possessing and/or gaining possession of, a deadly weapon, to-wit: a
7 knife and/or firearm, during the commission of the crime and/or before leaving the structure,
8 Defendants being responsible under one or more of the following principles of criminal
9 liability, to-wit: 1) by directly committing the said offense and/or 2) by conspiring with each
10 other to commit the said offense and/or 3) by aiding or abetting each other in the commission
11 of the offense with the intent to commit the offense by traveling to the crime scene together,
12 Defendant TONY LEE HOBSON and/or Defendant BRANDON STARR, entering the
13 business, while an unknown co-conspirator acted as a lookout and drove them away from the
14 scene, and all acting with the intent to commit a robbery within the business, Defendants
15 providing each other counsel and/or encouragement and acting in concert throughout.

16 COUNT 9 - CONSPIRACY TO COMMIT ROBBERY

17 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
18 October 29, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an
19 unknown co-conspirator to commit a robbery.

20 COUNT 10 – ROBBERY WITH USE OF A DEADLY WEAPON

21 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
22 October 29, 2014 then and there wilfully, unlawfully, and feloniously take personal property,
23 to-wit: U.S. Currency, from the person of DARNELL BUTLER, or in his presence, by
24 means of force or violence, or fear of injury to, and without the consent and against the will
25 of DARNELL BUTLER, with use of a deadly weapon, to-wit: a firearm and/or knife, said
26 Defendants being criminally liable under one or more of the following principles of criminal
27 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
28 commission of this crime, with the intent that this crime be committed by entering into a

1 course of conduct whereby Defendant TONY LEE HOBSON and/or Defendant BRANDON
2 STARR, did enter 7-11 with firearms and/or a knife, one or more of their number ordered
3 said DARNELL BUTLER to give him all the money, then one or more of their number
4 removed the U.S. Currency from the register once it was opened, and then Defendant
5 BRANDON STARR and Defendant TONY LEE HOBSON, fled the business with the U.S.
6 Currency, and one of their number and/or an unknown co-conspirator acting as lookout
7 and/or getaway driver, by providing counsel and/or encouragement to one another by actions
8 and words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit
9 this crime.

10 COUNT 11 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

11 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
12 conspirator, did on or about November 1, 2014 wilfully, unlawfully, and feloniously enter,
13 with intent to commit robbery, that certain PIZZA HUT occupied by, SHANNON POOLE
14 and/or DANIEL HEFFNER and/or GEORGE THIMAKSI located at 6130 W. Lake Mead,
15 Clark County, Nevada, while possessing and/or gaining possession of, a deadly weapon, to-
16 wit: a knife and/or firearm, during the commission of the crime and/or before leaving the
17 structure, Defendants being responsible under one or more of the following principles of
18 criminal liability, to-wit: 1) by directly committing the said offense and/or 2) by conspiring
19 with each other to commit the said offense and/or 3) by aiding or abetting each other in the
20 commission of the offense with the intent to commit the offense by traveling to the crime
21 scene together, Defendant TONY LEE HOBSON and/or Defendant BRANDON STARR,
22 entering the business, while an unknown co-conspirator acted as a lookout and drove them
23 away from the scene, and all acting with the intent to commit a robbery within the business,
24 Defendants providing each other counsel and/or encouragement and acting in concert
25 throughout.

26 COUNT 12 - CONSPIRACY TO COMMIT ROBBERY

27 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
28 November 1, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an

1 unknown co-conspirator to commit a robbery

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4 COUNT 13 – ROBBERY WITH USE OF A DEADLY WEAPON

5 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and/or an unknown
6 co-conspirator did on or about November 1, 2014 then and there wilfully, unlawfully, and
7 feloniously take personal property, to-wit: U.S. Currency, from the person of SHANNON
8 POOLE, or in her presence, by means of force or violence, or fear of injury to, and without
9 the consent and against the will of SHANNON POOLE, with use of a deadly weapon, to-
10 wit: a firearm and/or knife, said Defendants being criminally liable under one or more of the
11 following principles of criminal liability, to-wit: (1) by directly committing this crime;
12 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
13 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
14 HOBSON and/or Defendant BRANDON STARR, did enter PIZZA HUT with firearms
15 and/or a knife, one or more of their number gathered the other employees and held them at
16 gunpoint/knifepoint, and then one or more of their number forced SHANNON POOLE to
17 her knees and demanded access to the safe and/or registers, then one or more of their
18 number, removed the cash register and carried it out when Defendant BRANDON STARR
19 and Defendant TONY LEE HOBSON, fled the business with the U.S. Currency, and an
20 unknown co-conspirator acting as lookout and/or getaway driver, by providing counsel
21 and/or encouragement to one another by actions and words, and acting in concert
22 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

23 COUNT 14 – ROBBERY WITH USE OF A DEADLY WEAPON

24 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and/or an unknown
25 co-conspirator did on or about November 1, 2014 then and there wilfully, unlawfully, and
26 feloniously take personal property, to-wit: U.S. Currency, from the person of DANIEL
27 HEFFNER, or in his presence, by means of force or violence, or fear of injury to, and
28 without the consent and against the will of DANIEL HEFFNER, with use of a deadly

1 weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable under one or
2 more of the following principles of criminal liability, to-wit: (1) by directly committing this
3 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
4 this crime be committed by entering into a course of conduct whereby Defendant TONY
5 LEE HOBSON and/or Defendant BRANDON STARR, did enter PIZZA HUT with firearms
6 and/or a knife, one or more of their number gathered DANIEL HEFFNER and the other
7 employees and held them at gunpoint/knifepoint, and then one or more of their number
8 forced SHANNON POOLE to her knees and demanded access to the safe and/or registers,
9 then one or more of their number, removed the cash register and carried it out when
10 Defendant BRANDON STARR and Defendant TONY LEE HOBSON, fled the business
11 with the U.S. Currency, and an unknown co-conspirator acting as lookout and/or getaway
12 driver, by providing counsel and/or encouragement to one another by actions and words, and
13 acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

14 COUNT 15 – ROBBERY WITH USE OF A DEADLY WEAPON

15 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and/or an unknown
16 co-conspirator did on or about November 1, 2014 then and there wilfully, unlawfully, and
17 feloniously take personal property, to-wit: U.S. Currency, from the person of GEORGE
18 THIMAKSI, or in his presence, by means of force or violence, or fear of injury to, and
19 without the consent and against the will of GEORGE THIMAKSI, with use of a deadly
20 weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable under one or
21 more of the following principles of criminal liability, to-wit: (1) by directly committing this
22 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
23 this crime be committed by entering into a course of conduct whereby Defendant TONY
24 LEE HOBSON and/or Defendant BRANDON STARR, did enter PIZZA HUT with firearms
25 and/or a knife, one or more of their number gathered GEORGE THIMAKSI and the other
26 employees and held them at gunpoint/knifepoint, and then one or more of their number
27 forced SHANNON POOLE to her knees and demanded access to the safe and/or registers,
28 then one or more of their number, removed the cash register and carried it out when

1 Defendant BRANDON STARR and Defendant TONY LEE HOBSON, fled the business
2 with the U.S. Currency, and an unknown co-conspirator acting as lookout and/or getaway
3 driver, by providing counsel

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5 and/or encouragement to one another by actions and words, and acting in concert
6 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

7 COUNT 16 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

8 **DEFENDANTS** did on or about November 3, 2014 wilfully, unlawfully, and
9 feloniously enter, with intent to commit robbery, that certain PIZZA HUT occupied by
10 TREVOR FARAONE and/or ASHLEY CARMICHAEL and/or GUY BROWN and/or
11 THOMAS BAGWELL, located at 5105 E. Sahara, Clark County, Nevada, while possessing
12 and/or gaining possession of, a firearm and/or knife, a deadly weapon, during the
13 commission of the crime and/or before leaving the structure, Defendants being responsible
14 under one or more of the following principles of criminal liability, to-wit: 1) by directly
15 committing the said offense and/or 2) by conspiring with each other to commit the said
16 offense and/or 3) by aiding or abetting each other in the commission of the offense with the
17 intent to commit the offense by traveling to the crime scene together, Defendants TONY
18 LEE HOBSON and Defendant BRANDON STARR, entering the business, while Defendant
19 DONTE MAQUEL JOHNS acted as a lookout and drove them away from the scene, and all
20 acting with the intent to commit a robbery within the business, Defendants providing each
21 other counsel and/or encouragement and acting in concert throughout.

22 COUNT 17 - CONSPIRACY TO COMMIT ROBBERY

23 **DEFENDANTS** did on or about November 3, 2014, wilfully, unlawfully, and
24 feloniously conspire with each other to commit a robbery.

25 COUNT 18 – ROBBERY WITH USE OF A DEADLY WEAPON

26 **DEFENDANTS** did on or about November 3, 2014 then and there wilfully,
27 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and/or a cell
28 phone, from the person of TREVOR FARAONE, or in his presence, by means of force or

1 violence, or fear of injury to, and without the consent and against the will of TREVOR
2 FARAONE, with use of a deadly weapon, to-wit: a firearm and/or knife, said Defendants
3 being criminally liable under one or more of the following principles of criminal liability, to-
4 wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission
5 of this crime, with the intent that this crime be committed by entering into a course of
6 conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did
7 enter PIZZA HUT with firearms, one of their number gathered the other employees and
8 ordered them to get on the ground, while another of their number pointed a firearm at the
9 said TREVOR FARONE and/or one of their number pistol whipped the said TREVOR
10 FARONE and/or one of their number ordered him to give him the money and/or open the
11 safe and obtained the U.S. Currency, and then one of them rifled through the employees'
12 pockets and removed the cell phone of ASHLEY CARMICHAEL both Defendant
13 BRANDON STARR and Defendant TONY LEE HOBSON fled the business with the cell
14 phone and U.S. Currency, Defendant DONTÉ MAQUEL JOHNS acting as lookout and the
15 getaway driver, by providing counsel and/or encouragement to one another by actions and
16 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
17 crime.

18 COUNT 19 – ROBBERY WITH USE OF A DEADLY WEAPON

19 **DEFENDANTS** did on or about November 3, 2014 then and there wilfully,
20 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and/or a cell
21 phone, from the person of ASHLEY CARMICHAEL, or in her presence, by means of force
22 or violence, or fear of injury to, and without the consent and against the will of ASHLEY
23 CARMICHAEL, with use of a deadly weapon, to-wit: a firearm and/or knife, said
24 Defendants being criminally liable under one or more of the following principles of criminal
25 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
26 commission of this crime, with the intent that this crime be committed by entering into a
27 course of conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON
28 STARR did enter PIZZA HUT with firearms, one of their number gathered the other

1 employees and ordered them to get on the ground, while one of their number pointed a
2 firearm at TREVOR FARONE and ordered him to give him the money and/or open the safe
3 and obtained the U.S. Currency, and then one of them rifled through the employees' pockets
4 and removed the cell phone of ASHLEY CARMICHAEL both Defendant BRANDON
5 STARR and Defendant TONY LEE HOBSON fled the business with the cell phone and U.S.
6 Currency, Defendant DONTE MAQUEL JOHNS acting as lookout and the getaway driver,
7 by providing counsel and/or encouragement to one another by actions and words, and acting
8 in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

9 COUNT 20 – ROBBERY WITH USE OF A DEADLY WEAPON

10 **DEFENDANTS** did on or about November 3, 2014 then and there wilfully,
11 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and/or a cell
12 phone, from the person of THOMAS BAGWELL, or in his presence, by means of force or
13 violence, or fear of injury to, and without the consent and against the will of THOMAS
14 BAGWELL, with use of a deadly weapon, to-wit: a firearm and/or knife, said Defendants
15 being criminally liable under one or more of the following principles of criminal liability, to-
16 wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission
17 of this crime, with the intent that this crime be committed by entering into a course of
18 conduct whereby Defendant TONY LEE HOBSON and Defendant BRANDON STARR did
19 enter PIZZA HUT with firearms, one of their number gathered the other employees and
20 ordered them to get on the ground, while one of their number pointed a firearm at TREVOR
21 FARONE and ordered him to give him the money and/or open the safe and obtained the U.S.
22 Currency, and then one of them rifled through the employees' pockets and removed the cell
23 phone of ASHLEY CARMICHAEL both Defendant BRANDON STARR and Defendant
24 TONY LEE HOBSON fled the business with the cell phone and U.S. Currency, Defendant
25 DONTE MAQUEL JOHNS acting as lookout and the getaway driver, by providing counsel
26 and/or encouragement to one another by actions and words, and acting in concert
27 throughout; and/or (3) pursuant to a conspiracy to commit this crime.

28 COUNT 21 – ROBBERY WITH USE OF A DEADLY WEAPON

1 **DEFENDANTS** did on or about November 3, 2014 then and there wilfully,
2 unlawfully, and feloniously take personal property, to-wit: U.S. Currency and/or a cell
3 phone, from the person of GUY BROWN, or in his presence, by means of force or violence,
4 or fear of injury to, and without the consent and against the will of GUY BROWN, with use
5 of a deadly weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable
6 under one or more of the following principles of criminal liability, to-wit: (1) by directly
7 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
8 the intent that this crime be committed by entering into a course of conduct whereby
9 Defendant TONY LEE HOBSON and Defendant BRANDON STARR did enter PIZZA
10 HUT with firearms, one of their number gathered the other employees and ordered them to
11 get on the ground, while one of their number pointed a firearm at TREVOR FARONE and
12 ordered him to give him the money and/or open the safe and obtained the U.S. Currency, and
13 then one of them rifled through the employees' pockets and removed the cell phone of
14 ASHLEY CARMICHAEL, and then when said GUY BROWN walked into the business,
15 one of their number pointed a knife at him and reached into his pocket and removed U.S.
16 Currency, both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled
17 the business with the cell phone and U.S. Currency, Defendant DONTE MAQUEL JOHNS
18 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
19 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
20 conspiracy to commit this crime.

21 COUNT 22 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

22 **DEFENDANTS** did on or about November 4, 2014 wilfully, unlawfully, and
23 feloniously enter, with intent to commit robbery, that certain LITTLE CAESAR'S occupied
24 by IDANIA SACBA and/or JESUS DORAME, located at 4258 E. Charleston, Clark County,
25 Nevada, while possessing and/or gaining possession of, firearm, a deadly weapon, during the
26 commission of the crime and/or before leaving the structure, Defendants being responsible
27 under one or more of the following principles of criminal liability, to-wit: 1) by directly
28 committing the said offense and/or 2) by conspiring with each other to commit the said

1 offense and/or 3) by aiding or abetting each other in the commission of the offense with the
2 intent to commit the offense by traveling to the crime scene together, Defendants TONY
3 LEE HOBSON and Defendant BRANDON STARR, entering the business, while Defendant
4 DONTE MAQUEL JOHNS acted as a lookout and drove them away from the scene, and all
5 ///

6 acting with the intent to commit a robbery within the business, Defendants providing each
7 other counsel and/or encouragement and acting in concert throughout.

8 COUNT 23 - CONSPIRACY TO COMMIT ROBBERY

9 **DEFENDANTS** did on or about November 4, 2014, wilfully, unlawfully, and
10 feloniously conspire with each other to commit a robbery.

11 COUNT 24 – ROBBERY WITH USE OF A DEADLY WEAPON

12 **DEFENDANTS** did on or about November 4, 2014 then and there wilfully,
13 unlawfully, and feloniously take personal property, to-wit: a cell phone, from the person of
14 IDANIA SACBA, or in her presence, by means of force or violence, or fear of injury to, and
15 without the consent and against the will of IDANIA SACBA, with use of a deadly weapon,
16 to-wit: a firearm, said Defendants being criminally liable under one or more of the following
17 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
18 aiding or abetting in the commission of this crime, with the intent that this crime be
19 committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON
20 and Defendant BRANDON STARR did enter LITTLE CAESAR'S with firearms, one of
21 their number gathered JESUS DORAME and ordered him to get on the ground, while
22 another of their number pointed a firearm at the said IDANIA SACBA and ordered her to
23 give him the money and/or open the safe, and then that same person took her cell phone, and
24 then both Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the
25 business with the cell phone, Defendant DONTE MAQUEL JOHNS acting as lookout and
26 the getaway driver, by providing counsel and/or encouragement to one another by actions
27 and words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit
28 this crime.

1 COUNT 25 – ROBBERY WITH USE OF A DEADLY WEAPON

2 **DEFENDANTS** did on or about November 4, 2014 then and there wilfully,
3 unlawfully, and feloniously take personal property, to-wit: a cell phone, from the person of
4 JESUS DORAME, or in his presence, by means of force or violence, or fear of injury to, and
5 without the consent and against the will of JESUS DORAME, with use of a deadly weapon,
6 to-wit: a firearm, said Defendants being criminally liable under one or more of the following
7 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
8 aiding or abetting in the commission of this crime, with the intent that this crime be
9 committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON
10 and Defendant BRANDON STARR did enter LITTLE CAESAR'S with firearms, one of
11 their number gathered JESUS DORAME and ordered him to the ground, while another of
12 their number pointed a firearm at the said IDANIA SACBA and ordered her to give him the
13 money and/or open the safe, and then that same person took her cell phone, and then both
14 Defendant BRANDON STARR and Defendant TONY LEE HOBSON fled the business
15 with the cell phone, Defendant DONTE MAQUEL JOHNS acting as lookout and the
16 getaway driver, by providing counsel and/or encouragement to one another by actions and
17 words, and acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this
18 crime.

19 COUNT 26 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

20 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
21 November 15, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit
22 robbery, that certain POPEYES occupied by, JERONIMO URBINA and/or KARINA
23 AGUILAR and/or JOHANA VAZQUEZ and/or ANGELICA ORNELAS and/or JUAN
24 TAINGO located at 4505 E. Bonanza, Clark County, Nevada, while possessing and/or
25 gaining possession of, firearm, a deadly weapon, during the commission of the crime and/or
26 before leaving the structure, Defendants being responsible under one or more of the
27 following principles of criminal liability, to-wit: 1) by directly committing the said offense
28 and/or 2) by conspiring with each other to commit the said offense and/or 3) by aiding or

1 abetting each other in the commission of the offense with the intent to commit the offense by
2 traveling to the crime scene together, Defendant TONY LEE HOBSON and/or Defendant
3 BRANDON STARR, entering the business, while one of their number or an unknown co-
4 conspirator acted as a lookout and drove them away from the scene, and all acting with the
5 intent to commit a robbery within the business, Defendants providing each other counsel
6 and/or encouragement and acting in concert throughout.

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8 COUNT 27 - CONSPIRACY TO COMMIT ROBBERY

9 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
10 November 15, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an
11 unknown co-conspirator to commit a robbery

12 COUNT 28 – ROBBERY WITH USE OF A DEADLY WEAPON

13 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
14 conspirator did on or about November 15, 2014 then and there wilfully, unlawfully, and
15 feloniously take personal property, to-wit: U.S. Currency, from the person of JERONIMO
16 URBINA, or in his presence, by means of force or violence, or fear of injury to, and without
17 the consent and against the will of JERONIMO URBINA, with use of a deadly weapon, to-
18 wit: a firearm, said Defendants being criminally liable under one or more of the following
19 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
20 aiding or abetting in the commission of this crime, with the intent that this crime be
21 committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON
22 and/or Defendant BRANDON STARR, and/or an unknown co-conspirator did enter
23 POPEYES with firearms, one or more of their number gathered the other employees and
24 held them at gunpoint and then one or more of their number forced JERONIMO URBINA to
25 open the safe at gunpoint and then one or more of their, and then one or more of their
26 number forced JERONIMO URBINA to remove the U.S. Currency from the safe and placed
27 it into a plastic bag, while one or more of their number held the backdoor shut, preventing
28 the employees from leaving, and then Defendant BRANDON STARR, Defendant TONY

1 LEE HOBSON, and the unknown co-conspirator fled the business with the U.S. Currency,
2 and one of their number and/or an unknown co-conspirator acting as lookout and/or getaway
3 driver, by providing counsel and/or encouragement to one another by actions and words, and
4 acting in concert throughout; and/or (3) pursuant to a conspiracy to commit this crime.

5 COUNT 29 – ROBBERY WITH USE OF A DEADLY WEAPON

6 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
7 conspirator did on or about November 15, 2014 then and there wilfully, unlawfully, and
8 feloniously take personal property, to-wit: U.S. Currency, from the person of JUAN
9 TAINGO, or in his presence, by means of force or violence, or fear of injury to, and without
10 the consent and against the will of JUAN TAINGO, with use of a deadly weapon, to-wit: a
11 firearm, said Defendants being criminally liable under one or more of the following
12 principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by
13 aiding or abetting in the commission of this crime, with the intent that this crime be
14 committed by entering into a course of conduct whereby Defendant TONY LEE HOBSON
15 and/or Defendant BRANDON STARR, and/or an unknown co-conspirator did enter
16 POPEYES with firearms, one or more of their number gathered JUAN TAINGO and the
17 other employees and held them at gunpoint, and then one or more of their number forced
18 JERONIMO URBINA to open the safe at gunpoint and then one or more of their, and then
19 one or more of their number forced JERONIMO URBINA to remove the U.S. Currency
20 from the safe and placed it into a plastic bag, while one or more of their number held the
21 backdoor shut, preventing the employees from leaving, and then Defendant BRANDON
22 STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator fled the
23 business with the U.S. Currency, and one of their number and/or an unknown co-conspirator
24 acting as lookout and/or the getaway driver, by providing counsel and/or encouragement to
25 one another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
26 conspiracy to commit this crime.

27 COUNT 30 – ROBBERY WITH USE OF A DEADLY WEAPON

28 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-

1 conspirator did on or about November 15, 2014 then and there wilfully, unlawfully, and
2 feloniously take personal property, to-wit: U.S. Currency, from the person of ANGELICA
3 ORNELAS, or in her presence, by means of force or violence, or fear of injury to, and
4 without the consent and against the will of ANGELICA ORNELAS, with use of a deadly
5 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
6 following principles of criminal liability, to-wit: (1) by directly committing this crime;
7 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
8 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
9 HOBSON and/or Defendant BRANDON STARR, and/or an unknown co-conspirator did
10 enter POPEYES with firearms, one or more of their number gathered ANGELICA
11 ORNELAS and the other employees and held them at gunpoint, and then one or more of
12 their number forced JERONIMO URBINA to open the safe at gunpoint and then one or
13 more of their, and then one or more of their number forced JERONIMO URBINA to remove
14 the U.S. Currency from the safe and placed it into a plastic bag, while one or more of their
15 number held the backdoor shut, preventing the employees from leaving, and then Defendant
16 BRANDON STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator
17 fled the business with the U.S. Currency, and one of their number and/or an unknown co-
18 conspirator acting as lookout and/or getaway driver, by providing counsel and/or
19 encouragement to one another by actions and words, and acting in concert throughout;
20 and/or (3) pursuant to a conspiracy to commit this crime.

21 COUNT 31 – ROBBERY WITH USE OF A DEADLY WEAPON

22 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
23 conspirator did on or about November 15, 2014 then and there wilfully, unlawfully, and
24 feloniously take personal property, to-wit: U.S. Currency, from the person of JOHANA
25 VASQUEZ, or in her presence, by means of force or violence, or fear of injury to, and
26 without the consent and against the will of JOHANA VASQUEZ, with use of a deadly
27 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
28 following principles of criminal liability, to-wit: (1) by directly committing this crime;

1 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
2 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
3 HOBSON and/or Defendant BRANDON STARR, and/or an unknown co-conspirator did
4 enter POPEYES with firearms, one or more of their number gathered JOHANA VASQUEZ
5 and the other employees and held them at gunpoint, and then one or more of their number
6 forced JERONIMO URBINA to open the safe at gunpoint and then one or more of their, and
7 then one or more of their number forced JERONIMO URBINA to remove the U.S. Currency
8 from the safe and placed it into a plastic bag, while one or more of their number held the
9 backdoor shut, preventing the employees from leaving, and then Defendant BRANDON
10 STARR, Defendant TONY LEE HOBSON, and one of their number and/or the unknown co-
11 conspirator fled the business with the U.S. Currency, and/or an unknown co-conspirator
12 acting as lookout and the getaway driver, by providing counsel and/or encouragement to one
13 another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
14 conspiracy to commit this crime.

15 COUNT 32 – ROBBERY WITH USE OF A DEADLY WEAPON

16 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
17 conspirator did on or about November 15, 2014 then and there wilfully, unlawfully, and
18 feloniously take personal property, to-wit: U.S. Currency, from the person of KARINA
19 AGUILAR, or in her presence, by means of force or violence, or fear of injury to, and
20 without the consent and against the will of KARINA AGUILAR, with use of a deadly
21 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
22 following principles of criminal liability, to-wit: (1) by directly committing this crime;
23 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
24 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
25 HOBSON and/or Defendant BRANDON STARR, and/or an unknown co-conspirator did
26 enter POPEYES with firearms, one or more of their number stopped KARINA AGUILAR as
27 she tried to run to the back, kicked her, and caused her to fall to the ground, then demanded
28 to know the location of the safe while pointing a firearm at her, and one or more of their

1 number forced JERONIMO URBINA to open the safe at gunpoint and then one or more of
2 their, and then one or more of their number forced JERONIMO URBINA to remove the U.S.
3 Currency from the safe and placed it into a plastic bag, while one or more of their number
4 held the backdoor shut, preventing the employees from leaving, and then Defendant
5 BRANDON STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator
6 fled the business with the U.S. Currency, and one of their number and/or and an unknown
7 co-conspirator acting as lookout and the getaway driver, by providing counsel and/or
8 encouragement to one another by actions and words, and acting in concert throughout;
9 and/or (3) pursuant to a conspiracy to commit this crime.

10 COUNT 33 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

11 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
12 November 17, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit
13 robbery, that certain BURGER KING occupied by SONIA SOTO DE MASON and/or
14 CORNELL COMBS and/or JOSE ROMERO-CATANO, located at 2599 S. Nellis, Clark
15 County, Nevada, while possessing and/or gaining possession of, a firearm and/or knife, a
16 deadly weapon, during the commission of the crime and/or before leaving the structure,
17 Defendants being responsible under one or more of the following principles of criminal
18 liability, to-wit: 1) by directly committing the said offense and/or 2) by conspiring with each
19 other and an unknown conspirator to commit the said offense and/or 3) by aiding or abetting
20 each other in the commission of the offense with the intent to commit the offense by
21 traveling to the crime scene together, Defendant TONY LEE HOBSON, Defendant
22 BRANDON STARR, and an unknown co-conspirator entering the business, and all acting
23 with the intent to commit a robbery within the business, Defendants providing each other
24 counsel and/or encouragement and acting in concert throughout.

25 COUNT 34 - CONSPIRACY TO COMMIT ROBBERY

26 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
27 November 17, 2014, wilfully, unlawfully, and feloniously conspire with each other and an
28 unknown co-conspirator to commit a robbery.

1 COUNT 35 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

2 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
3 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
4 feloniously attempt to take personal property, to-wit: U.S. Currency, from the person of
5 CORNELL COMBS, or in his presence, by means of force or violence, or fear of injury to,
6 and without the consent and against the will of CORNELL COMBS, with use of a deadly
7 weapon, to-wit: a firearm, said Defendants being criminally liable under one or more of the
8 following principles of criminal liability, to-wit: (1) by directly committing this crime;
9 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
10 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
11 HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator did enter
12 BURGER KING with firearms and/or knives, one or more of their number gathered
13 CORNELL COMBS while one or more of their number gathered SONIA SOTO DE
14 MASON and ordered her to the front of the business and/or told her to open the register(s),
15 and then Defendant BRANDON STARR, Defendant TONY LEE HOBSON, and the
16 unknown co-conspirator fled the business, by providing counsel and/or encouragement to
17 one another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
18 conspiracy to commit this crime.

19 COUNT 36 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

20 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
21 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
22 feloniously attempt to take personal property, to-wit: U.S. Currency, from the person of
23 SONIA SOTO DE MASON, or in her presence, by means of force or violence, or fear of
24 injury to, and without the consent and against the will of SONIA DE MASON, with use of a
25 deadly weapon, to-wit: a firearm, said Defendants being criminally liable under one or more
26 of the following principles of criminal liability, to-wit: (1) by directly committing this crime;
27 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
28 crime be committed by entering into a course of conduct whereby Defendant TONY LEE

1 HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator did enter
2 BURGER KING with firearms and/or knives, one or more of their number gathered
3 CORNELL COMBS while one or more of their number gathered SONIA SOTO DE
4 MASON and ordered her to the front of the business and/or told her to open the register(s),
5 and then Defendant BRANDON STARR, Defendant TONY LEE HOBSON, and the
6 unknown co-conspirator fled the business, by providing counsel and/or encouragement to
7 one another by actions and words, and acting in concert throughout; and/or (3) pursuant to a
8 conspiracy to commit this crime.

9 COUNT 37 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

10 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
11 November 17, 2014 wilfully, unlawfully, and feloniously enter, with intent to commit
12 robbery, that certain WENDY'S occupied by NOEMY MORROQUIN and/or JANIE
13 FANNON and/or JESUS LOPEZ and/or ANTHONY MADDAFORD and/or JUAN
14 MENDOZA, located at 990 N. NELLIS, Clark County, Nevada, while possessing and/or
15 gaining possession of, firearm and/or knife, a deadly weapon, during the commission of the
16 crime and/or before leaving the structure, Defendants being responsible under one or more of
17 the following principles of criminal liability, to-wit: 1) by directly committing the said
18 offense and/or 2) by conspiring with each other and an unknown co-conspirator to commit
19 the said offense and/or 3) by aiding or abetting each other in the commission of the offense
20 with the intent to commit the offense by traveling to the crime scene together, Defendant
21 TONY LEE HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator
22 entering the business, and all acting with the intent to commit a robbery within the business,
23 Defendants providing each other counsel and/or encouragement and acting in concert
24 throughout.

25 COUNT 38 - CONSPIRACY TO COMMIT ROBBERY

26 Defendants **TONY LEE HOBSON** and **BRANDON STARR** did on or about
27 November 17, 2014, wilfully, unlawfully, and feloniously conspire with each other and/or an
28 unknown co-conspirator to commit a robbery.

1 COUNT 39 – ROBBERY WITH USE OF A DEADLY WEAPON

2 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
3 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
4 feloniously take personal property, to-wit: U.S. Currency, from the person of NOEMY
5 MARROQUIN, or in her presence, by means of force or violence, or fear of injury to, and
6 without the consent and against the will of NOEMY MARROQUIN, with use of a deadly
7 weapon, to-wit: a firearm and/or knife, said Defendants being criminally liable under one or
8 more of the following principles of criminal liability, to-wit: (1) by directly committing this
9 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
10 this crime be committed by entering into a course of conduct whereby Defendant TONY
11 LEE HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator did enter
12 WENDY'S with firearms, one or more of their number gathered NOEMY MARROQUIN
13 and the other employees and ordered them to lay on the ground while one or more of their
14 number forced JUAN MENDOZA into the office, then one or more of their number ordered
15 JUAN MENDOZA to open the safe at gunpoint and then one or more of their number struck
16 the said JUAN MENDOZA in the head with a firearm, and then one or more of their number
17 removed the U.S. Currency from the safe and placed it into a blue bag, and then Defendant
18 BRANDON STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator
19 fled the business with the U.S. Currency, and one of their number and/or an unknown co-
20 conspirator acting as lookout and the getaway driver, by providing counsel and/or
21 encouragement to one another by actions and words, and acting in concert throughout;
22 and/or (3) pursuant to a conspiracy to commit this crime.

23 COUNT 40 – ROBBERY WITH USE OF A DEADLY WEAPON

24 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
25 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
26 feloniously take personal property, to-wit: U.S. Currency, from the person of JANIE
27 FANNON, or in her presence, by means of force or violence, or fear of injury to, and
28 without the consent and against the will of JANIE FANNON, with use of a deadly weapon,

1 to-wit: a firearm and/or knife, said Defendants being criminally liable under one or more of
2 the following principles of criminal liability, to-wit: (1) by directly committing this crime;
3 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
4 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
5 HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator did enter
6 WENDY'S with firearms, one or more of their number gathered JANIE FANNON and the
7 other employees and ordered them to lay on the ground while one or more of their number
8 forced JUAN MENDOZA into the office, then one or more of their number ordered JUAN
9 MENDOZA to open the safe at gunpoint and then one or more of their number struck the
10 said JUAN MENDOZA in the head with a firearm, and then one or more of their number
11 removed the U.S. Currency from the safe and placed it into a blue bag, and then Defendant
12 BRANDON STARR, Defendant TONY LEE HOBSON, and the unknown co-conspirator
13 fled the business with the U.S. Currency, and one of their number and/or an unknown co-
14 conspirator acting as lookout and the getaway driver, by providing counsel and/or
15 encouragement to one another by actions and words, and acting in concert throughout;
16 and/or (3) pursuant to a conspiracy to commit this crime.

17 COUNT 41 – ROBBERY WITH USE OF A DEADLY WEAPON

18 Defendants **TONY LEE HOBSON** and **BRANDON STARR** and an unknown co-
19 conspirator did on or about November 17, 2014 then and there wilfully, unlawfully, and
20 feloniously take personal property, to-wit: U.S. Currency, from the person of JESUS
21 LOPEZ, or in his presence, by means of force or violence, or fear of injury to, and without
22 the consent and against the will of JESUS LOPEZ, with use of a deadly weapon, to-wit: a
23 firearm and/or knife, said Defendants being criminally liable under one or more of the
24 following principles of criminal liability, to-wit: (1) by directly committing this crime;
25 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
26 crime be committed by entering into a course of conduct whereby Defendant TONY LEE
27 HOBSON, Defendant BRANDON STARR, and an unknown co-conspirator did enter
28 WENDY'S with firearms, one or more of their number gathered JESUS LOPEZ and the

SPEAS, WILLIAM
CSA II

P# 5228
SS#: 570-82-5191

CRIMINALISTICS BUREAU FIELD
DOH: 07-29-96

DATE	CLASS TITLE	AGENCY	CREDIT HOURS
08-06-90	Electronic Systems Technology	Community College of the Air Force	Associate Degree
02-25-91	Audiovisual Production Services	Community College of the Air Force	Associate Degree
08-11-95	COMMUNITY COLLEGE OF THE AIR FORCE - SEE ATTACHED FOR PARTICULARS - Medical Laboratory Technician	Applied Science - Medical Laboratory Technician	Associate Degree of Applied Science
05-21-97	To Your Good Health - 90s	LVMPD	7
05-15-00	COMMUNITY COLLEGE OF SOUTHERN NEVADA - SEE ATTACHED FOR PARTICULARS - Criminal Justice - Law Enforcement Emphasis	Applied Science - Criminal Justice - Law Enforcement Emphasis	Associate Degree of Applied Science
02-23 to 02-25-99	Latent Print Identification - (in cooperation with FBI)	Law Enforcement Officers Training School	24
04-28 to 04-30-99	First Annual Educational Conference Opening Ceremonies (2)	NSDIAI	2
"	DNA Evidence	NSDIAI	2
"	Body ID Techniques	NSDIAI	2
"	Superglue	NSDIAI	2
"	Blood Enhancement	NSDIAI	4
"	Child Abuse	NSDIAI	2
"	Traffic Photography	NSDIAI	2
"	Clandestine Labs	NSDIAI	2
"	Laboratory Photography	NSDIAI	2
"	Death Investigations	NSDIAI	2
"	Footwear/Tire Tracks	NSDIAI	2
09-02-99	Active Charter Member - # 00023	NSDIAI	
10-21-99	New Civilian Employee Orientation Course	LVMPD	56
10-25 to 11-18-99	Crime Scene Analyst Academy - followed by	LVMPD	175

11-22-99	Civilian Use of Force/Firearms	LVMPD	21
11-22-99	Optional Weapon	LVMPD	1
	Field Training	LVMPD	400
11-10-00	Certificate - completed Basic Program in Forensic Science	American Institute of Applied Science, Inc.	230
11-29-00	Principles of Crime Scene Diagramming	North LV Police Dept.	8
12-09-99	Driver Training - Class II	LVMPD	8
01-17-01	Commission on Peace Officers' Standards and Training - "Courtroom Testimony for Police Officers"	State of Nevada	4
02-12 to 02-14-01	Clandestine Laboratory Safety Certification Course - Occasional Site Worker	LVMPD	24
04-12-02	Documentation of Footwear & Tire Impressions	LVMPD - Criminalistics Bureau	1
04-19-02	Clandestine Laboratory Safety - Fingerprint Processing	LVMPD - Criminalistics Bureau	1
04-22-02	Forensic Anthropology	LVMPD - Criminalistics Bureau	1.5
05-06-02	Major Case Prints	LVMPD - Criminalistics Bureau	3

00298


CLERK OF THE COURT

MOT
BELLON & MANINGO, LTD.
LANCE A. MANINGO, ESQ.
Nevada Bar No. 6405
732 S. Sixth Street, Suite 102
Las Vegas, Nevada 89101
Telephone: (702) 452-6299
Facsimile: (702) 452-6298
Email: lam@bellonandmaningo.com
Attorney for Defendant
BRANDON STARR

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	Case No. C-14-303022-2
Plaintiff,)	
)	Dept. No. XIX
vs.)	
)	
BRANDON STARR,)	
)	
Defendant.)	
_____)	

MOTION TO CONTINUE TRIAL

COMES NOW, Defendant BRANDON STARR by and through his attorney of record,
LANCE A. MANINGO, ESQ., of BELLON & MANINGO, LTD., and moves this court for a
continuance of the trial date currently scheduled for April 25, 2016.

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BELLON & MANINGO, LTD.
732 SOUTH SIXTH STREET, SUITE 102
LAS VEGAS, NEVADA 89101
702-452-6299 • 702-452-6298 FAX

1 This Motion is made and based upon the papers and pleadings on file herein, the
2 attached Memorandum of Points and Authorities, the attached Affidavit of LANCE A.
3 MANINGO, ESQ., and such oral argument as may be adduced at the time of the hearing in this
4 matter.
5

6 DATED this 5th day of April, 2016.
7

8 BELLON & MANINGO, LTD.

9
10 
11 LANCE A. MANINGO, ESQ.
12 Nevada Bar No. 6405
13 732 S. Sixth Street, Ste. 102
14 Las Vegas, Nevada 89101
15 Attorney for Defendant
16 BRANDON STARR

17 **NOTICE OF MOTION**

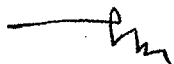
18 TO: THE STATE OF NEVADA, Plaintiff; and

19 TO: Deputy District Attorney

20 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned
21 will bring the foregoing Motion to Continue Trial on for hearing before the above-entitled
22 Court on the 18 day of April, 2016, at the hour of 8:30, a.m, in the above-
23 entitled department, or as soon thereafter as counsel may be heard.

24 DATED this 5th day of April, 2016.

25 BELLON & MANINGO, LTD.

26 
27 LANCE A. MANINGO, ESQ.
28 Nevada Bar No. 6405
732 S. Sixth Street, Ste. 102
Las Vegas, Nevada 89101
Attorney for Defendant
BRANDON STARR

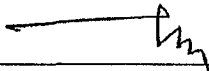
MEMORANDUM OF POINTS AND AUTHORITIES

As this Court is aware, Trial in this matter is currently set for April 25, 2016. Due to a scheduling conflict that has arisen with Mr. Starr's defense counsel, Counsel is requesting a continuance of this Trial. This is counsel's first request for a continuance in this matter.

Mr. Starr is being charged by way of a Superseding Indictment, containing a total of 82 criminal charges. On February 25, 2015, Mr. Starr entered a plea of not guilty at Initial Arraignment. As evidenced in the foregoing Affidavit, Mr. Starr's defense counsel has trial set in federal court at the same time. Therefore, it is respectfully requested that this Court continue Mr. Starr's trial.

DATED this 5th day of April, 2016.

BELLON & MANINGO, LTD.



LANCE A. MANINGO, ESQ.
Nevada Bar No. 6405
732 S. Sixth Street, Ste. 102
Las Vegas, Nevada 89101
Attorney for Defendant
BRANDON STARR

AFFIDAVIT OF LANCE A. MANINGO

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

LANCE A. MANINGO, ESQ., being first duly sworn according to law, deposes and states as follows:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada and am a partner of BELLON & MANINGO, LTD. Your affiant makes this affidavit based upon his own personal knowledge except as to those matters stated upon information and belief and as to those matters your affiant believes them to be true;

2. That your affiant is the attorney assigned to the matter of the *State of Nevada v. Brandon Starr*, Case No. C-14-303022-2;

3. That trial in this matter is currently set for April 25, 2016;

4. That a scheduling conflict has arisen in my trial calendar thereby making it necessary to continue this matter. I am going to be involved in the following trial: *USA v. Brian Wright* – 2:14-CR-00357, beginning April 25, 2016. This date is a firm start date.

5. That on March 30, 2016, I appeared in front of Judge Andrew P. Gordon for Calendar Call regarding *USA v. Brian Wright*.

6. That trial was set to start on April 4, 2016, but the Government requested a continuance because their offices were being relocated and they would be unable to prepare for trial.

7. That all parties advised the Court of their respective calendar conflicts. I specifically advised of the Brandon Starr trial; set to begin April 25, 2016.

1 8. That Judge Gordon considered all calendar conflicts, but ultimately set the Brian
2 Wright trial for April 25, 2016.
3

4 9. That Judge Gordon apologized to me and advised that he would be agreeable to
5 speaking to Judge Kephart, if necessary.
6

7 10. That this is the first request for a continuance of this trial.
8

9 11. That Mr. Starr is in custody and does not object to this continuance.
10

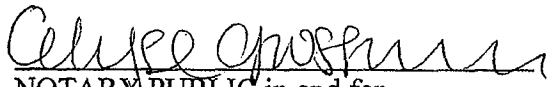
11 12. That your Affiant has discussed the need for a continuance with Mr. Starr and he
12 is agreeable to same; and
13

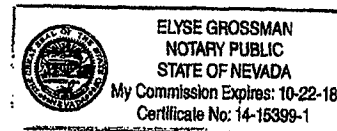
14 13. That this request to continue the trial is brought for the reasons stated above and
15 not for the purpose of undue delay.
16

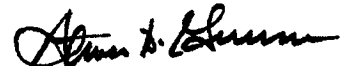
17 FURTHER AFFIANT SAYETH NAUGHT.
18

19
20 
21 LANCE A. MANINGO, ESQ.
22

23 SUBSCRIBED AND SWORN to before me
24 this 10th day of April, 2016.
25

26
27 
28 NOTARY PUBLIC in and for
said County and State.





CLERK OF THE COURT

OPPS

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
K. NICHOLAS PORTZ
Deputy District Attorney
Nevada Bar #12473
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

BRANDON STARR,
#7014732

Defendant.

CASE NO: C-14-303022-2

DEPT NO: XIX

STATE'S OPPOSITION TO DEFENDANT'S MOTION TO CONTINUE

DATE OF HEARING: APRIL 18, 2016
TIME OF HEARING: 8:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through K. NICHOLAS PORTZ, Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion To Continue.

This Opposition is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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00304

1 POINTS AND AUTHORITIES

2 ARGUMENT

3 Between December 12, 2014, and April 24, 2015, the State filed an Indictment and
4 Superseding Indictments charging Brandon Starr ("Defendant"), Tony Lee Hobson
5 ("Hobson") and Donte Maquel Johns ("Johns") with eighty-two separate counts related to an
6 armed robbery spree occurring between October 28, 2014, and November 25, 2014.

7 Following the filing of the Second Superseding Indictment, trial was originally set for
8 September 28, 2015. On September 23, 2015, trial was continued without objection as the
9 parties were trying to negotiate the matter. On October 7, 2015, *all parties advised that a trial*
10 *setting of April 25, 2016, would work with each of the parties' schedules.* Trial was set
11 accordingly.

12 On April 6, 2016, Defendant filed the instant motion to Continue Trial due to a
13 scheduling conflict with a federal court trial set for the same week. The State does not fault
14 defense counsel for his current scheduling conflict. Nonetheless, the State opposes
15 Defendant's current motion to continue a trial involving dozens of victims, officers, detectives,
16 crime scene investigators and forensic analysts, all of whom have been subpoenaed and are
17 preparing to testify *at the currently scheduled trial* regarding a series of fourteen violent armed
18 robberies, kidnappings and burglaries that plagued this community for nearly a month.

19 The State would note that this Court set trial in the instant case for April 25, 2016, *over*
20 *six months ago at the agreement of all parties;* the federal court moved its trial to April 25,
21 2016, *seven days ago* after a government request for a continuance due to the attorney's offices
22 "being relocated" and with the full understanding that this trial – a lengthy robbery series with
23 multiple defendants – was set for the same date.

24 With every continuance of a case this size, the State risks losing contact with more and
25 more victims of and witnesses to the Defendants' many crimes. The State therefore objects to
26 this continuance request due to prejudice the State will suffer as a result of the continuance.
27 The parties have long been aware that this case will not negotiate and must therefore go to
28 trial. Defendant(s) cannot claim any prejudice if the request to continue is denied as all parties

00305

1 were prepared to announce ready for the April 25, 2016 trial until Defendant filed the instant
2 motion on April 6, 2015. Furthermore, Defendant does not allege the basis for continuance to
3 be a lack of discovery or inability to be fully prepared to start trial, but rather a scheduling
4 conflict that was created only one week ago. The State would also note that it is the State's
5 understanding that Defendant's counsel is serving only as stand-by counsel for the federal
6 trial. Taking into account all of the aforementioned circumstances surrounding defense
7 counsel's state and federal cases, the State sees no legitimate basis for granting a continuance
8 at this late date.

9 The State therefore requests that this Court deny Defendant's request for continuance.
10 In the alternative, the State requests that this case trail the federal case. The State does not
11 oppose a start sometime the week of May 2, 2016, and will work with our many witnesses to
12 accommodate this trial change.

13 DATED this 7th day of April, 2016.

14 Respectfully submitted,

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

17 BY /s/ K. NICHOLAS PORTZ
18 K. NICHOLAS PORTZ
19 Deputy District Attorney
Nevada Bar #12473

20
21 CERTIFICATE OF ELECTRONIC FILING

22 I hereby certify that service of the foregoing, was made this 7th day of April, 2016, by
23 Electronic Filing to:

24 LANCE MANINGO, ESQ.
25 E-mail Address: lam@bellonandmaningo.com
26 RICHARD TANASI, ESQ.
E-mail Address: rtanasi@tanasilaw.com

27 /s/ Laura Mullinax
Secretary for the District Attorney's Office

28 14F18508B/KNP/llm/GCU

00306


CLERK OF THE COURT

SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
LIZ MERCER
Chief Deputy District Attorney
Nevada Bar #010681
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

TONY LEE HOBSON,
#5992420

Defendant.

CASE NO: C-14-303022-1

DEPT NO: XIX

**STATE'S SUPPLEMENTAL NOTICE OF WITNESSES AND/OR EXPERT
WITNESSES
[NRS 174.234]**

TO: TONY LEE HOBSON, Defendant; and

TO: RICHARD TANASI, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief.

These witnesses are in addition to those witnesses endorsed on the Information or
Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at
the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

//

//

1 ABELL, JEFFERY - LVMPD P#8744
2 ABREGO, ANGELICA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
3 AGUILAR, KARINA – 3700 E. BONANZA, LVN 89110
4 AIKEN, E. – HPD P#1311
5 ANGIE, LORI – 4581 E, CHARLESTON BLVD., LVN 89104
6 AOYAMA, KATHRYN – LVMPD P#8025 (or designee): LATENT PRINT EXAMINER -
7 Expert in the science and techniques of fingerprint comparison, and comparisons done in this
8 case and any reports prepared therefrom.
9 ATWOOD, C. – LVMPD P#10003
10 AUTEN, I. – LVMPD P#7938
11 BAGWELL, THOMAS – 6191 BLUE HILL AVE., LVN 89156
12 BONE, AUSTIN - LVMPD P#10065
13 BORJA, JOSE – 616 N. 13TH ST., LVN 89105
14 BROWN, GUY – 5105 E. SAHARA AVE., LVN 89121
15 BUTLER, DARNELL – 141 ALPINE CT., HND, NV 89074
16 CABALLERO, DAVID – 3682 SUMMER PICNIC CT., LVN 89147
17 CAHOON, G. – LVMPD P#6062
18 CARTER, JASON – LVMPD P#14302
19 CHARLTON, NOREEN – LVMPD P#13572 (or designee): CRIME SCENE ANALYST II:
20 Expert in the identification, documentation, collection and preservation of evidence and is
21 expected to testify as an expert to the identification, documentation, collection and
22 preservation of the evidence in this case.
23 CHARMICHAEL, ASHLEY – 1944 RANDA LN., LVN 89104
24 COMBS, CORNELL – 2599 S. NELLIS BLVD., LVN 89123
25 CONDS, CORNEL - UNKNOWN ADDRESS
26 CORNELAS-PEDROZ, ANGELICA – 2252 CASTLEBERRY LN., LVN 89156
27 COX, SKYLER – 595 GREEN VALLEY, HND, NV 89012
28 CUSTODIAN OF RECORDS – 7-11, 4581 E. CHARLESTON, LVN 89104

00308

1 CUSTODIAN OF RECORDS – BURGER KING, 2599 S. NELLIS BLVD., LVN 89121
2 CUSTODIAN OF RECORDS – CLARK COUNTY DETENTION CENTER
3 CUSTODIAN OF RECORDS – EL POLLO LOCO, 4011 E. CHARLESTON, LVN 89104
4 CUSTODIAN OF RECORDS – HENDERSON POLICE DEPARTMENT
5 CUSTODIAN OF RECORDS – HENDERSON POLICE DISPATCH
6 CUSTODIAN OF RECORDS – LITTLE CAESAR’S PIZZA, 4258 CHARLESTON, LVN
7 CUSTODIAN OF RECORDS – LVMPD COMMUNICATIONS
8 CUSTODIAN OF RECORDS - LVMPD RECORDS
9 CUSTODIAN OF RECORDS – PIZZA HUT, 5105 E. SAHARA AVE., LVN 89121
10 CUSTODIAN OF RECORDS – PIZZA HUT, 6130 W. LAKE MEAD, LVN 89108
11 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 4505 E. BONANZA, LVN 89110
12 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 60 STEPHANIE, HND, NV 89704
13 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 6121 VEGAS DR., LVN 89108
14 CUSTODIAN OF RECORDS – TACO BELL, 3264 S. NELLIS BLVD., LVN 89122
15 CUSTODIAN OF RECORDS – TACO BELL, 9480 W. LAKE MEAD, LVN 89134
16 CUSTODIAN OF RECORDS – WENDY’S, 7150 W. LAKE MEAD, LVN 89128
17 CUSTODIAN OF RECORDS – WENDY’S, 990 N. NELLIS, LVN 89110
18 DEPALMA, P. – LVMPD P#5297
19 DORAME, JAMES – 15620 N. 25TH AVE., PHOENIX, AZ 85023
20 DULATRE, S. – LVMPD P#14731
21 EBERT, JOSEPH – HPD P#1358
22 ENRIQUEZ, GAMALIEL – 1324 ROBBERS ROOST, HND, NV 89012
23 ESPINOZA, JOSE - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
24 FANNON, JANIE – 5639 FLOATING FLOWER AVE., LVN 89103
25 FARAONE, TREVOR – 501 E. LAKE MEAD AVE., LVN 89015
26 //
27 //
28 //

00309

1 FARRELL, PATRICK – HPD P#1267 (or designee): CRIME SCENE ANALYST: Expert in
2 the identification, documentation, collection and preservation of evidence and is expected to
3 testify as an expert to the identification, documentation, collection and preservation of the
4 evidence in this case.

5 FELABOM, ADAM – LVMPD P#8427 (or designee): CRIME SCENE ANALYST: Expert
6 in the identification, documentation, collection and preservation of evidence and is expected
7 to testify as an expert to the identification, documentation, collection and preservation of the
8 evidence in this case.

9 FIRESTINE, J. – LVMPD P#14161

10 FLYNN, PATRICK – LVMPD P#15144 (or designee): He is an expert in the collection,
11 analysis, and enhancement of video, as well as operation of surveillance video systems and
12 will testify regarding video collected and enhanced in this case, as well as applicable
13 surveillance systems.

14 FORSON, C. – LVMPD P#14082

15 FRANCO, M. – LVMPD P#13819

16 GILKERSON, ERIC – FBI: He will testify as an expert in the area of footwear impressions
17 and is expected to give opinions regarding whether shoeprints left at the scenes can be
18 identified to the shoes worn by any of the defendants in this case, and other related matters.

19 GOMEZ, ALMA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN

20 GONZALEZ-APARICIO, VANESSA – 1801 AMBOY DR., LVN 89108

21 GOULDTHORPE, HEATHER – LVMPD P#8646 (or designee): LATENT PRINT
22 EXAMINER I - Expert in the science and techniques of fingerprint comparison, and
23 comparisons done in this case and any reports prepared therefrom.

24 GREGO-SMITH, MALIK – LVMPD P#13451

25 HADEED, HOLLY – 6209 DON GASPER AVE., LVN 89108

26 HAGER, JORGE – LVMPD P#8716

27 HARTSHORN, BYRAN – HPD P#1146

28 HEARRELL, C. – LVMPD P#13751

00310

1 HEFFNER, DANIEL – 6048 CANYON GAP, NLVN 89031
2 HERNANDEZ, JENNIFER – 4011 E. CHARLESTON BLVD., LVN 89104
3 HERNANDEZ-BAUTISTA, SERGIO – 1001 N. PECOS RD., LVN 89101
4 HUBBARD, JESSICA – 2881 N. RANCHO DR., LVN 89130
5 KLOSTERMAN, OLIVIA – LVMPD P#13177 (or designee): CRIME SCENE ANALYST:
6 Expert in the identification, documentation, collection and preservation of evidence and is
7 expected to testify as an expert to the identification, documentation, collection and
8 preservation of the evidence in this case.
9 LANDERS, J. – LVMPD P#8073
10 LONG, K. – LVMPD P#6845
11 LOPEZ, LAURA – 7380 W. CHEYENNE AVE., LVN 89129
12 LOPEZ, LUIS – 1832 DOUBLE DELIGHT, LVN 89032
13 LORSON, K. – LVMPD P#5746
14 MADDAFORD, ANTHONY – 802 CRAZY HORSE WAY, LVN 89110
15 MARSHALL, LUCAS – LVMPD P#13755
16 MARTY-PAGAN, J. – LVMPD P#9883
17 MATLOCK, RONALD – LVMPD P#6708
18 MAY, CRYSTAL – LVMPD P#9288 (or designee): Expert in the field of DNA extractions,
19 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.
20 MECKLER, KRISTEN (Tucker) – LVMPD P#14402 (or designee): CRIME SCENE
21 ANALYST: Expert in the identification, documentation, collection and preservation of
22 evidence and is expected to testify as an expert to the identification, documentation, collection
23 and preservation of the evidence in this case.
24 MENA, DIANA – 4737 MONTE BELLO AVE., LVN 89110
25 MENDOZA, JUAN – 3055 S. NELLIS BLVD., LVN 89121
26 MOHLER, STEPHEN - LVMPD P#13810
27 MOORE, WILLIAM - LVMPD P#9003
28 MORALES, JORGE – 4833 INTEGRITY ST., NLVN 89031

00311

1 MORRQUIN, NOEMY – 5900 W. TROPICANA AVE., LVN 89103
2 MOSES, MARC – LVMPD P#13637 (or designee): He is an expert in the collection, analysis,
3 and enhancement of video, as well as operation of surveillance video systems and will testify
4 regarding video collected and enhanced in this case, as well as applicable surveillance systems.
5 MYROLD, ERIC - LVMPD P#13064
6 NELSON, J. – LVMPD P#6825
7 OYOQUE, GABRIELA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
8 PEARSON, K. – LVMPD P#14073
9 POOLE, SHANNON – 2437 CHARTER OAK, LVN 89108
10 RAMIREZ, GUILLERMO – 6945 WINEBERRY, LVN 89119
11 RAMIREZ, J. – LVMPD P#9791
12 REINER, JENNIFER – LVMPD P#8167 (or designee): SENIOR CRIME SCENE
13 ANALYST: Expert in the identification, documentation, collection and preservation of
14 evidence and is expected to testify as an expert to the identification, documentation, collection
15 and preservation of the evidence in this case.
16 ROBERTSON, J. – LVMPD P#7626
17 ROBINSON, J. – LVMPD P#13658
18 ROCHA, B. – LVMPD P#13510
19 ROMERO, JOSE – 4267 SACKS DR., LVN 89122
20 SACBA, IDANIA – 4258 E. CHARLESTON BLVD., LVN 89104
21 SANCHEZ, MARIA – 4040 BOULDER HWY, LVN 89121
22 SCHOEBEL, JAMIE – 3709 TABOR AVE., NLVN 89030
23 SHRUM, SHELLEY – LVMPD P#7917 (or designee): CRIME SCENE ANALYST: Expert in
24 the identification, documentation, collection and preservation of evidence and is expected to
25 testify as an expert to the identification, documentation, collection and preservation of the
26 evidence in this case.
27 SILVA, ALEJANDRA – 4124 MAPLE HILL RD., LVN 89115
28 SOTO DE MASON, SONIA – 4801 E. SAHARA, LVN 89121

00312

1 SPEAS, WILLIAM – LVMPD P#5228 (or designee): CRIME SCENE ANALYST: Expert
2 in the identification, documentation, collection and preservation of evidence and is expected
3 to testify as an expert to the identification, documentation, collection and preservation of the
4 evidence in this case.

5 SPIOTTO, LANCE - LVMPD P#4774

6 TARANGO, JUAN – 10028 CRIPS CLOVER ST., LVN 89183

7 THIMAKIS, GEORGE – 6011 VEGAS DR., LVN 89108

8 TURNER, LINDA - LVMPD P#6015

9 URBINA, JERONIMO – 579 ROXELLA LN., LVN 89110

10 URENA, CESAR – LVMPD P#9037

11 URIBE, ALEJANDRA – 6360 DON GASPER AVE., LVN 89108

12 VANCE, J. – LVMPD P#9004

13 VAN-DYKE, J. – LVMPD P#14721

14 VASQUEZ, JOHANA – 801 HYATTSVILLE ST., LVN 89110

15 VELAZQUEZ-BORRAGAN, RAFAEL - C/O CCDA/VWAC, 200 LEWIS AVE., LVN

16 VILLEGAS, SILVIA – 3935 LAS VEGAS BLVD., LVN 891115

17 VIRAY, L. – LVMPD P#13582

18 WALT, M. – LVMPD P#9828

19 WARD, JAMIE – 1827 W. GOWAN, LVN 89030

20 WEIRAUCH, THEODORE - LVMPD P#7465

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

23
24 BY /s//LIZ MERCER
25 LIZ MERCER
26 Chief Deputy District Attorney
27 Nevada Bar #010681
28

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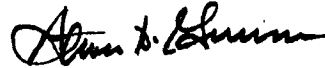
I hereby certify that service of State's Notice, was made this 11th day of April, 2016,
by Electronic Filing to:

RICHARD TANASI, ESQ.
E-mail Address: rtanasi@tanasilaw.com

/s/ Laura Mullinax
Secretary for the District Attorney's Office

mmw/GCU

00314



CLERK OF THE COURT

1 **FOFCOL**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **LIZ MERCER**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #0010689**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

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

14 **THE STATE OF NEVADA,**
15
16 **Plaintiff,**

17 **-vs-**

18 **BRANDON STARR,**
19 **#7014732**

20 **Defendant.**

CASE NO: C-14-303022-2

DEPT NO: XIX

21 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

22 **DATE OF HEARING: May 18, 2015**

23 **TIME OF HEARING: 8:30 A.M.**

24 **THIS CAUSE** having come on for hearing before the Honorable William Kephart,
25 **District Judge**, on the 18th day of May, 2015, Defendant being present and represented by
26 **counsel, LANCE MANINGO**, and the State being represented by **STEVEN B. WOLFSON**,
27 **District Attorney**, by and through **LIZ MERCER**, Chief Deputy District Attorney, and
28 **KENNETH PORTZ**, Deputy District Attorney, and the Court having considered the matter,
including briefs, transcripts, arguments of counsel, and documents on file herein, now
therefore, the Court makes the following findings of fact and conclusions of law:

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FINDS OF FACT

1. On December 12, 2014, the State filed a twelve (12) count Indictment charging Tony Lee Hobson ("Defendant"), Brandon Starr ("Defendant Starr"), and Donte Maquel Johns ("Defendant Johns") (collectively, "Defendants") with the crimes of Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480), Burglary While in Possession of a Firearm (Category B Felony – NRS 205.060); First Degree Kidnapping (Category A Felony – NRS 200.310, 200.320), and Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165), for a single armed robbery incident that occurred on November 24, 2014.

2. On February 20, 2015, the State filed an eighty-two (82) count Superseding Indictment charging Defendants with the crimes of Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480), Conspiracy to Commit Kidnapping (Category B Felony – NRS 200.380, 199.480), Burglary While in Possession of a Deadly Weapon (Category B Felony – NRS 205.060); First Degree Kidnapping With Use of a Deadly Weapon (Category A Felony – NRS 200.310, 200.320, 193.165), Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165), and Attempt Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.330, 193.165), for a series of fourteen (14) armed robbery incidents that occurred on or between October 28, 2014, and November 25, 2014.

I.

THE KIDNAPPINGS WERE NOT INCIDENTAL TO THE ROBBERIES.

1. Ms. Yanais Silva, Ms. Laura Lopez, Ms. Holly Hadeed, Ms. Jammie Ward, Ms. Alma Gomez and Mr. Rafael Velazquez, each of which was about to exit the property through the back door. (GJT Vol. 2, pp. 110-111; pp. 127-128; GJT Vol. 1, p. 11; p. 25). They were then forced to go back to the restaurant. (GJT Vol. 2, pp. 110-111; pp. 127-128; GJT Vol. 1, p. 11; p. 25).

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II.
THE STATE PRESENTED SUFFICIENT EVIDENCE TO SUSTAIN THE CHARGES.

2. First and foremost, the Defendant was directly linked to the Windbreaker Robbery Series through his arrest for attempt robbery on November 25, 2014. At the time of his arrest, Defendant was seen by Detective Weirauch exiting the suspect vehicle parked in front of a Taco Bell just after midnight. (GJT Vol. 1, p. 41). As he exited the vehicle, Defendant Starr was observed *wearing a black hoodie, a white surgical mask, and black pants*. (GJT Vol. 1, p. 41). Defendant Hobson was sitting in the front passenger seat of the vehicle. (GJT Vol. 1, p. 41). During a subsequent search of Defendant Hobson's residence, detectives located receipts from a Popeye's restaurant that had been robbed only an hour or so before Defendant's arrest. (GJT Vol. 1, pp. 51-52). Notably, these receipts were the *exact same receipts* victim Alma Gomez testified to giving the masked gunman during the robbery. (GJT Vol. 1, pp. 16-17). Detective Abell also testified that when Defendant was arrested, he was wearing clothing that was consistent with the clothing worn in several of the robberies in the Windbreaker Series. (GJT Vol. 3, p. 8). Further, Detective Lorson conducted a search of the Dodge Charger and recovered: two pairs of red and black gloves, a surgical mask, an orange and black hatchet, a pair of grey and red gloves and a revolver. (GJT Vol. 1, pp. 58-60).

3. All of this evidence directly implicates Defendant in the Windbreaker Robbery Series. The weapons, clothing, bags, masks, gloves, etc. found both on Defendant's person and inside the suspect vehicle are consistent with items used in the robbery series. This direct evidence tying Defendant to these crimes is bolstered by the similarities in both time, place, and modus operandi of each of the robberies.

4. The *modus operandi* between the robberies was similar. In all fourteen of the Windbreaker Series robberies the robbers all wore a distinctive windbreaker-type jacket. (GJT Vol. 2, p. 161). And, in eleven of these robberies only two suspects were present during the robbery. (GJT Vol. 2, p. 165). The robberies occurred at fast food restaurants and one convenience store at between about 10:45 pm to 1:00 am. (GJT Vol. 2, p. 165).

1 The suspects wore red or blue bandanas or surgical masks to conceal their faces. (GJT Vol.
2 2, p. 166). The crimes were committed with the use of a knife and a firearm. (GJT Vol. 2,
3 p. 167). A blue Walmart reusable bag was used in several of the robberies. (GJT Vol. 2, p.
4 167). The two robbers were described as one being taller and larger than the other. (GJT
5 Vol. 2, p. 168). The robbers usually wore gloves; the shorter robber usually wore the red
6 and black gloves with the white lettering on them; the taller robber usually wore one red and
7 black glove and the other one was a gray and red glove, and sometimes he wore two black
8 and red gloves. (GJT Vol. 2, p. 163). Finally, as the evidence clearly establishes, these 14
9 crimes took place over the course of less than one month and all within a limited
10 geographical area.

11 III.

12 THE CLERICAL ERROR IN THE SUPERSEDING INDICTMENT DOES NOT 13 ENTITLE DEFENDANT TO DISMISSAL OF COUNTS 77-80.

14 5. The Superseding Indictment clearly notices the Defendant that the crimes
15 alleged in Counts 77-80 (pertaining to the Henderson Popeye's Robbery) occurred "on or
16 between the 28th day of October 2014 and the 25th day of November, 2014." Thus, the
17 charging document clearly includes November 22, 2014. Second, Counts 77 through 80
18 state that the crimes alleged occurred "on or about November 24, 2014," which would also
19 include November 22, 2014.

20 IV.

21 USE OF LEADING QUESTIONS DID NOT PREJUDICE DEFENDANT.

22 6. A thorough review of the grand jury presentment clearly shows very few – if
23 any – instances of leading witnesses occur.

24 CONCLUSIONS OF LAW

25 I.

26 THE KIDNAPPINGS WERE NOT INCIDENTAL TO THE ROBBERIES; AND,
27 FURTHERMORE, THE QUESTION AS TO WHETHER THEY WERE IS FOR THE
28 TRIER OF FACT.

1 1. “To sustain *convictions* for both robbery and kidnapping arising from the
2 same course of conduct, any movement or restraint must stand alone with independent
3 significance from the act of robbery itself, create a risk of danger to the victim substantially
4 exceeding that necessarily present in the crime of robbery, or involve movement, seizure or
5 restraint substantially in excess of that necessary to its completion.” Mendoza v. State, 122
6 Nev. 267, 275-276, 130 P.3d 176, 181 (2006) (emphasis added).

7 2. Defendant’s reliance on Wright is misplaced as Wright is distinguished from
8 the instant matter. Unlike the victims in Wright, who were already inside the property, each
9 of the kidnapping victims in this case was about to exit the property through the back door.
10 (GJT Vol. 2, pp. 110-111; pp. 127-128; GJT Vol. 1, p. 11; p. 25). They were then forced to
11 go back to the restaurant. (GJT Vol. 2, pp. 110-111; pp. 127-128; GJT Vol. 1, p. 11; p. 25).

12 3. This is a critical difference and it justifies the grand jurors’ determination that
13 the victims’ detention, confinement and restraint in these particular events exceeded that
14 necessary to complete the robberies. Moreover, the testimony of these particular victims
15 established that their restraint and movement substantially increased their risk of harm
16 because it prevented them from fleeing from further batteries. Furthermore, the
17 restraint/movement had an independent purpose or significance as it kept these victims from
18 seeking help or alerting the police. Under Mendoza, any one of these exceptions renders the
19 kidnapping charges legitimate. Accordingly, the kidnapping charges must stand.

20 4. Furthermore, the question of whether the movement of a victim is incidental
21 to the associated offense and whether the movement increased the risk of harm to a victim
22 are questions of fact to be determined by a jury in all but the clearest of cases. Wright v.
23 State, 106 Nev. 647, 649, 799 P.2d 548, 549 (1990); Turner v. State, 98 Nev. 243, 245, 645
24 P.2d 971, 972 (1982); Curtis D. v. State, 98 Nev. 273, 274, 646 P.2d 547, 548 (1982);
25 Sheriff v. Medberry, 96 Nev. 202, 204, 606 P.2d 181, 182 (1980); Langford v. State, 95
26 Nev. 631, 638-39. 600 P.2d 231, 236-37 (1979). The question of whether Defendants’ acts
27 of restraining each victim as they attempted to escape and forcing them back into their
28 respective places of business was incidental or not to the robbery is clearly a question of

1 fact for the jury to determine.

2 **II.**
3 **THE STATE PRESENTED SUFFICIENT EVIDENCE TO SUSTAIN THE**
4 **CHARGES**

5 5. Evidence to support a finding of probable cause as to the charges as such
6 evidence may be based on "slight, even 'marginal' evidence...because it does not involve a
7 determination of the guilt or innocence of an accused." Sheriff v. Hodges, 96 Nev. 184, 186,
8 606 P.2d 178, 180 (1980); Sheriff v. Potter, 99 Nev. 389, 391, 663 P.2d 350, 352 (1983).
9 Probable cause was established that Defendant was one of the robbers in the Windbreaker
10 Series robberies because: Defendant was arrested wearing similar clothing as the
11 Windbreaker Series robbers, was inside the same vehicle with Defendant Starr who came out
12 of the vehicle wearing a black hoodie, a surgical mask and black pants, was sitting inside the
13 vehicle that contained numerous items matching the items used in the Windbreaker Series
14 robberies. This direct evidence tying Defendant to these crimes was bolstered by the
15 similarities in both time, place, and "M.O." between each of the robberies, all of which tends
16 to show Defendant's involvement in each crime alleged.

17 6. To the extent that Defendant argued that evidence of *modus operandi* should
18 not have been presented pursuant to Rosky v. State, 112 Nev. 184 (2005), the Court finds
19 that argument unpersuasive as it applies to the admissibility of uncharged bad acts at trial
20 pursuant to NRS 48.045(2).

21 7. Detective Weirauch's testimony was not hearsay as defined by NRS 51.053 as
22 it was not offered to prove the truth of the matter asserted, but was only offered to explain
23 his conduct following his identification of the suspect vehicle.

24 **III.**
25 **THE CLERICAL ERROR IN THE SUPERSEDING INDICTMENT DOES NOT**
26 **ENTITLE DEFENDANT TO DISMISSAL OF COUNTS 77-80.**

27 8. The State provided Defendant with reasonable notice of the nature of the
28 charges against him as it pertains to the Counts dealing with the Henderson Popeye's
Robbery alleged in Counts 77-80 of the Superseding Indictment, and he is not entitled to

1 dismissal based upon a typographical error as to the date. A criminal Information or
2 Indictment need only provide a defendant with "reasonable notice" of the nature of the
3 charges against him so that he can prepare a defense. The charging document set forth
4 sufficient facts to inform the defendant of the nature of the crime charged. NRS 173.075(1);
5 Wright v. State, 101 Nev. 269, 271, 701 P.2d 743, 744 (1985). A pleading need contain no
6 more than is necessary to enable a person of common understanding to know what is
7 intended by the state. See Wright v. State, 101 Nev. 269, 701 P.2d 743 (1985); State v.
8 Jones, 96 Nev. 71, 605 P.2d 202 (1980); Brimmage v. State, 93 Nev. 434, 567 P.2d 54
9 (1977); Siriani v. Sheriff, 93 Nev. 559, 571 P.2d 111 (1977); State v. Wright, 92 Nev. 734,
10 558 P.2d 1139 (1976); Watkins v. Sheriff, 87 Nev. 233, 484 P. 2d 1086 (1971).
11 Furthermore, amendment of the information prior to trial is an appropriate method for giving
12 the accused the notice to which he or she is entitled. State v. Eighth Judicial Dist. Court of
13 State, ex rel. County of Clark, 116 Nev. 374, 378, 997 P.2d 126, 129 (2000) and NRS
14 173.095.

15 IV.

16 USE OF LEADING QUESTIONS DID NOT PREJUDICE DEFENDANT.

17 9. The State's minimal use of leading questions did not prejudice the defendant.
18 In grand jury proceedings, "[l]eading questions... are permitted and common. McKethan v.
19 U.S., 439 U.S. 936, 938, 99 S.Ct. 333, 335, (1978). When the use of leading questions in
20 grand jury presentations has been challenged in Federal courts, relief has consistently been
21 denied. See, e.g., United States v. Brito, 907 F.2d 392, 395-396 (2d Cir.1990) ("leading
22 questions tend to mute one of the chief functions of the grand jury, the evaluation of the
23 strength of the evidence and the credibility of witnesses," but no misleading of the grand jury
24 or prejudice shown); United States v. Brown, 872 F.2d 385, 388 (11th Cir.), cert. denied, 493
25 U.S. 898, 110 S.Ct. 253, 107 L.Ed.2d 203 [1989]) ("[h]owever questionable the practice
26 may have been in presenting the case to the grand jury [in large part by leading questions], it
27 must be remembered that a duly-sworn witness actually testified to the factual correctness of
28 all the questions asked him by the prosecutor"); United States v. Giorgi, 840 F.2d 1022,

1 1032 (1st Cir.1988) (claim that leading questions were improperly used not supported by
2 record); People of Territory of Guam v. Atoigue, 1994 WL 477518, 7 (9th Cir. 1994)
3 ("[L]eading questions are not grounds for dismissal. [Appellant] is objecting to the form of
4 the evidence, not its substance.... Hence, neither the hearsay evidence nor the leading
5 questions provide a ground for reversal."). The same holds true in State cases. See U.S. v.
6 Weiss, 752 F.2d 777, 786 (C.A.N.Y., 1985) ("We perceive no error in the prosecution's use
7 of leading questions before the grand jury."); People v. Fox, 683 N.Y.S.2d 805, 809 - 810
8 (N.Y.Sup.,1998) ("[T]estimony concerning preliminary matters may be elicited through
9 leading questions in order to expedite the proceedings."); Com. v. Martinez, 420 Mass. 622,
10 625-626, 651 N.E.2d 380, 382 - 383 (Mass.,1995) "Although one could hypothesize a
11 circumstance in which leading questions were used consciously and prejudiciously to avoid
12 the disclosure of exculpatory evidence, the presentation to the grand jury in this case
13 involved no such prosecutorial misconduct or likely prejudice. Certainly there has been no
14 showing here of a substantial risk of a miscarriage of justice."); see also, Coger v. State, 517
15 P.2d 1403, 1405-1406 (Alaska 1974); People v. Hirsch, 221 Ill.App.3d 772, 779, 164
16 Ill.Dec. 284, 582 N.E.2d 1228 (1991); State v. Holsten, 223 N.J.Super. 578, 585-586, 539
17 A.2d 325 (1988); State v. Velasquez, 99 N.M. 109, 112, 654 P.2d 562, 565 (Ct.App.1982).

18 **ORDER**

19 THEREFORE, IT IS HEREBY ORDERED that Defendant's Pretrial Petition for Writ
20 of Habeas Corpus is DENIED.

21 DATED this 29th day of August, 2015.

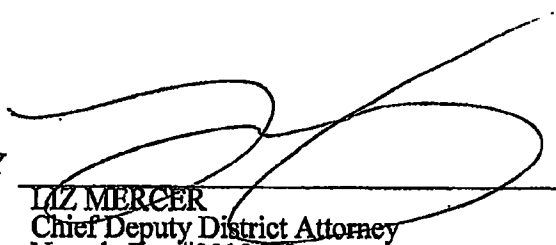
22 
23 _____
24 DISTRICT JUDGE

25 SUBMITTED BY:

26 STEVEN B. WOLFSON
27 DISTRICT ATTORNEY
28 Nevada Bar #001565

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BY



LIZ MERCER
Chief Deputy District Attorney
Nevada Bar #0010689

BELLON & MANINGO, LTD.
732 SOUTH SIXTH STREET, SUITE 102
LAS VEGAS, NEVADA 89101
702-452-6299 • 702-452-6298 FAX

NOTC
BELLON & MANINGO, LTD.
LANCE A. MANINGO, ESQ.
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Las Vegas, Nevada 89101
Phone: (702) 452-6299
Fax: (702) 452-6298
Attorney for Defendant
BRANDON STARR

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CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)		
)	Case No.	C-14-303022-2
Plaintiff,)	Dept No.	XIX
)		
vs.)		
)		
BRANDON STARR,)		
)		
Defendant.)		

NOTICE OF ALIBI WITNESSES

PURSUANT to NRS 174.233, BRANDON STARR, the Defendant, by and through his attorney of record, LANCE A. MANINGO, ESQ., of BELLON & MANINGO, LTD. does hereby notify the office of the District Attorney of an alibi for the said Defendant. The relevant evidence will include the testimony of the following witnesses:

Shana Kindle
44929 Lorimer Ave.
Lancaster, CA 93534

Custodian of Records, Tefusa Bus Lines
99 Martin Luther King Blvd
Las Vegas, NV 89106

1 The pertinent testimony that said alibi witnesses will furnish is that Defendant Starr
2 traveled to California from Las Vegas by way of bus on November 2, 2014, and returned back
3 to Las Vegas by way of car with Ms. Kindle on November 5, 2014. While in California,
4 Defendant stayed at Ms. Kindle's address.
5

6 The Defendant respectfully requests that the State notify the Defendant of any witness it
7 proposes to offer in rebuttal to the proposed alibi defense. NRS 174.233 and William v.
8 Florida, 399 U.S. 78; 26 L.Ed.2d 446; 90 S.Ct. 1893 (1970).
9

10 DATED this 22nd day of April, 2016.

11 Respectfully submitted:

12 By  13

14 LANCE A. MANINGO, ESQ.

15 Nevada Bar No.: 006405

16 732 S. Sixth Street, Ste. 102

17 Las Vegas, Nevada 89101

18 Phone: (702) 452-6299

19 Fax: (702) 452-6298

20 Attorney for Defendant

21 BRANDON STARR
22
23
24
25
26
27
28


CLERK OF THE COURT

1 NOTC
2 BELLON & MANINGO, LTD.
3 LANCE A. MANINGO, ESQ.
4 Nevada Bar No.: 006405
5 732 S. Sixth Street, Ste. 102
6 Las Vegas, Nevada 89101
7 Phone: (702) 452-6299
8 Fax: (702) 452-6298
9 Attorney for Defendant
10 BRANDON STARR

11 DISTRICT COURT

12 CLARK COUNTY, NEVADA

13 THE STATE OF NEVADA,)
14)
15 Plaintiff,) Case No. C-14-303022-2
16) Dept No. XIX
17 vs.)
18)
19 BRANDON STARR,)
20)
21 Defendant.)

22 DEFENDANT'S NOTICE OF WITNESSES

23 COMES NOW Defendant BRANDON STARR, by and through his attorney of
24 record, LANCE A. MANINGO, ESQ., of BELLON & MANINGO, LTD., and submits the
25 following witnesses for the above-captioned case.

- 26 1. Toby Tobiasson
27 Tobiasson Investigations
28 630 S. Seventh Street
Las Vegas, NV 89101

Mr. Tobiasson will offer testimony on the investigation of the above-captioned case.

///

///

BELLON & MANINGO, LTD.
732 SOUTH SIXTH STREET, SUITE 102
LAS VEGAS, NEVADA 89101
702-452-6299 • 702-452-6298 FAX

2. Karen Starr
12004 Berendo Avenue, Apt #D
Los Angeles, CA 90044

This witness will offer testimony as to the facts and circumstances relative to this case.

3. Reshitta McCullough
9457 Milkweed Canyon Avenue
Las Vegas, NV 89166

This witness will offer testimony as to the facts and circumstances relative to this case.

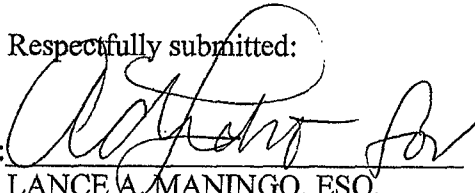
Defendant reserves the right to call any and all witnesses identified by the State or other defendants relative to this case.

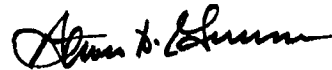
In addition, Defendant reserves the right to amend this list as necessary, and the right to call other witnesses for the purpose of rebuttal and impeachment, or both.

DATED this 22nd day of April, 2016.

Respectfully submitted:

By:


LANCE A. MANINGO, ESQ.
Nevada Bar No.: 006405
732 S. Sixth Street, Ste. 102
Las Vegas, Nevada 89101
Phone: (702) 452-6299
Fax: (702) 452-6298
Attorney for Defendant
BRANDON STARR



CLERK OF THE COURT

RICHARD E. TANASI, ESQ.
Nevada Bar No. 9699
TANASI LAW OFFICES
601 S. Seventh Street, 2nd Floor
Las Vegas, NV 89101
Telephone: (702) 906-2411
Facsimile: (866) 299-5274
Email: rtanasi@tanasilaw.com
Attorney for Defendant

**EIGHTH JUDICIAL DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

STATE OF NEVADA,

Plaintiff,

vs.

TONY LEE HOBSON, et al.

Defendants.

Case No.: C-14-303022-1

Dept.: 19

DEPARTMENT XIX

NOTICE OF HEARING

DATE 5/2/16 TIME 8:30 A.M.

APPROVED BY [Signature]
Crim Law & Motion

MOTION FOR DISCOVERY AND ALTERNATIVE MOTION IN LIMINE

COMES NOW, Defendant, TONY LEE HOBSON, by and through his attorney, RICHARD E. TANASI, ESQ. of TANASI LAW OFFICES, and respectfully moves this Court for an order requiring the District Attorney's Office to provide the defense with the information requested below, or in the alternative, with the opportunity to inspect and copy that information. Alternatively, this Motion seeks to exclude the DNA report in this case.

This motion is made and based upon the attached Points and Authorities, all pleadings and papers on file herein, and any oral argument this Court may deem necessary.

TANASI LAW OFFICES
601 S. Seventh Street, 2nd Floor
Las Vegas, Nevada 89101
702-906-2411 • Fax 866-299-5274

NOTICE OF MOTION

TO: THE STATE OF NEVADA, Plaintiff:

PLEASE TAKE NOTICE that the undersigned will bring the foregoing MOTION FOR DISCOVERY on for hearing before the above-entitled Court on the 2nd day of May, 2016, at the hour of 8:30 a.m./p.m., or as soon thereafter as counsel may be heard on this matter.

DATED this 27th day of April 2016.

TANASI LAW OFFICES

/s/ Richard Tanasi
RICHARD TANASI, ESQ.

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF RELEVANT FACTS

Several robberies took place in the Las Vegas valley beginning October 28, 2014, and continuing through November 24, 2014. According to police, these robberies were connected by a "similar M.O.", and were labeled the "Windbreaker Series". The alleged robbery series triggered the 82-count indictment in this case against Mr. Hobson, Mr. Starr, and Mr. Johns.

A DNA report has been produced in this case. (Ex. A). The report states, in relevant part, that Item 6 [left Snap-on glove] is "a distinguishable mixture of at least four individuals..." Id. at p. 3. The report concludes: "The partial major DNA profile obtained is consistent with Tony Hobson (Item 3*). The probability of randomly selecting an unrelated individual from the

1 general population having a DNA profile that is consistent with the partial major DNA profile
2 obtained from the evidence sample is approximately 1 in 39.5 billion." Id. Item 8 [right Snap-on
3 glove] is "a distinguishable mixture of at least three individuals..." Id. The report concludes:
4 "The partial major DNA profile obtained is consistent with Tony Hobson (Item 3*) The
5 probability of randomly selecting an unrelated individual from the general population having a
6 DNA profile that is consistent with the partial major DNA profile obtained from the evidence
7 sample is approximately 1 in 400 quintillion." Id.

10 On 2/21/16, Jessica Charak, DNA Technical Leader, issued a 6 page interoffice memo.
11 See, Interoffice Memos, collectively attached hereto as Ex. B. The subject of the memo was:
12 "Evaluation of LVMPD Mixture Interpretation and Protocols." Id. at p.1. In the "Conclusions"
13 section, Ms. Charak states the following in relevant part:
14

15 As a result of these studies, Chapter 15 of the Biology/DNA Technical Manual
16 will be updated effective on or before March 1, 2016 to include the new
17 interpretation flowcharts to aid in the evaluation of single major contributors
18 when performing mixture interpretation for assumed two and three-person
19 mixtures, and further guidance in the interpretation and attempted resolution of
20 four-person mixtures....There may be instances in which DNA profiles
21 previously interpreted and reported may be re-evaluated as they make their way
22 through the legal system...As a result of this memo, DNA reports previously
23 disseminated will re-evaluated on a case by case basis...

24 Id. See also, the Interoffice Memorandum, dated February 23, 2016 attached collectively as Ex.
25 B.

26 On, April 15, 2016, at the request of his appointed consultant, the undersigned emailed
27 Ms. Mercer and Mr. Portz for the State requesting reinterpretation of items 6 and 8 above, based
28 upon the Interoffice Memorandums attached as Ex. B. The State promptly forwarded the
request to Crystal May and Stephana Larkin. A series of emails followed. See email string
attached hereto as Ex.C. On April 25, 2016, Ms. Charak made it clear the DNA data and

1 conclusions in this case would not be re-evaluated without a court order.

2
3 As a result, this motion to compel reinterpretation/reevaluation of items 6 and 8, and
4 produce the results of the same follows. The Laboratory Memorandums regarding the new
5 validation study makes clear that problems might start occurring with a higher frequency in
6 DNA profiles containing 3 and 4 contributors. Mr. Hobson does not expect the laboratory to
7 blindly go back and reinterpret every sample. Instead, Mr. Hobson requests an order compelling
8 special attention be paid to profiles with 3, 4 or more contributors, which describe the two
9 samples from the gloves at issue Mr. Hobson in this case (items 6 and 8).

10
11 As a point of clarity, Mr. Hobson is not requesting reevaluation using STRmix, which
12 the lab is currently validating and would not be available until at least 2017. Further, Mr.
13 Hobson is not requesting a trial continuance, because upon information and belief, the
14 reinterpretation or reevaluation requested can be done before DNA-related evidence is admitted
15 at trial, and in fact, should have already been done.

16
17
18 **II.**
19 **LEGAL ARGUMENT**

20 **A. MOTION FOR DISCOVERY**

21 **1. Mr. Hobson's DNA Conclusions Must be Under the Due Process Clause of**
22 **the Fourteenth Amendment of the United States Constitution, Brady, the**
23 **Sixth Amendment of the United States Constitution, and NRS 174.235.**

24 **Due Process**

25 The Due Process Clause of the Fourteenth Amendment provides that criminal
26 prosecutions must comport with prevailing motions of fundamental fairness. California v.
27 Tombetta, 467 US 479, 485 (1984). The United States Supreme Court has interpreted this
28 standard of fairness to require that criminal defendants be required to present a complete

1 defense. Id. In order to present a complete defense, a defendant has a constitutionally protected
2 privilege to request and obtain from prosecution, evidence that is either material to the guilt of
3 the defendant or relevant to the punishment to be imposed. Brady v. Maryland, 373 US 83, 87
4 (1963). Moreover, "this in turn means that the individual prosecutor has a duty to learn of any
5 favorable evidence known to the others acting on the government's behalf in the case, including
6 the police." Kyles v. Whitley, 514 U.S. 419, 437, 115 S. Ct. 1555, 1567 (1995).

8 Sixth Amendment Confrontation

9
10 Moreover, pursuant to the Sixth Amendment of the United States Constitution, and
11 applicable to the states through the Fourteenth Amendment, the right to confront adverse
12 witnesses is fundamental to a fair trial. City of Las Vegas v. Walsh, 121 Nev. 899, 904, 124
13 P.3d 203, 208 (2005); U.S. Const. amend. VI. In United States v. Martin, the Ninth Circuit
14 found that the Sixth Amendment right to confrontation was violated when the defendant was
15 denied the opportunity to retest a urine sample. Id. 984 F.2d 308, 312 (1993). The court found
16 that the opportunity to retest the samples would have allowed the defendant to impeach or refute
17 the results, and a failure to allow independent retesting violated the defendant's right to due
18 process. Id. at 312, 314.

19
20 A defendant has a substantial right to confrontation. Martin, 984 F.2d 308, 314.
21 Further, the Confrontation Clause guarantees an opportunity for effective cross-examination,
22 and the Nevada Supreme Court has held that discovery is a component of effective cross-
23 examination. Chavez v. State, 213 P.3d 476, 483 (2009). Without the availability of the State's
24 evidence against the accused, an accused cannot effectively cross-examine its truthfulness.
25 Greene v. McElroy, 360 U.S. 474, 497 (1959). Accordingly, the right to confrontation through
26 effective cross-examination is eviscerated.
27
28

Here, fundamental fairness compels the State to reinterpret items 6 and 8 of the DNA conclusions in this case. The Laboratory Memorandums regarding the new validation study makes clear that problems might start occurring with a higher frequency in DNA profiles containing 3 and 4 contributors. Mr. Hobson does not expect the laboratory to blindly go back and reinterpret every sample. Instead, Mr. Hobson requests an order compelling special attention be paid to profiles with 3, 4 or more contributors, which are the two samples from the gloves at issue Mr. Hobson in this case (items 6 and 8). Thereafter, the conclusions must be produced under Nevada's corresponding statutory law, which grants criminal defendants similar rights. Pursuant to NRS 174.235.1(c), Nevada's criminal discovery rule, a defendant has the right, with some exceptions, to inspect the evidence to be used against him. NRS 174.235.1(c) provides, in pertinent part:

[T]he Prosecuting attorney shall permit the defendant to inspect ... tangible objects, ... which the prosecuting attorney intends to introduce during the case in chief of the state and which are within the possession, custody or control of the state.

2. Mr. Hobson's Conclusions Must be Reinterpreted as a Means of Judicial Economy.

Generally, courts seek to promoted judicial economy in their decisions. Tabish v. State, 119 Nev. 293, 306, 72 P.3d 584, 592 (2003) [In fact, to promote judicial economy in a far less potentially prejudicial manner, the district court could have held one trial for all the defendants involved in the Casey counts and one trial for those involved in the Binion and the silver counts.] Tabish v. State, 119 Nev. 293, 306, 72 P.3d 584, 592 (2003); *see also*, State v. Eighth Judicial Dist. Court, 118 Nev. 140, 147, 42 P.3d 233, 238 (2002)[We therefore conclude that judicial economy militates in favor of our intervention]. In this case, to avoid post-conviction

litigation, judicial economy militates in favor of ordering the DNA reinterpretation sought herein.

NRS 176.0918 states the following, in relevant part:

A person convicted of a felony who otherwise meets the requirements of this section may file a postconviction petition requesting a genetic marker analysis of evidence within the possession or custody of the State which may contain genetic marker information relating to the investigation or prosecution that resulted in the judgment of conviction,

Here, it is anticipated the reinterpreted results will likely reduce or eliminate the DNA evidence against Mr. Hobson on items 6 and 8. Consequently, with no DNA implicating Mr. Hobson, he may not be convicted. As a result, if Mr. Hobson is convicted, because of the current DNA conclusions, this issue will be litigated under NRS 176.0918. Therefore, judicial economy militates in favor of ordering the DNA reinterpretation sought herein.

B. MOTION IN LIMINE

1. The DNA Report in This Case Must be Excluded as Unreliable Under NRS 50.275.

The trial courts' general authority to manage trials permits trial judges to rule on evidentiary issues before the start of trial. See, Luce v. United States, 469 U.S. 38, 40 n.2 (1984). Pretrial consideration of the evidentiary issues serves to avoid the futile attempt of "unring[ing] the bell" when jurors have seen or heard inadmissible evidence, even when stricken from the record. Brodit v. Cambra, 350 F.3d 985, 1004-05 (9th Cir. 2003) (quotations and citations omitted). Motions in limine may also save expensive trial time because ruling on evidentiary disputes in advance minimizes side-bar conferences and other disruptions at trial, and potentially obviates the need to call certain witnesses. See, United States v. Tokash, 282 F.3d 962, 968 (7th Cir. 2002). These policy considerations must be weighed against the loss of the court's ability to consider evidence in the context of the trial when the court is "better

1 situated...to assess the value and utility of evidence.” Wilkins v. Kmar Corp., 487 F. Supp. 2d
2 1216, 1218 (D. Kan. 2007); accord Sperberg v. Goodyear Tire & Rubber Co., 519 F.2d 708,
3 712 (6th Cir. 1975) (“A better practice is to deal with questions of admissibility of evidence as
4 they arise.”).

5
6 In 2010 the Nevada Supreme Court revisited the issue of the admissibility of expert
7 testimony in the case of Higgs v. State, 22 P.3d. 648. In readdressing the issue, the Court
8 revisited the United States Supreme Court Opinion in Daubert v. Merrell Dow Pharmaceuticals,
9 Inc., 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed.2d. 469 (1993). In analyzing Daubert and its
10 progeny, the Nevada Supreme Court accepted Daubert’s flexible approach to the admissibility
11 of expert testimony, but rejected the construction of Daubert that required mechanical
12 application of Daubert factors.

13
14 In Higgs, the Nevada Supreme Court also revisited its previous opinion in Hallmark v.
15 Eldridge, 189 P.3d 646 (Nev. 2008) where the court summarized Nevada jurisprudence
16 regarding expert testimony pursuant to NRS 50.275. In Hallmark, as reaffirmed in Higgs, the
17 Court identified the three overarching requirements for admissibility of expert witness testimony
18 pursuant to this section. They are: (1) qualification, (2) assistance, and (3) limited scope
19 requirements. The Higgs case reaffirmed that district judge’s are given wide discretion, within
20 the parameters of NRS 50.275, to fulfill their gate keeping duties regarding a decision to admit
21 expert testimony.

22
23 In Hallmark, the Court recognized that expert witness testimony “will assist the trier of
24 fact only when it is relevant and the product of reliable methodology.” Hallmark, 189 P.3d at p.
25 651. In Higgs, the Court recognized that each case turns upon varying factors and recognized
26 that in Hallmark the court articulated five factors to judge reliability of methodology. These
27
28

1 factors were (1) within a recognized field of expertise; (2) testable and has been tested; (3)
2 published and subjected to peer review; (4) generally accepted in the scientific community (not
3 always determinative); and (5) based more on particularized facts rather than assumption,
4 conjecture or generalization. Hallmark, 189 P.2d at pp. 651-52.

5
6 Here, the DNA-conclusions regarding items 6 and 8 described above have not been
7 reinterpreted, re-evaluated, and/or re-tested in accordance with the current version of Chapter 15
8 of the Las Vegas Metropolitan Police Department's Biology/DNA Technical Manual.
9 Consequently, the current DNA-conclusions regarding items 6 and 8 must be excluded as
10 unreliable under Hallmark and NRS 50.275.
11

12 **III.**

13 **CONCLUSION**

14 Pursuant to the Due Process Clause of the Fourteenth Amendment, Mr. Hobson has a
15 constitutionally protected right to obtain from the State the reinterpreted DNA conclusions
16 regarding items 6 and 8 as further described above. These DNA conclusions are uniquely
17 important to the charges he faces. Thus, he has a constitutionally protected privilege to request
18 and obtain the reinterpreted results. Further, in the instant case, Mr. Hobson is entitled to
19 impeach the reliability of the DNA pursuant to his right to confrontation and is unable to
20 effectively cross-examine the reliability of the current DNA results without the laboratory's
21 reinterpretation to verify its accuracy. Therefore, Mr. Hobson requests this Honorable Court
22 sign the attached Order.
23
24

25 ///

26 ///

1 Alternatively, Mr. Hobson requests this Honorable Court Order that items 6 and 8 of the
2 attached DNA conclusion not be admitted into evidence and argued about at trial.

3 DATED this 27 of April, 2016.

4
5 TANASI LAW OFFICES

6 
7 RICHARD E. TANASI, ESQ.

8
9 CERTIFICATE OF SERVICE

10 IT IS HEREBY CERTIFIED by the undersigned that on the 27 day of April 2016, I
11 served a true and correct copy of the foregoing **MOTION FOR DISCOVERY;**
12 **ALTERNATIVE MOTION IN LIMINE**, addressed as follows:

13
14 X **VIA ELECTRONIC SERVICE:** by emailing the address(es) below.

15
16 Elizabeth Mercer, Esq.
17 Clark County District Attorney's Office
18 200 Lewis Avenue
19 Las Vegas, NV 89155
20 elizabeth.mercer@clarkcountynvda.com
21 PDMotions@clarkcountynvda.com

22 Lance Maningo, Esq.
23 Belon and Maningo
24 732 South Sixth Street, #102
25 Las Vegas, NV 89101
26 lam@belonandmaningo.com
27 AML@belonandmaningo.com

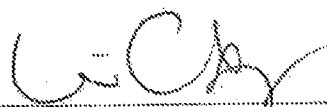
28

An employee of TANASI LAW OFFICES

Exhibit A

Exhibit A

00338

Las Vegas Metropolitan Police Department Forensic Laboratory Report of Examination Biology/DNA Forensic Casework		Distribution Date: September 9, 2015 Agency: LVMPD Location: Robbery/Homicide Bureau Primary Case #: 141125-4029 Additional Cases: 141124-3628 Incident: Robbery, Robbery WDW Requester: Jeffery C Abell Lab Case #: 15-01887.2
Subject(s):	Tony Hobson (Suspect) Brandon Starr (Suspect) Donte Johns (Suspect)	

The following evidence was examined and results are reported below.

Lab Item #	Impound Pkg #	Impound Item #	Description
Item 2	013572 - 8	9	Red and black gloves
Item 2.1			• Right glove – Swabbing of the inside
Item 2.2			• Left glove – Swabbing of the inside
Item 3		10	Left grey & red glove – Swabbing of the inside
Item 4		11	Knit gloves
Item 4.1			• One glove
Item 4.1.1			– Swabbing of the outside
Item 4.1.2			– Swabbing of the inside
Item 4.2			• One glove
Item 4.2.1			– Swabbing of the outside
Item 4.2.2			– Swabbing of the inside
Item 5		12	Yellow mask – Swabbing of the entire item
Item 9	013572 - 5	3	Axe – Swabbing of the handle
Item 6	013572 - 10	15	Left "Snap-on" glove – Swabbing of the inside
Item 7		16	Yellow mask – Swabbing of the entire item
Item 8		17	Right "Snap-on" glove – Swabbing of the inside
Item 10	013572 - 13	22	Revolver swab
Item 11		23	Ruger swab
Item 12		24	Magazine swab
Item 13		25	Axe swab
Item 1*	008744 - 1	1	Reference standard from Brandon Starr
Item 2*	008744 - 1	1	Reference standard from Donte Johns
Item 3*	008744 - 1	1	Reference standard from Tony Hobson
*Evidence booked under event 141124-3628			

DNA Results and Conclusions:

Item 2.1, Item 2.2, Item 3, Item 4.1.1, Item 4.1.2, Item 4.2.1, Item 4.2.2, Item 5, Item 9, Item 6, Item 7, Item 8, Item 10, Item 11, Item 12, Item 13, Item 1*, Item 2*, and Item 3* were subjected to PCR amplification at the following STR genetic loci: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, and FGA. The sex-determining Amelogenin locus was also examined.

Lab Item 2.1

The DNA profile obtained from the swabbing of the inside of the right red and black glove (Item 2.1) is consistent with a distinguishable mixture of at least four individuals with at least one being a male. The full major DNA profile obtained is consistent with Brandon Starr (Item 1*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the full major DNA profile obtained from the evidence sample is approximately 1 in 87.4 quintillion. Donte Johns (Item 2*) and Tony Hobson (Item 3*) are excluded as possible contributors to the full major DNA profile obtained. The full major DNA profile will be searched against the Local DNA Index System (CODIS) and then uploaded to the National DNA Index System (CODIS) for comparison. You will be notified if there is a match. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 2.2

The DNA profile obtained from the swabbing of the inside of the left red and black glove (Item 2.2) is consistent with an indistinguishable mixture of at least three individuals with at least one being male. Due to the limited data available, no additional conclusions can be made regarding this mixture DNA profile.

Lab Item 3

The DNA profile obtained from the swabbing of the inside of the left grey and red glove (Item 3) is consistent with a distinguishable mixture of at least four individuals with at least one being a male. The full major DNA profile obtained is consistent with Brandon Starr (Item 1*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the full major DNA profile obtained from the evidence sample is approximately 1 in 87.4 quintillion. Donte Johns (Item 2*) and Tony Hobson (Item 3*) are excluded as possible contributors to the full major DNA profile obtained. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 4.1.1

The DNA profile obtained from the swabbing of the outside of one knit glove (Item 4.1.1) is consistent with a distinguishable mixture of at least three individuals with at least one being a male. The full major DNA profile obtained is consistent with Donte Johns (Item 2*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the full major DNA profile obtained from the evidence sample is approximately 1 in 369 sextillion. Brandon Starr (Item 1*) and Tony Hobson (Item 3*) are excluded as possible contributors to the full major DNA profile obtained. The full major DNA profile will be searched against the Local DNA Index System (CODIS) and then uploaded to the National DNA Index System (CODIS) for comparison. You will be notified if there is a match. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 4.1.2

A DNA profile was not obtained from the swabbing of the inside of one knit glove (Item 4.1.2).

Lab Item 4.2.1

The DNA profile obtained from the swabbing of the outside of one knit glove (Item 4.2.1) is consistent with a distinguishable mixture of at least three individuals with at least one being a male. The partial major DNA profile obtained is consistent with Donte Johns (Item 2*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the partial major DNA profile obtained from the evidence sample is approximately 1 in 454 million. Brandon Starr (Item 1*) and Tony Hobson (Item 3*) are excluded as possible contributors to the partial major DNA profile obtained. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 4.2.2

A DNA profile was not obtained from the swabbing of the inside of one knit glove (Item 4.2.2).

Lab Item 5

The DNA profile obtained from the swabbing of the yellow mask (Item 5) is consistent with a distinguishable mixture of at least four individuals with at least one being a male. The full major DNA profile obtained is consistent with Brandon Starr (Item 1*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the full major DNA profile obtained from the evidence sample is approximately 1 in 87.4 quintillion. Donte Johns (Item 2*) and Tony Hobson (Item 3*) are excluded as possible contributors to the full major DNA profile obtained. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 9

The DNA profile obtained from the swabbing of the axe handle (Item 9) is consistent with an indistinguishable mixture of at least three individuals with at least one being male. Due to the limited data available, no additional conclusions can be made regarding this mixture DNA profile.

Lab Item 6

The DNA profile obtained from the swabbing of the inside of the left "Snap-on" glove (Item 6) is consistent with a distinguishable mixture of at least four individuals with at least one being a male. The partial major DNA profile obtained is consistent with Tony Hobson (Item 3*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the partial major DNA profile obtained from the evidence sample is approximately 1 in 39.5 billion. Brandon Starr (Item 1*) and Donte Johns (Item 2*) are excluded as possible contributors to the partial major DNA profile obtained. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 7

The DNA profile obtained from the swabbing of the yellow mask (Item 7) is consistent with an indistinguishable mixture of at least four individuals with at least one being male. Due to the complexity of the data available, no additional conclusions can be made regarding this mixture DNA profile.

Lab Item 8

The DNA profile obtained from the swabbing of the inside of the right "Snap-on" glove (Item 8) is consistent with a distinguishable mixture of at least three individuals with at least one being a male. The partial major DNA profile obtained is consistent with Tony Hobson (Item 3*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the partial major DNA profile obtained from the evidence sample is approximately 1 in 400 quintillion. Brandon Starr (Item 1*) and Donte Johns (Item 2*) are excluded as possible contributors to the partial major DNA profile obtained. The partial major DNA profile will be searched against the Local DNA Index System (CODIS) and then uploaded to the National DNA Index System (CODIS) for comparison. You will be notified if there is a match. Due to the limited data available, no conclusions can be made regarding the minor component.

Lab Item 10

The partial DNA profile obtained from the revolver swab (Item 10) is consistent with Brandon Starr (Item 1*). The probability of randomly selecting an unrelated individual from the general population having a DNA profile that is consistent with the partial DNA profile obtained from the evidence sample is approximately 1 in 193 million. Donte Johns (Item 2*) and Tony Hobson (Item 3*) are excluded as possible contributors to the partial DNA profile obtained.

Lab Item 11

The partial DNA profile obtained from the Ruger swab (Item 11) is consistent with originating from a single contributor. Due to the limited data available, no additional conclusions can be made regarding this partial DNA profile.

Lab Item 12

The partial DNA profile obtained from the magazine swab (Item 12) is consistent with originating from a single contributor. Due to the limited data available, no additional conclusions can be made regarding this partial DNA profile.

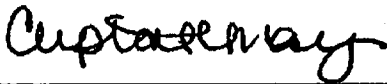
Lab Item 13

The partial DNA profile obtained from the axe swab (Item 13) is consistent with originating from a single contributor. Due to the limited data available, no additional conclusions can be made regarding this partial DNA profile.

Statistical probabilities were calculated using the recommendations of the National Research Council (NRC II) utilizing the FBI database (J Forensic Sci 44 (6) (1999): 1277-1286 and J Forensic Sci doi: 10.1111/1556-4029.12806; J Forensic Sci 46 (3) (2001) 453-489 and Forensic Science Communications 3 (3) (2001)). The probability that has been reported is the most conservative value obtained from the US Caucasian (CAU), African American (BLK), and Southwest Hispanic (SWH) population databases. These numbers are an estimation for which a deviation of approximately +/- 10-fold may exist. All random match probabilities, combined probability of inclusions/exclusions, and likelihood ratios calculated by the LVMPD are truncated to three significant figures.

The evidence is returned to secure storage.

---This report does not constitute the entire case file. The case file may be comprised of worksheets, images, analytical data and other documents.---



Crystal May, #9288
Forensic Scientist II

09/07/2015

- END OF REPORT -

Exhibit B

Exhibit B

00342

L V M P D

interoffice

MEMORANDUM

To : File
From : Jessica R. Charak, DNA Technical Leader JRC
6/22/16
Subject : Evaluation of LVMPD Mixture Interpretation and Protocols
Date : February 21, 2016

The Biology/DNA Detail's original Identifier Plus internal validation and mixture studies were outsourced to and completed by Sorenson Forensics in 2011. This validation data served as the foundation for the mixture interpretation protocols which have been in place since that time. The validation studies were performed utilizing Plexor HY as the quantification system and for determining the approximate component values being combined for the mixture studies. The depth of Plexor HY's copy number issues were not yet recognized at the time these studies were performed, thereby resulting in the observed mixture data being skewed from the expected mixture ratio. In retrospect, the variability introduced by the Plexor HY data was such that the resultant mixture data is ill-suited for adequate extrapolation of mixture interpretation parameters.

Based upon these internal validation studies, single source samples were found to produce peak height ratios greater than 60% for most loci and therefore peak height ratios lower than 60% may indicate the presence of a mixture or stochastic effects. Using this expectation of peak height balance for single source samples, the recommendation was made that a mixture ratio of ≥ 1.66 was necessary for the deconvolution of a major component by noting that this mixture ratio is necessary in order "to meet the 60% PHR for the major contributor's alleles compared with that of the minor alleles when calculating ratios since $1/0.60 \text{ PHR} = 1.66$." This logic is flawed, however, in that it utilizes a metric obtained from single source data and extrapolates it to be used and applied to the resolution of major components of mixtures in a way the data is not readily supported. The expected peak height ratio is instrumental in considering different combinations of possible genotype pairings, however is not relevant when considering the strength of one genotype pair to another.

It is important to note that although the mixture ratio of 1.66 was not originally empirically determined based on demonstrated mixture data, it has still proven effective in eliminating certain genotype combinations from consideration as a major contributor, especially when utilized in tandem with other biological considerations regarding the DNA profile itself, such as degradation, additive effects of stutter and allele sharing, and assumptions based on the relative RFU contributions of each of the contributors to the mixture. Assessment of each of these additional considerations is required by the Biology/DNA Technical Manual during mixture interpretation. These considerations are relatively easy to assess in two-person mixtures, however become increasingly difficult to articulate and document as the number of contributors and complexity of the mixture DNA profiles increase.

In an effort to re-evaluate the behavior of mixture DNA profiles, the LVMPD performed additional controlled mixture studies to ensure that the Identifier Plus validation data supports when it is appropriate to identify a single major contributor profile. These studies included the creation of two-person, three-person, and four-person mixtures at controlled mixture ratios in order to provide more specific direction with how to appropriately evaluate a mixture ratio and determine if a single major contributor may be conclusively resolved. Each sample extract was quantitated in triplicate using the Quantifiler® Trio quantification kit, normalized, and then re-quantified in order to ensure that the mixture ratios produced were representative as to what was intended. Despite being a multi-target quantification kit similar to Plexor HY, Quantifiler® Trio did not exhibit copy number issues during extensive validation testing and is therefore well-suited for creating controlled mixture data.

Two-Person Mixture Ratios:

Two-person mixture studies were performed to examine the behavior of female: male mixtures with inputs varying from 1:1, 2:1, 3:1, 4:1, and 5:1. The female input varied in order to emulate an increasing "major" component in combination with the minor male component. The mixtures were created at an overall template that was robust enough for the minor component to remain above the 200 RFU interpretation threshold.

Three separate sets of mixtures were amplified using these mixture ratios – one set which contained DNA profiles which had very little allele sharing and two sets which contained DNA profiles with a moderate degree of allele sharing that would be more represented in a casework-like environment. Each mixture combination was amplified in triplicate and analyzed in GeneMapper ID-X. Mixture deconvolution worksheets were then created for each mixture, utilizing the known DNA profile of the female donor as the major contributor, regardless of whether the 1.66 mixture ratio was met or exceeded as is currently required per the Technical Manual. Mixture ratios were also calculated manually utilizing only the four-allele loci, loci with a homozygous major genotype and a heterozygous minor, and Amelogenin (due to being female to male mixtures) and then averaged as would be performed during routine casework. These mixture ratios were determined using the following calculation:

$$\text{Ratio of Major to Minor Contributors} = \frac{\sum \text{RFU values of major alleles}}{\sum \text{RFU values of minor alleles}}$$

Despite these studies being completed using controlled, normalized inputs for each contributor to the mixtures, it is important to note that each separate contributor is subjected to differential degradation rates, preferential amplification, varying locus-specific amplification efficiencies, and the presence of stutter due to the dynamic environment of the STR amplification system. Therefore when taking into consideration the mixture ratios of each locus within a profile which exhibits either a four-allele pattern or a homozygous major genotype and a heterozygous minor and Amelogenin (due to being female to male mixtures), the observed average mixture ratios were found to deviate slightly from the expected. For example, the expected 3:1 mixtures were in the range of 2.5 to 2.9:1 and the expected 4:1 mixtures exhibited average mixture ratios in the range of 3.5 to 3.8:1.

The results of this study demonstrate that an average mixture ratio of approximately 3:1 (or greater) is necessary in order to consistently determine the major genotypes of a two-person mixture with a single major contributor and moderate allele sharing, as would be expected during routine casework. Due to situations in which allele sharing of major and minor genotypes may be occurring at a locus, the absence of a 3:1 mixture ratio alone does not guarantee that the major genotype cannot be resolved. However, when taking other metrics into consideration such as the average RFU values being contributed by each individual at a particular base pair size, additive stutter effects, and expected peak height ratios, it may still be possible to resolve the major genotypes, even in situations when the 3:1 ratio has not been exceeded. In cases of extreme degradation where only the smaller loci produce STR typing results, this 3:1 ratio *must be demonstrated at a minimum of three loci* in order to confidently associate alleles into a single major genotype.

A flow chart was developed to help aid in the process for determining if a mixture is suitable for resolution of *single* major component genotypes in two-person mixtures (*not to include* intimate or personal samples where the presence a known DNA standard is being assumed). The flowchart is designed to help standardize the thought process and methodology each analyst utilizes when determining whether a major genotype can be resolved for the mixture in its entirety and at each particular locus. All mathematical formulae utilized in the flowchart are the same as those automatically calculated using the ConglomerationStation workbook.

Three-Person Mixtures:

Peer reviewed and published literature recognizes that approximately 97% of mixture profiles originating from three contributors will exhibit at least one locus with 5 or 6 alleles, thus correctly indicating the number of contributors based solely on the maximum allele count method. Approximately 3% of three-person mixtures will appear as two-person mixtures based solely on maximum allele count, however when using peak height ratios and the consideration of possible genotype combinations, these mixtures may be correctly assumed to originate from three contributors.

In order to determine whether the expectation of a 3:1 mixture ratio for a major donor to the minor donors could also be extended to be used in the resolution of a single major contributor from three-person mixtures, additional controlled mixture data was created in ratios in which the *major donor was contributing at least three times as much DNA template as the total input from the minor contributors*. Mixture ratios were then calculated at each locus exhibiting 5 or 6 unshared alleles using the following formula:

$$\text{Ratio of Major Donor to All Additional Minor Contributors} = \frac{\sum \text{RFU values of major alleles}}{\sum \text{RFU values of all additional minor alleles}}$$

As demonstrated through internal validation studies, a major contributor in a three-person mixture is expected to demonstrate a mixture ratio of approximately 3:1 or greater *to the contribution of all of the minor contributors*

in order to be eligible for resolution. This mixture ratio can be assessed by examining loci exhibiting *unshared* major and minor alleles (e.g. 5 or 6 alleles present in an assumed three-person mixture) by dividing the sum of the RFU values of the unshared major alleles present with the sum of the RFU values of all of the minor alleles.

In order to determine if a mixture is of sufficient quality to attempt resolution of a single major genotype at these loci, it is first necessary to identify whether at least three loci are present which exhibit 5 or 6 unshared alleles as the information obtained from these loci will be critical to the evaluation of all subsequent loci. In the event three loci are not present which exhibit 5 or 6 unshared alleles, the profile will be considered indistinguishable. It is important to note that while this mixture ratio calculation will determine whether or not the mixture should be evaluated further, it *does not* guarantee that a single genotype may be resolved at all loci.

When the above-required loci are present, the mixture ratio will be calculated at these loci in order to demonstrate that the possible single major donor exhibits an *approximate average* mixture ratio of at least 3:1 to all *additional minor contributors*. Due to increased instances of competition and preferential amplification when multiple contributors are present in the PCR reaction and the effects of locus-specific amplification efficiencies, this 3:1 average mixture ratio is approximate, rather than absolute.

The assumption of the number of contributors is necessary to use mathematical comparisons to resolve a mixture. To determine the number of contributors, it is necessary to achieve perspective of all of the data present. For the purposes of interpretation, the assumption regarding the number of contributors was determined utilizing all of the information available above the 40 RFU analytical threshold.

Due to the potential for a high degree of allele share amongst multiple contributors that may result in shared/stacked alleles appearing to belong to the major component, extreme care must be taken when attempting to resolve a single major genotype from a mixture assumed to have originated from three individuals. Mathematical consideration must be taken in order to assess whether the presence of a possible major allele may be due to the allele stacking of the minor contributors, thus artificially producing the appearance of a major allele.

The additional three-person mixture data validates that if a single major donor demonstrates an approximate average mixture ratio of at least 3:1 to all additional contributors, then the mixture *may be evaluated further* to attempt to resolve a single major component genotype at some or all loci. Ultimately, if a single major genotype *cannot be resolved at six or more loci* in a profile, the profile in its entirety will be considered indistinguishable.

The above mixture ratio calculation for three-person mixtures utilizes the RFU values for all minor alleles when assessing the total contribution of the minor contributors and it is therefore necessary to account for and remove the peak height which is being biologically contributed by stutter when a minor allele falls into the stutter position of a major allele. This manual adjustment of RFU values by taking into consideration the estimated stutter values helps to ensure that only the approximate RFU value which can be attributed to the true allele is being considered as a contribution from a minor contributor. The *locus-specific* stutter cut-off values identified in the Technical Manual will be used to perform stutter adjustments.

The 2011 Identifier Plus internal validation addendum included studies which assessed the presence of the N-4 stutter associated with the amplification kit. These studies examined the percent stutter obtained from single source reference samples for each allele typed at each locus. The results of the stutter study were plotted onto graphs for each locus with error bars representing the range observed during validation. In general, the data demonstrated that the percent stutter increased with allele size at each locus, while microvariants exhibited very low stutter percentages. At the time the internal validation was signed off, the decision was made that instead of utilizing the *allele-specific* stutter values observed during validation, the lab would instead utilize the Applied Biosystems (AB) recommended values for *locus-specific* stutter percentages for use with GMID-X analysis, as these values were found to be similar to the upper 99.7% confidence limits established by the LVMPD internal validation data.

Due to the emphasis required to appropriately assess the contribution of stutter at a given locus during mixture interpretation, the original graphical results for the allele-specific stutter study that was performed and reviewed as part of the Identifier Plus validation will be added to the Technical Manual for reference during mixture interpretation. However, when mathematically adjusting peak heights to take into account the possible contribution of stutter, analysts will utilize the *locus-specific* stutter values. In the event an analyst wishes to modify their mixture interpretation based on the information contained in the allele-specific stutter charts (e.g. adding back in a peak previously filtered by GMID-X as stutter), documentation must be included in the case file providing justification for doing so.

LVMPD 348 (Rev. 4/00) WORD 2010

A flowchart was developed to help aid in the process for determining if a mixture is suitable for resolution of *single* major component genotypes in a mixture assumed to originate from three contributors. The flowchart is designed to help standardize the thought process and methodology each analyst utilizes when determining whether a major genotype can be resolved for the mixture in its entirety and at each particular locus. The methodology places a large emphasis on the examination of possible allele share and stacking based on the average total contribution of the minor donors as demonstrated at the loci exhibiting 5 or 6 unshared alleles.

Mixtures containing three contributors are not eligible for the resolution of minor contributor genotypes. If all minor alleles have been detected at or above the 200 RFU interpretation threshold, the mixture in its entirety may be eligible for statistical calculation utilizing CPI or LR.

Four-Person Mixtures:

Additionally, the LVMPD investigated the ability to resolve a single major genotype from mixtures assumed to originate from four contributors. Peer reviewed and published literature recognizes that greater than 70% of four-person mixtures would not be recognized as such based on allele count due to being at high risk of containing low template DNA, degradation, allele sharing and inhibition thus causing the mixture to appear as if it has originated from three individuals. Furthermore, greater than 99% of mixtures containing five contributors have been empirically demonstrated to appear as four-person mixtures or three-person mixtures.

Four-person mixtures were created using normalized samples in ratios. A mixture ratio was calculated at each individual locus exhibiting both major and minor alleles utilizing the following formula:

$$\text{Ratio of Major Donor to All Additional Minor Contributors} = \frac{\sum \text{RFU values of major alleles} - \sum \text{RFU values of all additional minor alleles}}{\sum \text{RFU values of all additional minor alleles}}$$

Similar to as noted in the literature, the indication of the presence of a four-person mixture based on maximum allele count alone was lost in the validation mixtures beginning at 1:1:1:10.

Based on the results of these studies, the LVMPD Biology/DNA Detail will only interpret and resolve the single major genotype for mixtures assumed to originate from four contributors when the *mixture ratio at each individual locus is demonstrated to be at least 10:1 to all additional contributors* at six or more loci. In the event the required 10:1 mixture ratio is not met or exceeded at *six or more loci* in a profile, the profile in its entirety will be considered indistinguishable. The stringency of this requirement will help to ensure that the possible presence of allele stacking and allelic drop-out does not result in erroneously resolving a single major genotype as the majority of situations will effectively contain one major contributor and additional trace contributors.

The assumption of the number of contributors is necessary to use mathematical comparisons to resolve four-person mixtures. To determine the number of contributors, it is necessary to achieve perspective of all of the data present. For the purposes of interpretation, the assumption regarding the number of contributors will be determined utilizing all of the information available above the 40 RFU analytical threshold.

Mixtures containing four contributors are not eligible for the resolution of minor contributor genotypes. If all minor alleles have been detected at or above the 200 RFU interpretation threshold, the mixture in its entirety may be eligible for statistical calculation utilizing CPI or LR.

Two-Person Mixtures with Decreasing Minor Contribution:

A second two-person mixture study was performed in order to examine the behavior of female: male mixtures in which the total template input for the female contributor was held constant at approximately 1.5 ng and the amount of male DNA incrementally decreased from 0.5 ng to 0.05 ng. The mixtures were created to assess whether it is possible to reliably determine a minor genotype when one or both of the heterozygous minor alleles fall below the interpretation (stochastic) threshold in a *defined two-person mixture*. Each mixture was amplified in triplicate in order to emulate the variation associated with amplification occurring within the stochastic range of Identifier Plus. Currently, the Biology/DNA Technical Manual does not allow for the utilization of any mixture data which falls below the interpretation threshold for statistical calculations, even when there are no indications that additional contributors may be present.

The results of this study demonstrate that *heterozygous minor genotypes* can be reliably determined even when one or both of the alleles fall below the stochastic threshold for defined two-person mixtures. By definition, the interpretation threshold is intended to be used as a means to determine when allelic drop-out

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRANDON STARR,)
#1165964,)
Appellant,)
v.)
STATE OF NEVADA,)
Respondent.)
_____)

CASE NO.: 71401 Electronically Filed
E-FILE Jun 21 2017 09:21 a.m.
D.C. Case: C-14-305022-2 Elizabeth A. Brown
Dept.: XIX Clerk of Supreme Court

APPELLANT'S APPENDIX VOLUME II

Appeal from a Denial of Post Conviction Relief
Eighth Judicial District Court, Clark County

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Counsel for Respondent

MASTER INDEX

Case No.: 71401

Document (File stamp date in parenthesis)	Vol.	Page No.
Amended Judgment of Conviction [Jury Trial] (10/19/16)	3	556-00567
Case Appeal Statement [Terrence M. Jackson] (9/23/16)	3	548-00550
Case Appeal Statement [clerk of court] (10/4/16)	3	551-00552
Cert. of Service: Motion to Sever: Hobson (6/3/15)	1	142-00143
Defendant's Joint Memorandum in Support of Proposed Jury Instructions (5/19/2016)	2	359-00370
Defendant's Notice of Witnesses (4/22/2016)	2	326-00327
Findings of Fact, Conclusions of Law, Order (4/13/16)	2	315-00323
Indictment: (December 12, 2014)	1	01-00006
Instructions to the Jury (5/23/2016)	2	371-00472
Joinder in Hobson's Motion to Sever: Starr: (6/5/2015)	1	144-00146
Judgment of Conviction [Jury Trial] (9/20/16)	3	532-00542
Jury Trial - Day 13 - heard 5/23/16 @ 1:44 p (7/22/16)	3	504-00531
Jury Trial - Day 1 - heard 5/4/2016 (1/3/17)	3	568-00686
Jury Trial - Day 1 - heard 5/4/2016 (1/3/17)	3	687-00750
Jury Trial - Day 2 - heard 5/5/2016 (1/3/17)	4	751-00978
Jury Trial - Day 3 - heard 5/6/16 (1/3/17)	5	979-01133
Jury Trial - Day 4 - heard 5/9/16 (1/3/17)	5	1134-1225
Jury Trial - Day 4 - heard 5/9/16 (1/3/17)	6	1226-1362
Jury Trial - Day 5 - heard 5/10/16 (1/3/17)	6	1363-1426
Jury Trial - Day 5 - heard 5/10/16 (1/3/17)	6	1427-1476
Jury Trial - Day 6 - heard 5/11/16 (1/3/17)	7	1477-1622
Jury Trial - Day 7 - heard 5/12/16 (1/3/17)	7	1623-1720
Jury Trial - Day 7 - heard 5/12/16 (1/3/17)	8	1721-1879

MASTER INDEX

Case No.: 71401

Document (File stamp date in parenthesis)	Vol.	Page No.
Jury Trial - Day 8 - heard 5/16/16 (1/3/17)	8	1880-1960
Jury Trial - Day 8 - heard 5/16/16 (1/3/17)	9	1961-2115
Jury Trial - Day 9 - heard 5/17/16 (1/3/17)	9	2116-2210
Jury Trial - Day 9 - heard 5/17/16 (1/3/17)	10	2211-2304
Jury Trial - Day 10 - heard 5/18/16 (1/3/17)	10	2305-2455
Jury Trial - Day 10 - heard 5/18/16 (1/3/17)	11	2456-2610
Jury Trial - Day 11 - heard 5/19/16 (1/3/17)	11	2611-2714
Jury Trial - Day 12 - heard 5/20/16 (1/3/17)	12	2715-2858
Motion to Continue Trial: Starr: (4/6/2016)	2	299-00303
Motion for Discovery & Alt. Motion in Limine (4/27/16)	2	328-00358
Motion to Sever from Co-Defendant's: Hobson: (6/1/15)	1	107-00129
Motion to Sever by Defendant: Starr: (June 2, 2015)	1	130-00141
Motion to Withdraw Counsel & Motion to Appoint Appellant Counsel [<i>pro per</i>] (9/21/2016)	3	543-00545
Notice of Alibi Witnesses: Starr: (4/22/2016)	2	324-00325
Notice of Appeal [Terrence M. Jackson] (9/23/16)	3	546-00547
Notice of Appeal [<i>pro per</i>] Defendant Starr (10/10/16)	3	554-00555
Notice of Witnesses and/or Expert Witnesses (8/4/2015)	2	264-00298
Order Appointing Terrence M. Jackson, Esquire (10/7/16)	3	00553
Order Denying Defendant's Motion to Sever (7/21/2015)	2	262-00263
Second Superseding Indictment (April 24, 2015)	1	57-00106
Sentencing - heard 9/8/16 (1/3/17)	12	2859-2895
State's Opposition to Motion to Sever: (6/19/2015)	1	147-00250
State's Opposition to Motion to Sever: (6/19/2015)	2	251-00261
State's Opposition to Motion to Continue (4/7/2016)	2	304-00306

MASTER INDEX

Case No.: 71401

Document (File stamp date in parenthesis)	Vol.	Page No.
State's Supplemental Notice of Witnesses &/or Expert	2	307-00314
Superseding Indictment: (February 20, 2016)	1	007-00056
Verdict: Defendant Starr (5/23/2016)	2	473-00503

CERTIFICATE OF SERVICE

I hereby certify that I am an assistant to Terrence M. Jackson, Esq., am a person competent to serve papers and not a party to the above-entitled action and on the 19th day of June, 2017, I served a copy of the foregoing: Appellant's Appendix and Index, Volumes I - XII, as follows:

[X] Via Electronic Service (*eFlex*) to the Nevada Supreme Court and to the Eighth Judicial District Court, and by U.S. mail with first class postage affixed to the Petitioner/Appellant as follows:

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Clark County District Attorney
steven.wolfson@clarkcountynyda.com

STEVEN S. OWENS
APPELLATE DIVISION
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ADAM LAXALT
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BRANDON STARR
ID# 1165964
Ely State Prison
P. O. Box 1989
Ely, NV 89301

By: /s/ Ila C. Wills
Assistant to Terrence M. Jackson, Esq.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 67

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS

A: Mm-hm.

Q: And you waited for 'em, right?

A: Yes.

Q: Where d'you go after that?

A: Little Caesar's.

Q: How did you get to Little Caesar's?

A: Um, there was Pizza Hut. We went down...

Q: This Pizza Hut was at Sahara and Ch- uh, Sahara and Nellis.

A: And we went down Nellis to Charleston and made a left.

Q: Nellis?

A: Little Caesar's on the right.

Q: Which one's which on this? Can you tell? 'Cause they're a little bit different.

Describe - which one is that?

A: I don't - I can't even tell. Wearing the same things.

Q: Yeah, they were wearing identical jackets, right?

They're almost wearing the exact same clothes. This is one, this is two. Different people, but same clothes. He even was wearing his tennis shoes. You know what kind of tennis shoes those are?

A: I thought those were boots.

Q: He's got boots on.

00251

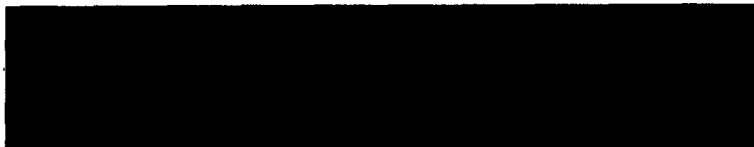
LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 68

EVENT #: LLV141124003628

STATEMENT OF: DONTE JOHNS



Q: Okay.

A: I don't know what type of shoes those are.



A: It's cold.

Q: I know, I got a shorts and shirt, freezing. You recognize them?

A: No. I don't recognize face.

VOLUNTARY STATEMENT

PAGE 69

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS

Q: Yeah, but you recognize the clothing, right?

A: Clothing.



Q: Okay. Every time you went with 'em, you were always the driver? You never went in.

A: Never went in.

Q: Never? Did you use - use anybody else's car at any time?

A: No.

Q: How about on the Burger King? Let me look, there was one, south. South Nellis, south of Sahara, you all hit a Burger King. Tryin' to - where you parked at on that one. All right, South Nellis on the... Do you remember the Burger King on South Nellis, south of Sahara? Or on Sahara and Nellis?

A: I don't remember that.



LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 70

EVENT #: LLV141124003628

STATEMENT OF: DONTE JOHNS

Q: 'Cause you did the Little Caesar's and you did Pizza Hut.

A: Mm-hm.

Q: And then you went up to, uh, let's talk about the ones - the - the Popeye's.

A: I only hit one.

Q: You only hit one Popeye's?

A: One Popeye's, and that was last night. I only did two.

Q: Yeah, that was last night. You hit the other Popeye's with them?

A: Mm, I don't know really.

Q: Well, you did the Pizza Hut and Little Caesar's.

A: Mm-hm.

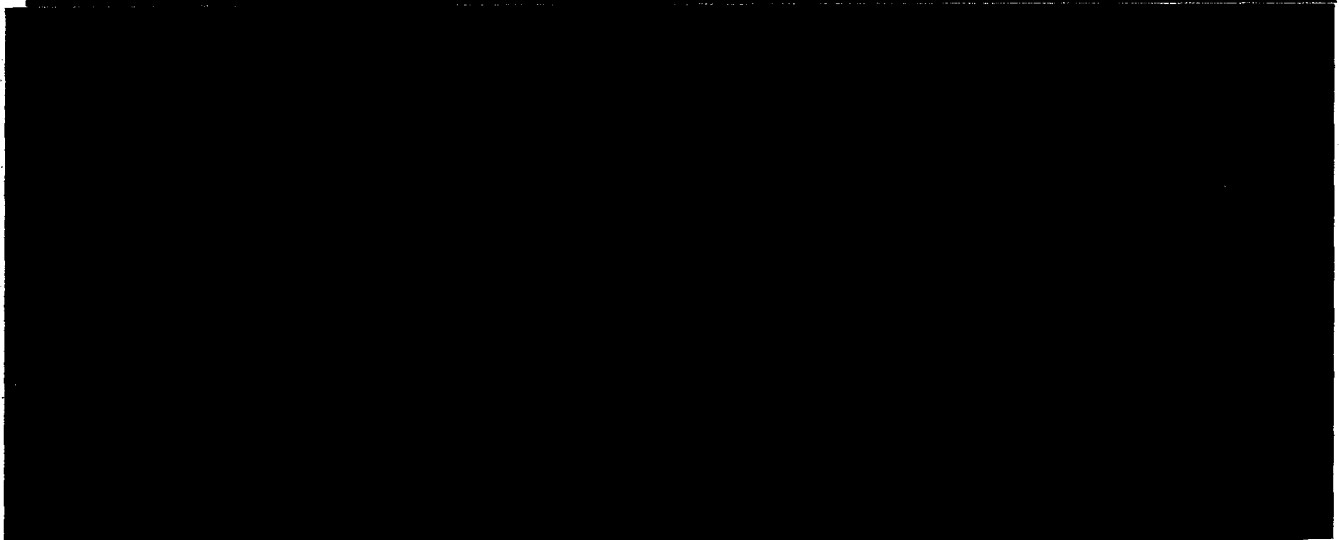
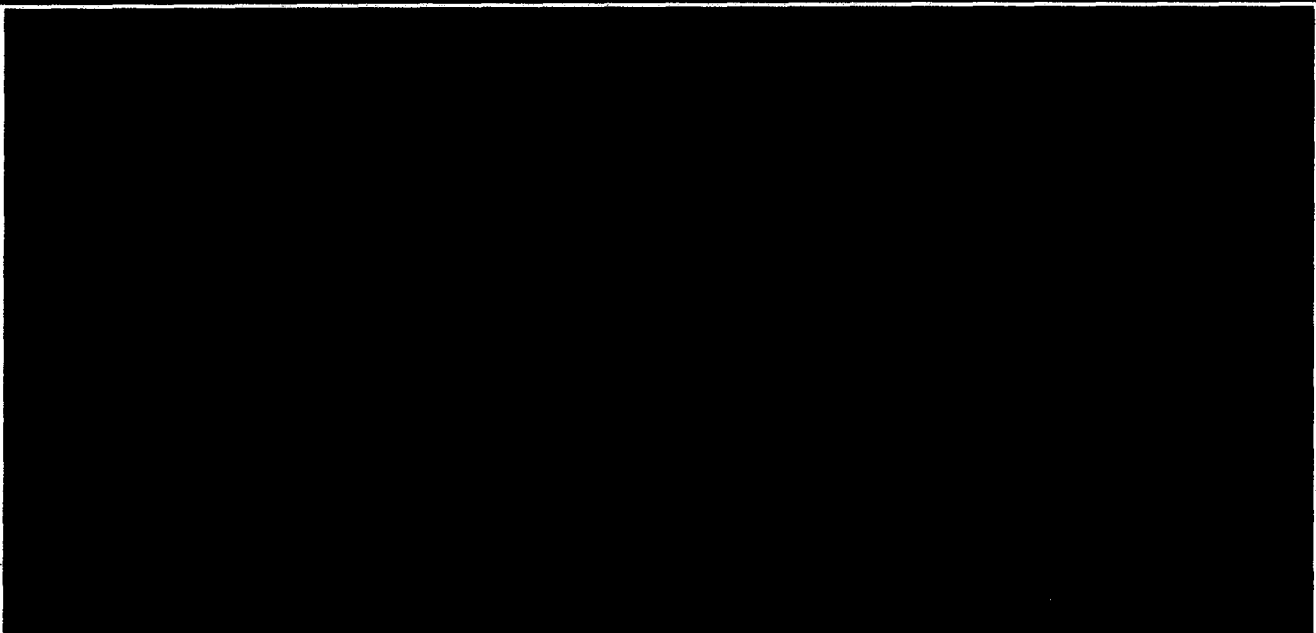


LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

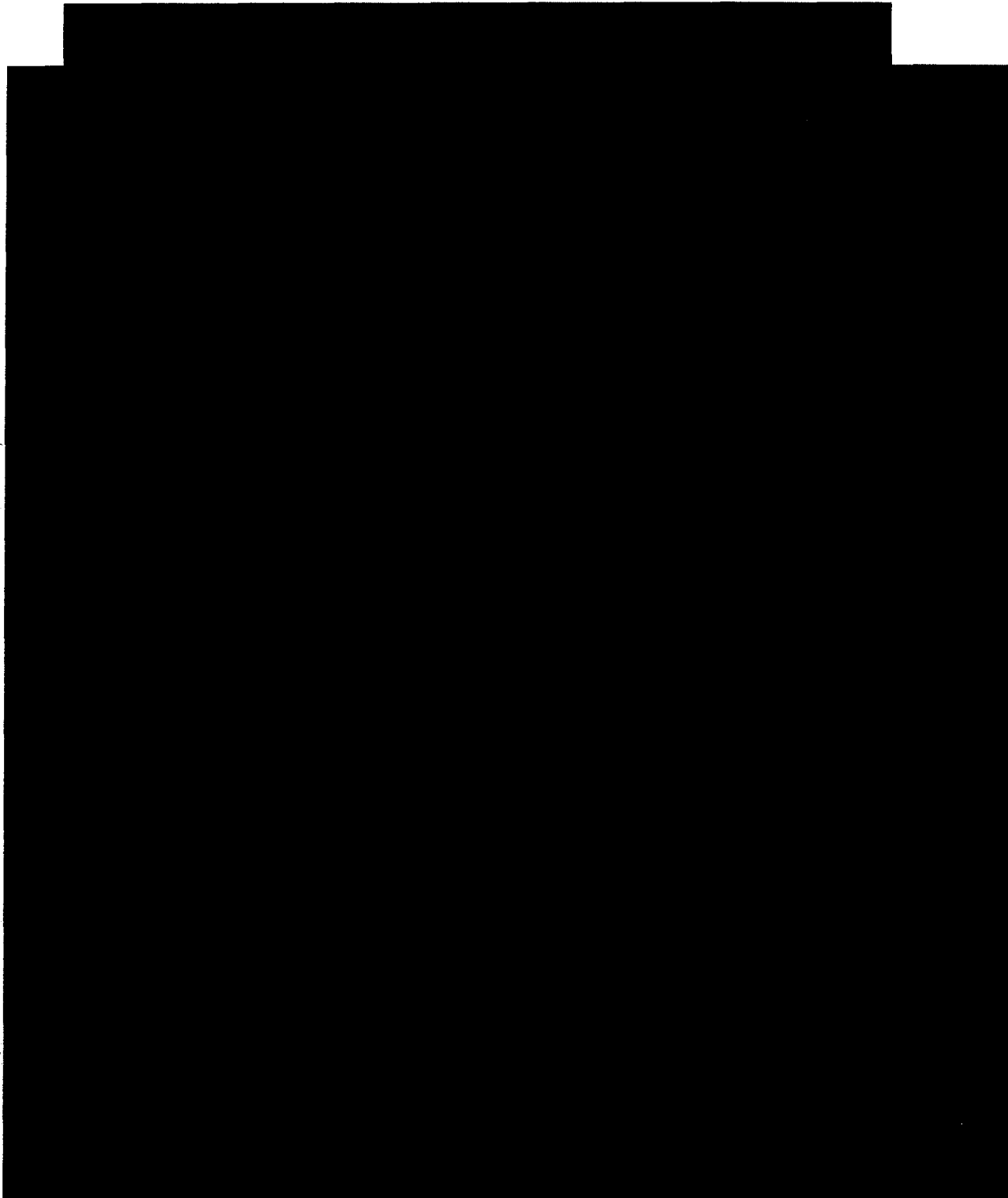
PAGE 71

EVENT #: LLV141124003628
STATEMENT OF: DONTÉ JOHNS



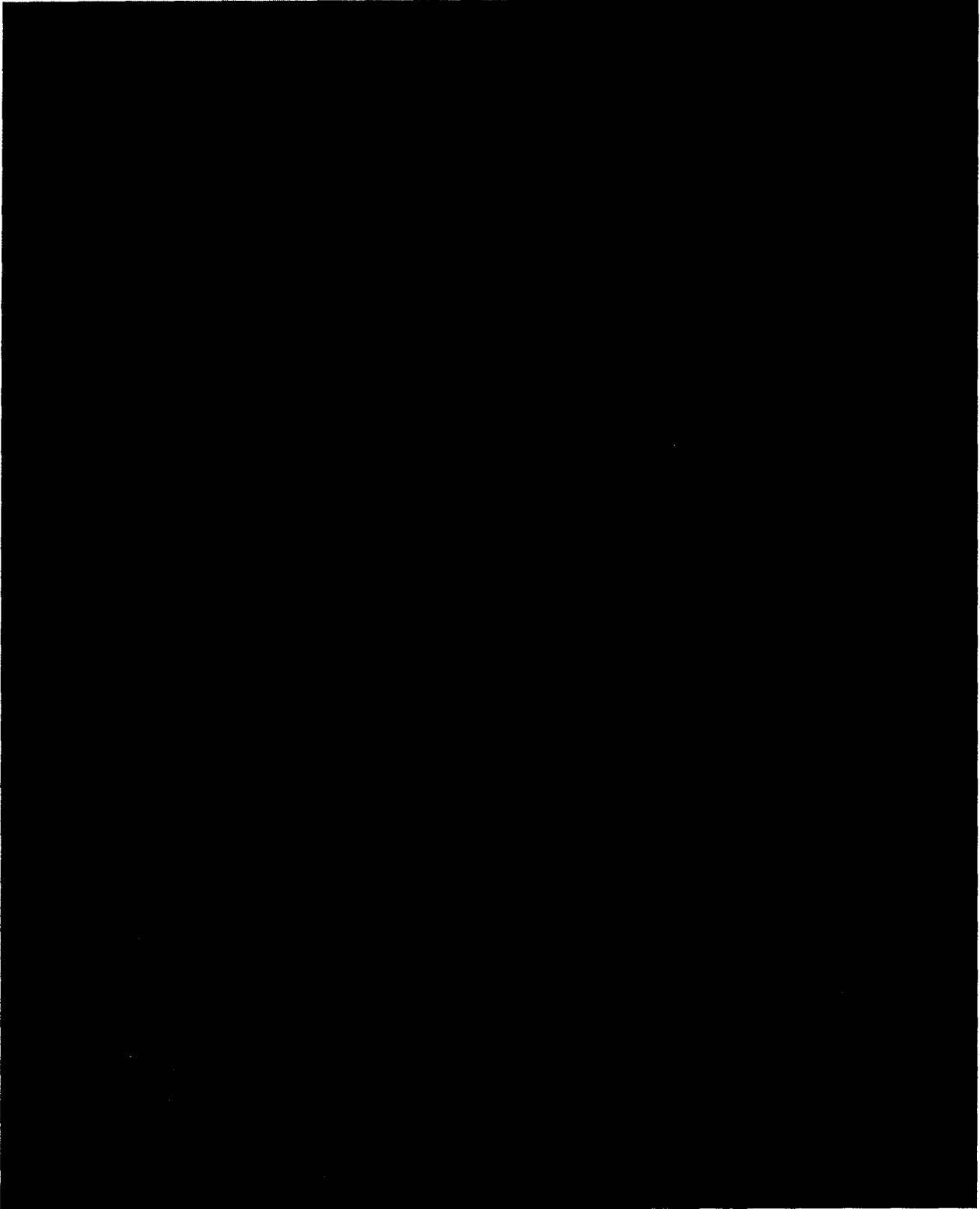
LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 72

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS



LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 73

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS



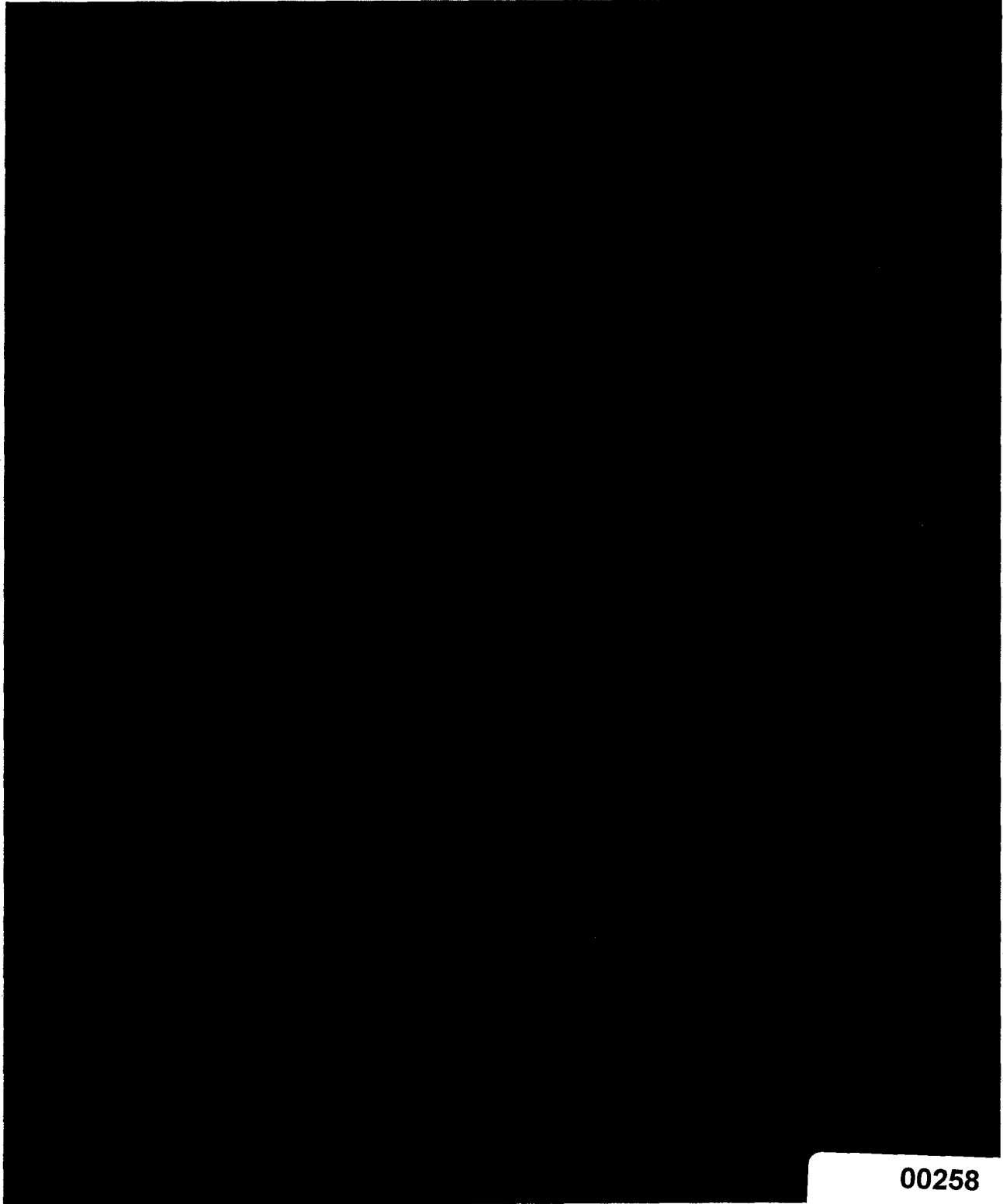
LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 74

EVENT #: LLV141124003628

STATEMENT OF: DONTE JOHNS



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LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 75

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS



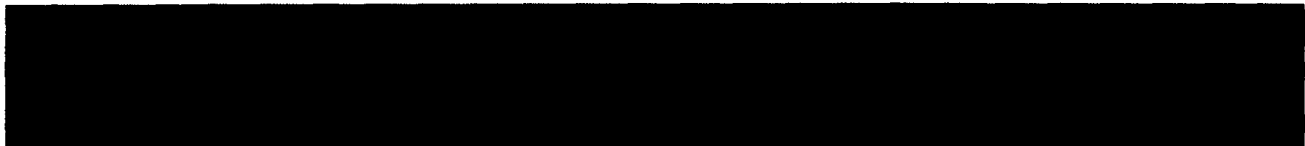
Q: All right, Donte, I appreciate your being honest with me, man. [REDACTED]

[REDACTED] Um, you're right, it was
probably not a smart move for you to help them out. [REDACTED]

[REDACTED]
[REDACTED] They were doing licks, they were doing robberies.

That doesn't make you less liable than they are, just 'cause you're the driver. I
mean, you knew - you knew what was going down, you know?

A: Mm-hm.



LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 76

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS

[REDACTED]

Q: So, you never went in? We're gonna test those guns for DNA, do you, uh, do you ever - ever touched them.

A: Um, no.

Q: Never held 'em?

A: No.

Q: They show it to you and say, "Hey..."

A: Showed it to me.

Q: What kinda guns they show to you?

A: Mm, .38 revolvers. (unintelligible) .45, silver.

Q: .45?

A: I believe it was a .45.

Q: Automatic? Semi-automatic?

A: Semi.

[REDACTED]

A: They [REDACTED] showed me, they got three of them.

Q: What's the - what's the revolver look like?

A: Mm, black - wood grain.

Q: Gray?

A: Black wood grain.

Q: Wood grain?

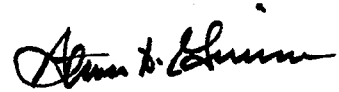
LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 77

EVENT #: LLV141124003628
STATEMENT OF: DONTE JOHNS

- A: Handle.
- Q: Wood grain handle? Okay. Is it a six-shot?
- A: Mm-hm.
- Q: You know what type the .45 was?
- A: No.
- Q: Y- you know about guns, you're in the military, right?
- A: Mm-hm.
- Q: You don't know if it looked like a Ruger or a Sig, or...
- A: I don't really deal too much with handguns.
- Q: But you never touched them, so your prints or your DNA's not gonna be on those guns?
- A: No.
- Q: Okay. All right. Let me go talk to my partner. Stay here, and I'll see what they got goin' on. You need any more water?
- A: No, thank you.
- Q: All right. I appreciate it, man.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT 400 SOUTH MARTIN LUTHER KING, LAS VEGAS, NEVADA ON THE 26TH DAY OF NOVEMBER, 2014 AT XXXX HOURS.

JA/TW/(nt)/db
Job #14-1879


CLERK OF THE COURT

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10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 BRANDON STARR,
14 #7014732

15 Defendant.

CASE NO: C-14-303022-2

DEPT NO: XIX

16 **ORDER DENYING DEFENDANT'S MOTION TO**
17 **SEVER FROM CO-DEFENDANTS**

18 DATE OF HEARING: 07/06/15
19 TIME OF HEARING: 8:30 A.M.

20 THIS MATTER having come on for hearing before the above entitled Court on the
21 6th day of July, 2015, the Defendant being present, represented by LANCE MANINGO,
22 ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through
23 LIZ MERCER, Chief Deputy District Attorney, and the Court having heard the arguments of
24 counsel and good cause appearing therefore,

25 //

26 //

27 //

28 //

1 IT IS HEREBY ORDERED that the Defendant's Motion to Sever From Co-
2 Defendants, shall be, and it is denied.

3 DATED this 18th day of July, 2015.

4
5 Will Hayes
DISTRICT JUDGE

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

8
9 BY

Liz Mercer
LIZ MERCER
Chief Deputy District Attorney
Nevada Bar #010681

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00263


CLERK OF THE COURT

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11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 BRANDON STARR,
13 #7014732

14 Defendant.

CASE NO: C-14-303022-2

DEPT NO: XIX

15 NOTICE OF WITNESSES AND/OR EXPERT WITNESSES
16 [NRS 174.234]

17 TO: BRANDON STARR, Defendant; and

18 TO: LANCE MANINGO, ESQ., Counsel of Record:

19 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
20 NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief.

21 These witnesses are in addition to those witnesses endorsed on the Information or
22 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
23 Witnesses has been filed.

24 The substance of each expert witness' testimony and copy of all reports made by or at
25 the direction of the expert witness has been provided in discovery.

26 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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1 ABELL, JEFFERY - LVMPD P#8744
2 ABREGO, ANGELICA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
3 AGUILAR, KARINA - 3700 E. BONANZA, LVN 89110
4 AIKEN, E. - HPD P#1311
5 ANGIE, LORI - 4581 E, CHARLESTON BLVD., LVN 89104
6 AOYAMA, KATHRYN - LVMPD P#8025 (or designee): LATENT PRINT EXAMINER -
7 Expert in the science and techniques of fingerprint comparison, and comparisons done in this
8 case and any reports prepared therefrom.
9 ATWOOD, C. - LVMPD P#10003
10 AUTEN, I. - LVMPD P#7938
11 BAGWELL, THOMAS - 6191 BLUE HILL AVE., LVN 89156
12 BONE, AUSTIN - LVMPD P#10065
13 BORJA, JOSE - 616 N. 13TH ST., LVN 89105
14 BROWN, GUY - 5105 E. SAHARA AVE., LVN 89121
15 BUTLER, DARNELL - 141 ALPINE CT., HND, NV 89074
16 CABALLERO, DAVID - 3682 SUMMER PICNIC CT., LVN 89147
17 CAHOON, G. - LVMPD P#6062
18 CARTER, JASON - LVMPD P#14302
19 CHARLTON, NOREEN - LVMPD P#13572 (or designee): CRIME SCENE ANALYST II:
20 Expert in the identification, documentation, collection and preservation of evidence and is
21 expected to testify as an expert to the identification, documentation, collection and
22 preservation of the evidence in this case.
23 CHARMICHAEL, ASHLEY - 1944 RANDA LN., LVN 89104
24 COMBS, CORNELL - 2599 S. NELLIS BLVD., LVN 89123
25 CONDS, CORNEL - UNKNOWN ADDRESS
26 CORNELAS-PEDROZ, ANGELICA - 2252 CASTLEBERRY LN., LVN 89156
27 COX, SKYLER - 595 GREEN VALLEY, HND, NV 89012
28 CUSTODIAN OF RECORDS - 7-11, 4581 E. CHARLESTON, LVN 89104

00265

1 CUSTODIAN OF RECORDS – BURGER KING, 2599 S. NELLIS BLVD., LVN 89121
2 CUSTODIAN OF RECORDS – CLARK COUNTY DETENTION CENTER
3 CUSTODIAN OF RECORDS – EL POLLO LOCO, 4011 E. CHARLESTON, LVN 89104
4 CUSTODIAN OF RECORDS – HENDERSON POLICE DEPARTMENT
5 CUSTODIAN OF RECORDS – HENDERSON POLICE DISPATCH
6 CUSTODIAN OF RECORDS – LITTLE CAESAR’S PIZZA, 4258 CHARLESTON, LVN
7 CUSTODIAN OF RECORDS – LVMPD COMMUNICATIONS
8 CUSTODIAN OF RECORDS - LVMPD RECORDS
9 CUSTODIAN OF RECORDS – PIZZA HUT, 5105 E. SAHARA AVE., LVN 89121
10 CUSTODIAN OF RECORDS – PIZZA HUT, 6130 W. LAKE MEAD, LVN 89108
11 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 4505 E. BONANZA, LVN 89110
12 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 60 STEPHANIE, HND, NV 89704
13 CUSTODIAN OF RECORDS – POPEYE’S CHICKEN, 6121 VEGAS DR., LVN 89108
14 CUSTODIAN OF RECORDS – TACO BELL, 3264 S. NELLIS BLVD., LVN 89122
15 CUSTODIAN OF RECORDS – TACO BELL, 9480 W. LAKE MEAD, LVN 89134
16 CUSTODIAN OF RECORDS – WENDY’S, 7150 W. LAKE MEAD, LVN 89128
17 CUSTODIAN OF RECORDS – WENDY’S, 990 N. NELLIS, LVN 89110
18 DEPALMA, P. – LVMPD P#5297
19 DORAME, JAMES – 15620 N. 25TH AVE., PHOENIX, AZ 85023
20 DULATRE, S. – LVMPD P#14731
21 EBERT, JOSEPH – HPD P#1358
22 ENRIQUEZ, GAMALIEL – 1324 ROBBERS ROOST, HND, NV 89012
23 ESPINOZA, JOSE - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
24 FANNON, JANIE – 5639 FLOATING FLOWER AVE., LVN 89103
25 FARAONE, TREVOR – 501 E. LAKE MEAD AVE., LVN 89015
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00266

1 FARRELL, PATRICK – HPD P#1267 (or designee): CRIME SCENE ANALYST: Expert in
2 the identification, documentation, collection and preservation of evidence and is expected to
3 testify as an expert to the identification, documentation, collection and preservation of the
4 evidence in this case.

5 FELABOM, ADAM – LVMPD P#8427 (or designee): CRIME SCENE ANALYST: Expert
6 in the identification, documentation, collection and preservation of evidence and is expected
7 to testify as an expert to the identification, documentation, collection and preservation of the
8 evidence in this case.

9 FIRESTINE, J. – LVMPD P#14161

10 FLYNN, PATRICK – LVMPD P#15144 (or designee): He is an expert in the collection,
11 analysis, and enhancement of video, as well as operation of surveillance video systems and
12 will testify regarding video collected and enhanced in this case, as well as applicable
13 surveillance systems.

14 FORSON, C. – LVMPD P#14082

15 FRANCO, M. – LVMPD P#13819

16 GILKERSON, ERIC – FBI: He will testify as an expert in the area of footwear impressions
17 and is expected to give opinions regarding whether shoeprints left at the scenes can be
18 identified to the shoes worn by any of the defendants in this case, and other related matters.

19 GOMEZ, ALMA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN

20 GONZALEZ-APARICIO, VANESSA – 1801 AMBOY DR., LVN 89108

21 GOULDTHORPE, HEATHER – LVMPD P#8646 (or designee): LATENT PRINT
22 EXAMINER I - Expert in the science and techniques of fingerprint comparison, and
23 comparisons done in this case and any reports prepared therefrom.

24 GREGO-SMITH, MALIK – LVMPD P#13451

25 HADEED, HOLLY – 6209 DON GASPER AVE., LVN 89108

26 HAGER, JORGE – LVMPD P#8716

27 HARTSHORN, BYRAN – HPD P#1146

28 HEARRELL, C. – LVMPD P#13751

00267

1 HEFFNER, DANIEL – 6048 CANYON GAP, NLVN 89031
2 HERNANDEZ, JENNIFER – 4011 E. CHARLESTON BLVD., LVN 89104
3 HERNANDEZ-BAUTISTA, SERGIO – 1001 N. PECOS RD., LVN 89101
4 HUBBARD, JESSICA – 2881 N. RANCHO DR., LVN 89130
5 KLOSTERMAN, OLIVIA – LVMPD P#13177 (or designee): CRIME SCENE ANALYST:
6 Expert in the identification, documentation, collection and preservation of evidence and is
7 expected to testify as an expert to the identification, documentation, collection and
8 preservation of the evidence in this case.
9 LANDERS, J. – LVMPD P#8073
10 LONG, K. – LVMPD P#6845
11 LOPEZ, LAURA – 7380 W. CHEYENNE AVE., LVN 89129
12 LOPEZ, LUIS – 1832 DOUBLE DELIGHT, LVN 89032
13 LORSON, K. – LVMPD P#5746
14 MADDAFORD, ANTHONY – 802 CRAZY HORSE WAY, LVN 89110
15 MARTY-PAGAN, J. – LVMPD P#9883
16 MATLOCK, RONALD – LVMPD P#6708
17 MAY, CRYSTAL – LVMPD P#9288 (or designee): Expert in the field of DNA extractions,
18 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.
19 MECKLER, KRISTEN (Tucker) – LVMPD P#14402 (or designee): CRIME SCENE
20 ANALYST: Expert in the identification, documentation, collection and preservation of
21 evidence and is expected to testify as an expert to the identification, documentation, collection
22 and preservation of the evidence in this case.
23 MENA, DIANA – 4737 MONTE BELLO AVE., LVN 89110
24 MENDOZA, JUAN – 3055 S. NELLIS BLVD., LVN 89121
25 MOHLER, STEPHEN - LVMPD P#13810
26 MOORE, WILLIAM - LVMPD P#9003
27 MORALES, JORGE – 4833 INTEGRITY ST., NLVN 89031
28 MORRQUIN, NOEMY – 5900 W. TROPICANA AVE., LVN 89103

00268

1 MOSES, MARC – LVMPD P#13637 (or designee): He is an expert in the collection, analysis,
2 and enhancement of video, as well as operation of surveillance video systems and will testify
3 regarding video collected and enhanced in this case, as well as applicable surveillance systems.
4 MYROLD, ERIC - LVMPD P#13064
5 NELSON, J. – LVMPD P#6825
6 OYOQUE, GABRIELA - C/O CCDA/VWAC, 200 LEWIS AVE., LVN
7 PEARSON, K. – LVMPD P#14073
8 POOLE, SHANNON – 2437 CHARTER OAK, LVN 89108
9 RAMIREZ, GUILLERMO – 6945 WINEBERRY, LVN 89119
10 RAMIREZ, J. – LVMPD P#9791
11 REINER, JENNIFER – LVMPD P#8167 (or designee): SENIOR CRIME SCENE
12 ANALYST: Expert in the identification, documentation, collection and preservation of
13 evidence and is expected to testify as an expert to the identification, documentation, collection
14 and preservation of the evidence in this case.
15 ROBERTSON, J. – LVMPD P#7626
16 ROBINSON, J. – LVMPD P#13658
17 ROCHA. B. – LVMPD P#13510
18 ROMERO, JOSE – 4267 SACKS DR., LVN 89122
19 SACBA, IDANIA – 4258 E. CHARLESTON BLVD., LVN 89104
20 SANCHEZ, MARIA – 4040 BOULDER HWY, LVN 89121
21 SCHOEBEL, JAMIE – 3709 TABOR AVE., NLVN 89030
22 SHRUM, SHELLY – LVMPD P#7917 (or designee): CRIME SCENE ANALYST: Expert in
23 the identification, documentation, collection and preservation of evidence and is expected to
24 testify as an expert to the identification, documentation, collection and preservation of the
25 evidence in this case.
26 SILVA, ALEJANDRA – 4124 MAPLE HILL RD., LVN 89115
27 SOTO DE MASON, SONIA – 4801 E. SAHARA, LVN 89121
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00269

1 SPEAS, WILLIAM – LVMPD P#5228 (or designee): CRIME SCENE ANALYST: Expert
2 in the identification, documentation, collection and preservation of evidence and is expected
3 to testify as an expert to the identification, documentation, collection and preservation of the
4 evidence in this case.

5 SPIOTTO, LANCE - LVMPD P#4774

6 TARANGO, JUAN – 10028 CRIPS CLOVER ST., LVN 89183

7 THIMAKIS, GEORGE – 6011 VEGAS DR., LVN 89108

8 TURNER, LINDA - LVMPD P#6015

9 URBINA, JERONIMO – 579 ROXELLA LN., LVN 89110

10 URIBE, ALEJANDRA – 6360 DON GASPER AVE., LVN 89108

11 VANCE, J. – LVMPD P#9004

12 VAN-DYKE, J. – LVMPD P#14721

13 VASQUEZ, JOHANA – 801 HYATTSVILLE ST., LVN 89110

14 VELAZQUEZ-BORRAGAN, RAFAEL - C/O CCDA/VWAC, 200 LEWIS AVE., LVN

15 VILLEGAS, SILVIA – 3935 LAS VEGAS BLVD., LVN 891115

16 VIRAY, L. – LVMPD P#13582

17 WALT, M. – LVMPD P#9828

18 WARD, JAMIE – 1827 W. GOWAN, LVN 89030

19 WEIRAUCH, THEODORE - LVMPD P#7465

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

22
23 BY /s//LIZ MERCER
24 LIZ MERCER
25 Chief Deputy District Attorney
26 Nevada Bar #010681
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00270

1 **CERTIFICATE OF ELECTRONIC FILING**

2 I hereby certify that service of State's Notice, was made this 4th day of August, 2015,
3 by Electronic Filing to:

4 **LANCE MANINGO, ESQ.**
5 E-mail Address: lam@bellonandmaningo.com

6 Shellie Warner
7 Secretary for the District Attorney's Office

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00271

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 06/25/10

Name: Kathryn Aoyama P#: 8025 Classification: Forensic Scientist I

Current Discipline of Assignment: Latent Prints

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints	X	Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support /	
EDUCATION			
Institution	Dates Attended	Major	Degree Completed
University of California, San Diego	9/84 to 6/89	Biology	B.A.
University of Nevada, Las Vegas	8/83 to 5/84	Biology	None
ADDITIONAL TRAINING / SEMINARS			
Course / Seminar	Location	Dates	
ASCLD /LAB International Preparation Course	Henderson, NV	12/01-12/03/09	
Nevada State IAI Tristate Conference – IND/Zn Workshop	Las Vegas, NV	10/07/09	
Latent Print Certification Preparation	Las Vegas, NV	06/08-06/10/09	
Analysis of Distortion in Latent Prints	Las Vegas, NV	02/09-02/10/09	
GWS-L Latent User Methods and Operations	Las Vegas, NV	09/17-09/18/08	
RUVIS Training	Las Vegas, NV	8/6/2008	
Application of Statistics to Ridgeology And ACE-V Methodology	Las Vegas, NV	3/31-4/04/08	
Witnessing 101 - Clark County DA's Office	Las Vegas, NV	5/9/08	

00272

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Application of Statistics to Ridgeology and the ACE-V Methodology	Las Vegas, NV	3/31 to 4/4/08
Forensic Photography	Las Vegas, NV	2/11-2/13/08
24-Hour Application Study in Forensic Photography	Las Vegas, NV	02/14/08
Forensic Digital Imaging	Las Vegas, NV	1/7/08 - 1/10/08
2007 2 nd Tri-Division IAI Educational Conference	Salt Lake City, UT	11/6/07 - 11/9/07
IAI 92 nd International Educational Conference	San Diego, CA	7/23/07 - 7/27/07
Driver=s Training	Las Vegas, NV	7/3/07
2006 1 st Tri-Division IAI Educational Conference	Henderson, NV	8/21/06 - 8/24/06
Forensic Photography II	Las Vegas, NV	1/06 - 5/06
Testifying in Court	Las Vegas, NV	11/30/05
Problem Solving, Independent Decision Making	Las Vegas, NV	8/10/05
Effective Interpersonal Communication	Las Vegas, NV	6/23/05
Searching Public Records Part I and II	Las Vegas, NV	3/2/05 - 3/3/05
Criminal Law for Civilians	Las Vegas, NV	11/4/04
Forensic Photography I	Las Vegas, NV	8/04 - 12/04
Forensic Science 101 and 201, American Institute of Applied Science	NC	8/03 - 5/04

COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Las Vegas, NV District Court 7	Latent Prints	2
Las Vegas, NV District Court 6	Latent Prints	1

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist I - Latent Prints	4/08 to present

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist Trainee - Latent Prints	3/07 to 4/08
PROFESSIONAL AFFILIATIONS		
Organization		Date(s)
International Association for Identification (IAI)		7-10-07 to present

PUBLICATIONS / PRESENTATIONS:
Presentations:
05/04/10 Poster Presentation: Latent Prints from Firearms Evidence (Statistics 2008-2009), Association of Firearms & Tool Mark Examiners Training Seminar, Henderson, NV
06/11/08 "Historical and Scientific Development of Latent Print Methodologies", LVMPD, Las Vegas, NV
1/16/08 "Introduction to Latent Print Collection", LVMPD Laughlin Substation, NV
11/7/07 "Back to Basics - The Biological Basis for Latent Print Examination", 2 nd Tri-Division IAI Educational Conference, Salt Lake City, UT
08/21/07 "Disguising and Disrupting Fingerprints", LVMPD, Las Vegas, NV
08/07/07 "Distortion in Latent Prints", LVMPD, Las Vegas, NV
06/14/07 "Ridge Flows and Crease Patterns of the Hands and Feet", LVMPD, Las Vegas, NV
OTHER QUALIFICATIONS:
None

Curriculum Vitae

**Las Vegas Criminalistics Bureau
Statement of Qualifications**

Name: Noreen Grealis Charlton

P# 13572

Date: 09-02-10

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
X	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene Investigation.
X	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I.
	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
John Carroll University	Biology	B.S.-May 2007

TESTIMONY		
<i>Yes</i>	<i>No</i>	

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LVMPD	Crime Scene Analyst I	09/02/2008 - 09/02/10
LVMPD	Crime Scene Analyst II	09/02/2010 to Present

00275

Patrick C. Farrell
Crime Scene Analyst II
Henderson Police Department
223 Lead Street
Henderson, NV 89014
(702) 267-4835

Credentials

- | | |
|-----------|---|
| 2001-2003 | The George Washington University, Washington D.C.
Master of Science Degree in Forensic Science, Concentration in Crime Scene Investigation
May, 2003 |
| 1999-2001 | Bucknell University, Lewisburg, PA
Master of Science Degree in Chemistry, Concentration in Analytical Chemistry
August, 2001 |
| 1997-2001 | Bucknell University, Lewisburg, PA
Bachelor of Science Degree in Chemistry
May, 2001 |

Experience

- | | |
|-------------------|---|
| 8/2007 - Present | <u>Crime Scene Analyst II</u>
Henderson Police Department, Henderson, NV
- Investigate and document crime scenes, collect and process physical evidence, and prepare written reports |
| 11/2006 - 7/2007 | <u>Crime Scene Analyst I</u>
Henderson Police Department, Henderson, NV
- Investigate and document crime scenes, collect and process physical evidence, and prepare written reports |
| 11/2004 - 10/2006 | <u>Crime Scene Technician</u>
Henderson Police Department, Henderson, NV
- Investigate and document crime scenes, collect and process physical evidence, and prepare written reports |

Related Training

- **Crime Scene Analyst Academy**, Las Vegas Metropolitan Police Department, November 2004, 160 hours
- **Crime Scene Technology 2: A Crime Scene Practicum**, Las Vegas Metropolitan Police Department (I.A.F.T.), March 2005, 40 hours
- **Nevada State Division of the IAI Conference**, Las Vegas, Nevada, March 2005, 21 ½ hours
- **Civilian Use of Force and Firearms Training**, Las Vegas Metropolitan Police Department, May 2005, 24 hours
- **American Institute of Applied Science: Forensic Science 101**, Youngsville, North Carolina, September 2005, 230 hours

- **Death and Homicide – Five Day**, Public Agency Training Council, November-December 2005, 35 hours
- **Basic Bloodstain Pattern Recognition**, Las Vegas Metropolitan Police Department, January 2006, 40 hours
- **Forensic Medical Investigation Course**, Via Christi Regional Medical Center, August 2006, 23.70 hours
- **Nevada State Division of the IAI Conference**, Henderson, Nevada, August 2006, 19 ½ hours
- **Death in Infancy & Childhood Investigation & Pathology**, Clark County Coroner's Office, November 2006, 16 hours
- **Bloodstain Pattern Analysis**, Las Vegas Metropolitan Police Department, February 2007, 10 hours
- **Practical Homicide Investigation**, Vernon Geberth, Friends of Henderson CSI, March 2007, 24 hours
- **Bloodstain Evidence Workshop I**, Henderson Police Department (I.A.F.T.), March 2007, 40 hours
- **North American Auto Theft and Insurance Fraud Seminar**, Henderson Police Department, April 2007, 2 hours
- **Auto Theft and Vehicle Identification Number (VIN) Switching Investigations**, Henderson Police Department, April 2007, 8 hours
- **American Institute of Applied Science: Forensic Science 201**, Youngsville, North Carolina, May 2007, 230 hours
- **ICS 100: Introduction to the Incident Command System**, U.S. Department of Homeland Security and FEMA, May 2007, 4 hours
- **ICS 200: ICS for Single Resources and Initial Action Incidents**, U.S. Department of Homeland Security and FEMA, June 2007, 4 hours
- **ICS 700: National Incident Management System**, U.S. Department of Homeland Security and FEMA, June 2007, 4 hours
- **ICS 800: National Response Plan**, U.S. Department of Homeland Security and FEMA, June 2007, 4 hours
- **Nevada Chapter IAAI 2007 Advanced Fire Investigation Seminar**, Henderson, Nevada, November 2007, 22 hours
- **Advanced Practical Homicide Investigation**, Vernon Geberth, Friends of Henderson CSI, November 2007, 40 hours
- **Advanced IED Course**, Henderson Police Department, May 2008, 8 hours
- **Finding Latent Print Evidence with Chemistry & Light**, Henderson Police Department, February 2009, 32 hours
- **Forensic DNA Profiling**, Henderson Police Department, April 2009, 4 hours
- **WMD HAZMAT Evidence Collection**, Center for Domestic Preparedness/FEMA, September 2009, 16 hours
- **Tri-Division Educational Conference**, North Las Vegas, Nevada, October 2009, 20 hours
- **Field Training Officer Seminar**, Kaminsky and Associates, October 2009, 40 hours
- **WMD Crime Scene Management for Emergency Responders**, Center for Domestic Preparedness/FEMA, June 2010, 8 hours
- **WMD HAZMAT Evidence Collection**, Center for Domestic Preparedness/FEMA, June 2010, 16 hours
- **WMD Hands-On Training**, Center for Domestic Preparedness/FEMA, June 2010, 16 hours
- **High Profile Homicides and Case Management**, Nevada High Intensity Drug Trafficking Area, October 2010, 8 hours
- **Basic Shooting Reconstruction**, Las Vegas Metropolitan Police Department, November 2010, 24 hours

- **Basic Bloodstain Pattern Analysis**, Henderson Police Department, November 2011, 40 hours
- **Advanced Bloodstain Pattern Analysis**, Las Vegas Metropolitan Police Department, December 2011, 40 hours
- **International Association of Coroners and Medical Examiners**, Las Vegas, Nevada, June 2012, 26 hours

Professional Affiliations and Certifications

- Nevada State Division of the International Association for Identification - #00286
- The International Association for Identification – Lifetime Member #21074
- Nevada Chapter of the International Association for Arson Investigators
- The International Association for Identification – Certified Crime Scene Analyst – July 2010

Curriculum Vitae

**Las Vegas Criminalistics Bureau
Statement of Qualifications**

Name: Adam Felabom

P#8427

Date:07-14-09

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
X	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene Investigation.
	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I.
	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
Grace College	Criminal Justice	B.S./2004

TESTIMONY		
<i>Yes</i>	<i>No</i>	

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Crime Scene Analyst I	September 2008-present

00279

Curriculum Vitae

**Las Vegas Metropolitan Police Department - Project Management and Video Bureau
Statement of Qualifications**

Name: Patrick S. Flynn

P# 15144

Date: 6/9/2015

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
X	Forensic Multimedia Analyst I	AA Degree in Videography. Forensic Science, Criminal Justice or a related field or equivalent experience.
	Forensic Multimedia Analyst II	Two years experience as a Forensic Multimedia Analyst I.
FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
University of Nevada, Las Vegas (UNLV)	Communication Studies	BA / December 2014
TESTIMONY		
<i>Yes</i>	<i>No</i>	
	X	
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Multimedia Analyst I	11/12/2014 to Present
Clark County School District – School Police	Intrusion Alarm Technician	9/15/2008 to 11/7/2014

Curriculum Vitae

**Las Vegas Metropolitan Police Department - Project Management and Video Bureau
Statement of Qualifications**

Name: Patrick S. Flynn

P# 15144

Date: 6/9/2015

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
X	Forensic Multimedia Analyst I	AA Degree in Videography. Forensic Science, Criminal Justice or a related field or equivalent experience.
	Forensic Multimedia Analyst II	Two years experience as a Forensic Multimedia Analyst I.
FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
University of Nevada, Las Vegas (UNLV)	Communication Studies	BA / December 2014
TESTIMONY		
<i>Yes</i>	<i>No</i>	
	X	
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Multimedia Analyst I	11/12/2014 to Present
Clark County School District – School Police	Intrusion Alarm Technician	9/15/2008 to 11/7/2014

00281

CURRICULUM VITAE

FBI Expert Witness



Eric Gilkerson

Federal Bureau of Investigation
Questioned Documents Unit, Room 2162
2501 Investigation Parkway
Quantico, Virginia 22135
Phone: (703) 632-7315
Email: eric.gilkerson@ic.fbi.gov

PROFESSIONAL EXPERIENCE

- 1999 - present **Forensic Examiner**
FBI Laboratory
Federal Bureau of Investigation
Quantico, VA
Responsibilities: Conduct footwear and tire tread examinations on evidence submitted to the FBI Laboratory from federal, state, and local law enforcement agencies.
- 1998 **Forensic Examiner Trainee**
FBI Laboratory
Federal Bureau of Investigation
Washington, D.C.
Responsibilities: Completed an intensive one-year training program at the FBI Laboratory covering all facets of forensic footwear and tire tread examinations. Examined footwear and tire tread impression evidence under the guidance and supervision of experienced and certified examiners.
- 1997 **Document Analyst**
Responsibilities: Prepared worksheets, mailed evidence, assisted in the general processing of cases, and carried out any other administrative duties as needed.
- 1996-1997 **Quality Assurance Officer**
Alternative Experts, Inc. assigned to Fuisz Technologies
Chantilly, VA
Responsibilities: Assisted in the implementation of an overall Quality Assurance program.
- 1994-1996 **Data Analyst**
MCSI Technologies, Inc. stationed at Naval Surface Warfare Center
White Oak, MD
Responsibilities: Coded files for the development of a chemical inventory database.
- 1993-1994 **Chemist**
Responsibilities: Coded files for the development of a chemical inventory database.

EDUCATION

- 1992 **University of Maryland at College Park**
B.S. Biochemistry

00282

SPECIALIZED TRAINING

1998-1999	Completed an intensive one-year training program at the FBI Laboratory covering all facets of forensic footwear and tire tread examinations including casting, lifting, chemical and physical enhancement, manufacturing, and methods for making test impressions. Examined footwear and tire impression evidence under the guidance and supervision of experienced and certified footwear/tire tread examiners.
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TRAINING CLASSES/WORKSHOPS

Federal Bureau of Investigation:

2000	Forensic Barefoot Examiners course (Regina, Canada)
1998	Examination and Detection of Footwear Impression Evidence course (Quantico, VA)
1998	Examination of Barefoot Evidence symposium (Quantico, VA)

International Association for Identification:

1998-2005, 2008, 2009, 2014	International Association for Identification annual educational conference
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PROFESSIONAL AFFILIATIONS

Member of International Association for Identification (IAI)
Member of Scientific Working Group for Shoeprint and Tire Tread Evidence (SWGTTREAD)
Past Chairperson of IAI's Footwear and Tire Track Subcommittee
Past Chairperson of IAI's Footwear Certification Board

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 06/20/2012

Name: Heather Gouldthorpe P#: 8646 Classification: Forensic Scientist

Current Discipline of Assignment: Latent Prints

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints	X	Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support / AFIS	X

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
National University	08/2000-01/2001	Forensic Science	MFS
Bowling Green State University	08/1991-05/1995	Sociology	BA
College of Southern Nevada	08/1998-02/2006	N/A	N/A
Grossmont College	08/2002-12/2002	N/A	N/A
University of Nevada - Las Vegas	08/1996-12/1998	N/A	N/A
University of Akron	06/1993-08/1993	N/A	N/A

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
New Research in Pattern Evidence and Statistical Models – Online	Las Vegas, NV	06/12/12
Analysis of Distortion in Latent Prints	Las Vegas, NV	02/20/12 & 02/22/12

00284

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
25 th Annual AFIS Internet User Conference	Henderson, NV	8/29 – 8/31/11
95 th IAI International Educational Conference	Milwaukee, WI	8/8 – 8/13/11
2011 NSDAI Quarterly Training	Las Vegas, NV	07/13/11
Basic Statistics/SWAFS	Dallas, TX	09/24/10
Law and Testimony/SWAFS	Dallas, TX	09/20/10
Forensic Fingerprint Analysis Basics - Online	Las Vegas, NV	08/26/10
History of an Optimized Development 1,2 Indanedione-Zinc Reagent	Las, Vegas, NV	10/07/09
Automated Fingerprint Identification Systems	WVU, Extended Learning Course	04/02/09
Analysis of Distortion in Latent Prints	Las Vegas, NV	02/9-02/10/09
GWS-L Latent user Methods and Operations	Las Vegas, NV	09/17-09/18/08
Application of Statistics to Ridgeology And ACE-V Methodology	Las Vegas, NV	03/31-04/04/08
Forensic Ridgeology	Las Vegas, NV	02/18-22/2008
Forensic Photography	Las Vegas, NV	02/14/2008
Forensic Digital Imaging	Las Vegas, NV	01/07-01/09/2008
Introduction to Firearms Safety	Las Vegas, NV	10/24/2007
Drivers Training	Las Vegas, NV	07/02/2007
87 th Annual IAI International Educational Conference	Las Vegas, NV	08/04 - 10/2002
Nevada State Division for the IAI 3 rd Annual Educational Conference	Las Vegas, NV	04/11 - 13/2001
Fingerprinting – State of Nevada P.O.S.T. Basic Certification	Las Vegas, NV	04/16/1997
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times

COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
District Court, Nevada	Latent Prints	2
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist	03/05/12 - Present
Las Vegas Metropolitan Police Department	Forensic Scientist Trainee	03/05/11 – 03/05/12
Las Vegas Metropolitan Police Department	Forensic Lab Technician	06/02/07 – 03/05/11
Las Vegas Metropolitan Police Department	Law Enforcement Support Technician	02/28/07-06/02/07
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
International Association for Identification (IAI)	2007-present	
Southwestern Association of Forensic Scientists (SWAFS)	2010-present	
PUBLICATIONS / PRESENTATIONS:		
8/31/11 "Thermal Paper Processing" 25 th Annual AFIS Internet User Conference, Henderson, NV		
OTHER QUALIFICATIONS:		
IAI Certified Latent Print Examiner – November 30, 2010		

Curriculum Vitae

**Las Vegas Criminalistics Bureau
Statement of Qualifications**

Name: Olivia Klosterman

P# 13177

Date: 03-22-11

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
X	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene
X	Crime Scene Analyst II	18 months - two (2) years continuous service with LVMPD as a Crime Scene Analyst I.
	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.
FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
Saint Joseph's College	Biology	Bachelor of Science/ May 2006
TESTIMONY		
<i>Yes</i>	<i>No</i>	
X		Justice Court
X		District Court
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LVMPD	CSA II	03-10-10 to Present
LVMPD	CSA I	03-10-08 - 03-10-10
Dr. Neal Haskell (Forensic Entomologist)	Sr. Lab Technician	05/06 - 03/08

00287

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 02/23/11

Name: Crystal May P#: 9288 Classification: Forensic Lab Technologist

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support / DNA	X

EDUCATION			
Institution	Dates Attended	Major	Degree Completed
University of New Haven	8/03-12/04	Forensic Science-Criminalistics	M.S.
Saint-Mary-of-the-Woods College	8/99-6/03	Biology	B.S.

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Forensic Biology Screening	Las Vegas, NV	09/29/10
Terminal Operator Certification	Las Vegas, NV	09/24/10
Plexor HY and Identifiler Plus	Las Vegas, NV	09/09/10
DNA Mixture and Interpretation & Statistics	Las Vegas, NV	07/15/10
Promega Plexor HY Overview	Las Vegas, NV	07/13/10
Evidence Evaluation and Collection for the Presence of DNA	Las Vegas, NV	03/10/10

00288

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
AB HID University RT-PCR	Las Vegas, NV	02/03/10
AB HID University 240, Basic GMIDX	Las Vegas, NV	07/28/10
Urine Drug Screen Training Completion	Las Vegas, NV	06/18/09
Siemens Syva VIVA-E Analyzer	Las Vegas, NV	06/16/09
Blood Drug Screen Training Completion	Las Vegas, NV	03/02/09
Hair Evaluation for DNA Analysis	Las Vegas, NV (WVU online)	02/09/09
Orasure Forensic Toxicology Training 101	Las Vegas, NV	01/27/09
Biological Fluid Identification	Sacramento, CA	07/15/08-07/18/08
AB CE Troubleshooting and GMID-X	Las Vegas, NV	06/04/08
AB7500 RT-PCR/Quant & Quant Duo Kit	Las Vegas, NV	06/24/08
Forensic Photography	Las Vegas, NV	02/14/08
Forensic Imaging Techniques	Las Vegas, NV	01/08
Applied Biosystems Training on 3130xl Genetic Analyzer	Las Vegas, NV	11/01/07
Introduction to Firearm Safety	Las Vegas, NV	10/24/07
Biological Terrorism	Las Vegas, NV (online)	12/27/06
National Incident Management System	Las Vegas, NV (online)	12/27/06
ABFDE Daubert Symposium 2006	Las Vegas, NV	11/06
Heartsaver First Aid (American Heart Association)	Las Vegas, NV	10/20/06
Drivers Training II	Las Vegas, NV	9/21/06
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
None		
EMPLOYMENT HISTORY		

<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD Forensic Laboratory	Forensic Laboratory Technologist	6/07-present
LVMPD Forensic Laboratory	Forensic Laboratory Technician	7/06-6/07
Denny's Pharmacy	Pharmacy Tech	8/05-6/06
Lucas County Coroner's Office	Toxicology Intern	05/05-08/05
University of New Haven	Chemistry Teaching Asst	9/03-12/04
Saint-Mary-of-the-Woods College	Chemistry Lab Asst	10/99-6/03
Argonne National Laboratory	Electrochemical Intern	05/02-08/02
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>		<i>Date(s)</i>
None		
PUBLICATIONS / PRESENTATIONS:		
Electrochemistry Communications, "New Cathode Materials for Silver-based Primary Batteries: AgCuO ₂ and Ag ₂ Cu ₂ O ₃ " C.D. May, T.T. Vaughey 6 (2004) 1075-1079.		
OTHER QUALIFICATIONS:		
None		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 02/23/11

Name: Crystal May P#: 9288 Classification: Forensic Lab Technologist

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support / DNA	X

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of New Haven	8/03-12/04	Forensic Science-Criminalistics	M.S.
Saint-Mary-of-the-Woods College	8/99-6/03	Biology	B.S.

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Forensic Biology Screening	Las Vegas, NV	09/29/10
Terminal Operator Certification	Las Vegas, NV	09/24/10
Plexor HY and Identifiler Plus	Las Vegas, NV	09/09/10
DNA Mixture and Interpretation & Statistics	Las Vegas, NV	07/15/10
Promega Plexor HY Overview	Las Vegas, NV	07/13/10
Evidence Evaluation and Collection for the Presence of DNA	Las Vegas, NV	03/10/10

00291

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
AB HID University RT-PCR	Las Vegas, NV	02/03/10
AB HID University 240, Basic GMIDX	Las Vegas, NV	07/28/10
Urine Drug Screen Training Completion	Las Vegas, NV	06/18/09
Siemens Syva VIVA-E Analyzer	Las Vegas, NV	06/16/09
Blood Drug Screen Training Completion	Las Vegas, NV	03/02/09
Hair Evaluation for DNA Analysis	Las Vegas, NV (WVU online)	02/09/09
Orasure Forensic Toxicology Training 101	Las Vegas, NV	01/27/09
Biological Fluid Identification	Sacramento, CA	07/15/08-07/18/08
AB CE Troubleshooting and GMID-X	Las Vegas, NV	06/04/08
AB7500 RT-PCR/Quant & Quant Duo Kit	Las Vegas, NV	06/24/08
Forensic Photography	Las Vegas, NV	02/14/08
Forensic Imaging Techniques	Las Vegas, NV	01/08
Applied Biosystems Training on 3130xl Genetic Analyzer	Las Vegas, NV	11/01/07
Introduction to Firearm Safety	Las Vegas, NV	10/24/07
Biological Terrorism	Las Vegas, NV (online)	12/27/06
National Incident Management System	Las Vegas, NV (online)	12/27/06
ABFDE Daubert Symposium 2006	Las Vegas, NV	11/06
Heartsaver First Aid (American Heart Association)	Las Vegas, NV	10/20/06
Drivers Training II	Las Vegas, NV	9/21/06
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
None		
EMPLOYMENT HISTORY		

<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD Forensic Laboratory	Forensic Laboratory Technologist	6/07-present
LVMPD Forensic Laboratory	Forensic Laboratory Technician	7/06-6/07
Denny's Pharmacy	Pharmacy Tech	8/05-6/06
Lucas County Coroner's Office	Toxicology Intern	05/05-08/05
University of New Haven	Chemistry Teaching Asst	9/03-12/04
Saint-Mary-of-the-Woods College	Chemistry Lab Asst	10/99-6/03
Argonne National Laboratory	Electrochemical Intern	05/02-08/02
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>		<i>Date(s)</i>
None		
PUBLICATIONS / PRESENTATIONS:		
Electrochemistry Communications, "New Cathode Materials for Silver-based Primary Batteries: AgCuO ₂ and Ag ₂ Cu ₂ O ₃ " C.D. May, T.T. Vaughey 6 (2004) 1075-1079.		
OTHER QUALIFICATIONS:		
None		

Curriculum Vitae

**Las Vegas Criminalistics Bureau
Statement of Qualifications**

Name: REINER, Jennifer

P# 8167

Date: 04-01-13

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene Investigation.
	Crime Scene Analyst II	18 months – 2 years continuous service with LVMPD as a Crime Scene Analyst I.
X	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
University of South Dakota	Criminal Justice	B.S.- May 2001

TESTIMONY		
<i>Yes</i>	<i>No</i>	
X		District Court, Justice Court, Grand Jury

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LVMPD	Senior CSA	10-27-12 to Present
LVMPD	Crime Scene Analyst II	08-30-10 to 10-27-12
LVMPD	Crime Scene Analyst I	08-30-08 to 08-30-10
LVMPD	Evidence Technician	May 2007 to August 2008
LVMPD	LEST	Oct 2003 to May 2007

00294

Curriculum Vitae

**Las Vegas Criminalistics Bureau
Statement of Qualifications**

Name: SHRUM, Shelly

P# 7917

Date: 05/01/13

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene Investigation.
	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I.
X	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
Chadron State College	Human Biology	Bachelors Degree 1995
University of Wyoming	Medical Technology	Bachelors Degree 1996
University of New Haven	Forensic Science/Fire Science	Master Degree 1999

TESTIMONY		
<i>Yes</i>	<i>No</i>	
X		District Court, Justice Court, Grand Jury, Family Court

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LVMPD	Sr. Crime Scene Analyst	09-25-07 to Present
LVMPD	CSA I / II	03-24-03 to 09-25-07

00295

Curriculum Vitae
Las Vegas Criminalistics Bureau
Statement of Qualifications

Name: William Speas

P# 5228

Date: 10-1-03

CURRENT CLASSIFICATION		
	<i>Classification</i>	<i>Minimum Qualifications</i>
	Crime Scene Analyst I	AA Degree with major course work in Criminal Justice, Forensic Science, Physical Science or related field, including specialized training in Crime Scene Investigation.
X	Crime Scene Analyst II	18 months - 2 years continuous service with LVMPD as a Crime Scene Analyst I.
	Senior Crime Scene Analyst	Two (2) years as a Crime Scene Analyst II to qualify for the promotional test for Senior Crime Scene Analyst.
	Crime Scene Analyst Supervisor	Four (4) years continuous service with LVMPD and completion of probation as a Senior Crime Scene Analyst. Must have the equivalent of a Bachelor's Degree from an accredited college or university with major course work in Criminal Justice, Forensic Science, Physical Science or related field.

FORMAL EDUCATION		
<i>Institution</i>	<i>Major</i>	<i>Degree/Date</i>
CCSN	Criminal Justice	Associates Degree-2000

TESTIMONY		
<i>Yes</i>	<i>No</i>	

EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Title</i>	<i>Date</i>
LVMPD	Crime Scene Analyst II	7-29-96

00296