

219D ✓	8 Cartridges "WIN 40 S&W"	9/16/16	NO	9/16/16
220 ✓	Evidence Package			
220A ✓	Glock .40 magazine			
220B ✓	9 Cartridges "WIN 40 S&W"			
220C ✓	Glock .40 magazine			
220D ✓	6 Cartridges "WIN 40 S&W" & 1 "R-P 40 S&W"			
221 ✓	Evidence Package			
221A ✓	1 Catridge Case "FC 9mm Luger"			
221B ✓	1 Catridge Case "FC 9mm Luger"			
221C ✓	1 Catridge Case "FC 9mm Luger"			
221D ✓	1 Catridge Case "FC 9mm Luger"			
221E ✓	1 Catridge Case "FC 9mm Luger"			
221F ✓	1 Catridge Case "FC 9mm Luger"			
221G ✓	1 Catridge Case "FC 9mm Luger"			
221H ✓	1 Catridge Case "FC 9mm Luger"			
222 ✓	Evidence Package			
222A ✓	1 Catridge Case "FC 9mm Luger"			
222B ✓	1 Catridge Case "WIN 40 S&W"			
222C ✓	1 Catridge Case "WIN 40 S&W"			
222D ✓	1 Catridge Case "WIN 40 S&W"			
222E ✓	1 Catridge Case "WIN 40 S&W"			
223 ✓	Evidence Package			
223A ✓	Bullet Fragment			
223B ✓	Bullet			
223C ✓	Bullet			
223D ✓	Bullet			
223E ✓	Bullet			
223F ✓	Bullet			
223G ✓	Bullet			9/16/16

224	✓ Evidence Package - <i>unopened</i>	9/19/16	NO	9/19/16
224A	Bullet Fragments	↓	↓	↓
225	✓ Evidence Package <i>unopened</i>	9/19/16	NO	9/19/16
225A	Plastic Container with bullet fragments	↓	↓	↓
226	✓ Evidence Package	9/16	NO	9/16/16
226A	✓ Bullet	↓	↓	↓
226B	✓ Bullet	↓	↓	↓
226C	✓ Bullet	↓	↓	↓
227	• Evidence Package <i>unopened</i>	9/28/16	NO	9/28/16
227A	✓ Ruger .40 Pistol <i>unopened</i>			
228	✓ Evidence Package <i>unopened</i>	9/29/16	NO	9/29/16
228A	• Magazine w/10 Cartridges			
228B	• Cloth Holster			
229	NOT SUBMITTED – as item is actually 228B			
230	✓ Evidence Package			
230A	2 Boxes 9mm Luger Cartridges			
231	✓ Evidence Package <i>unopened</i>			
231A	• Box of Misc. Cartridges/Magazines			
232	✓ Photograph of Summer Larsen	9/29	NO	9/29/16
233	Photograph of David Murphy	9/29	↓	↓
234	FB Photograph David Murphy & Mari T Sela <i>Redacted</i>	9/27/16	obj	9/27/16
235	Photograph Autopsy – X-Ray	9/19/16	NO	9/19/16
236	Photograph Autopsy	9/21/16	NO	372/16
237	Photograph Autopsy	↓	↓	↓
238	Photograph Autopsy	↓	↓	↓
239	Photograph Autopsy	↓	↓	↓
240	Photograph Autopsy	↓	↓	↓
241	Photograph Autopsy	↓	↓	↓

242	Photograph Autopsy	9/19/16	NO	9/19/16
243	Photograph Autopsy			
244	Photograph Crime Scene – Day 2			
245	Photograph Crime Scene – Day 2			
246	Photograph Crime Scene – Day 2			
247	Photograph Crime Scene – Day 2			
248	Photograph Crime Scene – Day 2			
249	Photograph Crime Scene – Day 2			
250	Photograph Crime Scene – Day 2			
251	Photograph Crime Scene – Day 2			
252	Photograph Crime Scene – Day 2	↓	↓	↓
253	Photograph of Robert Figueroa	9/27	NO	9/27/10
254	Photograph of Robert Figueroa			
255	Photograph of Robert Figueroa			
256	Photograph of Robert Figueroa			
257	Photograph of Robert Figueroa			
258	Photograph of Robert Figueroa			
259	Photograph of Robert Figueroa	↓	↓	↓
260	Photograph Figueroa Residence			
261	Photograph Figueroa Residence	↓	↓	↓
262	Photograph Figueroa Residence	↓	↓	↓
263	Photograph Mendoza Hospital	9/22/16	NO	9/22/10
264	Photograph Mendoza Hospital			
265	Photograph Mendoza Hospital			
266	Photograph Mendoza X-Ray	↓	↓	↓
267	Photograph Mendoza Container	9/18/16	NO	9/19/16
268	Photograph Mendoza Bullet	↓	↓	↓

269	Photograph Mendoza Residence	9/22/16	NO	9/22/16
270	Photograph Mendoza Residence	↓	↓	↓
271	Photograph Mendoza Residence	↓	↓	↓
272	Photograph Mendoza Residence	↓	↓	↓
273	Photograph Mendoza Residence	↓	↓	↓
274	Photograph Mendoza Residence	↓	↓	↓
275	Cell Tower Log - T-Mobile LV	9/24/16	NO	9/24/16
276	GPA Summer Larsen	9/23	skip	9/23/16
277	Pawn Receipt Speakers	9/19/16	NO	9/19/16
278	Pawn Receipts Computer	↓	↓	↓
279	Pawn Internal Info	↓	↓	↓
280	DVD Renee Salgado 911 Calls	9/21/16	NO	9/21/16
281	DVD Roger Day 911 Call	9/21	NO	9/21
282	DVD Joseph/Steve Larsen 911 Calls	9/22	NO	9/22/16
283	DNA Chart - Suspects	↓	↓	↓
284	DNA Chart - Gloves	↓	↓	↓
285	DNA Chart - Gloves	↓	↓	↓
286	DNA Chart - Gloves	↓	↓	↓
287	DNA Chart - Mask	↓	↓	↓
288	DNA Chart - Mask	↓	↓	↓
289	DNA Chart - BT10 & BT20	↓	↓	↓
290	DNA Chart - BT10 & BT20	↓	↓	↓
291	DNA Chart - Rifle	↓	↓	↓
292	DNA Chart - Rifle	↓	↓	↓
293	DNA Chart - Tooth	↓	↓	↓
294	DNA Chart - Tooth	↓	↓	↓
295	DNA Chart - Ruger	↓	↓	↓

296	DNA Chart - Ruger	9-22-16	NO	9-22-16
297	Letter 10/20/2014 Mendoza	9/21/16	NO	9/21/16
298	Mendoza CDR/298A - Blow up	9/21/16	NO	9/21/16
299	A. Mendoza Subscriber Inf			
300	A. Mendoza CDR/Blow-up 300-A	9/21 9/29		9/21 9/29
301	Murphy Subscriber Inf			
302	Murphy CDR			
303	Murphy Text Records/303A - Blow up	9/21 9/29	obj	9/21 9/29
304	Barrientos Subscriber		NO	
305	Barrientos CDR/305A - Blow-up	9/21 9/29	✓	9/21 9/29
306	Fragoso Subscriber	9/21/16	NO	9/21/16
307	" CDR	↓	↓	↓
308	Laguna Subscriber Inf			
309	" " CDR/309A - Blow-up	9/21 9/23	✓	9/21 9/23
310	Crickshawer list - Lvl 310A - Blow-up	9/21 9/29	✓	9/21 9/29
311	MSC TimeZone T-Mobile	9-21-16	NO	9/21/16
312	Interpreting Call Records	"		"
313	Photo Aerial Map	9/22/16	obj	
314	Photo Aerial Map	9/22/16	NO	9/22/16
315	Photo Aerial Map (1pg) Westlund	9/23/16	obj	9/23/16
316	" " (5pg) Westlund			
317	" " " (5pg) Caisey			
318	" " " (3pg) Lucky Horse			
319	" " (5pg) Delphinium			
320	" " (3pg) Jones			
321	" " (3pg) Broadmere			
322	Pinlink	9/23/16	NO	9/23/16

* Blow-up's of original exhibit

STATE'S EXHIBIT

C 303991

	Date Offered	Objection	Date Admitted
323. Pin Link with names	9/23/16	obj	9/23/16
324. Maria Sandoval Phonelog	↓	NO	"
325. GPA - J. Figueroa	9/28/16	obj	9/28/16
326. Reporter Transcript 1-29-15	9/28/16	↓	↓
327. Voluntary Statement R. Figueroa 10/24/14	↓	↓	↓
328. Transcript 1/25/15	↓	↓	↓
329. Transcript (Ex 10/23/14)	↓	↓	↓
330. " " Not Date 16 pages	↓	↓	↓
331. Mtn to Dismiss (Figueroa)	↓	↓	↓
332. CD - audio of exhibits 327-330	9/29/16	NO	9/29/16
333. Phone number list	9/29	"	"
334. Voluntary Mendoza (statement)	10/4	NO	10/4/16
334A. audio of Voluntary Statement			
335. Joe Sotello Doc 3/25/15	9/30	NO	9/30/16
336. " " " 1/16/11	↓	↓	↓
337. " " " 2/8/11	↓	↓	↓
338. Photo - map (aerial)	10/4	obj	10/4/16
339. " - Blood Splatter			
340. " "			
341. " "			
342. " "			
343. " Body of victim (Front)			
344. " " (Back)			

STATE'S EXHIBITS

CASE NO. C 303991

				Date Offered	Objection	Date Admitted
343	Diagram	- outside home		10/4/16	No	10/4/16
346	"	" Inside home		"	"	"
347	Photo	- outside home		10/4/16	No	10/4/16
348	"	" close-up				
349	"	" "				
350	"	" "				
351	"	" "				
352	"	front door				
353	"	front door				
354	"	close up - door				
355	"	close up - open door				
356	"	Living Room				
357	"	Looking out front door				
358	"	"				
359	"	White SUV				
360	"	orange cones				
361	"	2 sets orange cones				
362	"	2 SUV's				

DEFT'S EXHIBITS

CASE NO. C0303991

[illegible]

Court's EXHIBITS

CASE NO. C 30399/

[illegible]

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

JOSEPH LAGUNA,

Defendant(s).


Case No: C-15-303991-5

Dept No: V

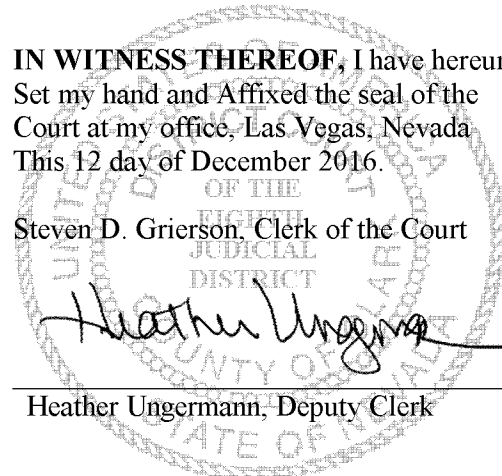
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 12 day of December 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



1 **SANDRA L. STEWART**
2 Attorney at Law
3 Nevada Bar No. 6834
4 140 Rancho Maria Street
5 Las Vegas, Nevada 89148
6 (702) 363-4656
7
8 Attorney for JOSEPH LAGUNA


CLERK OF THE COURT

Electronically Filed
Dec 16 2016 03:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**


11 STATE OF NEVADA,
12
13 Plaintiff,
14 v.
15 JOSEPH LAGUNA,
16 Defendant.

DISTRICT COURT NO.: - C-303991-5
JUSTICE COURT NO.: - 14BGJ019E
SUPREME COURT NO.: - TBD

NOTICE OF APPEAL

17 NOTICE is hereby given that Defendant, JOSEPH LAGUNA, hereby
18 appeals to the Nevada Supreme Court, from the Eighth Judicial District Court's
19 Judgment of Conviction and all other appealable rulings rendered in this case.

20
21 Dated this 9th day of December, 2016.

22
23
24 
25 **SANDRA L. STEWART**
26 Attorney for JOSEPH LAGUNA
27
28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on December 9, 2016, I served a copy of the:

3 **NOTICE OF APPEAL**

4 by e-filing the document with the Eighth Judicial District Court via Wiznet, thereby
5 providing access to a copy to all other interested parties, including but not limited
6 to, the following:

7
8 STEVEN B. WOLFSON, ESQ.
9 CLARK COUNTY DISTRICT ATTORNEY
10 200 Lewis Avenue
Las Vegas, NV 89155-2212

11
12 
13 SANDRA L. STEWART


CLERK OF THE COURT

SANDRA L. STEWART
Attorney at Law
Nevada Bar No. 6834
140 Rancho Maria Street
Las Vegas, Nevada 89148
(702) 363-4656

Attorney for JOSEPH LAGUNA

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,
Plaintiff.

v.

JOSEPH LAGUNA,
Defendant.

DISTRICT COURT NO.: - C-303991-5

JUSTICE COURT NO.: - 14BGJ019E

SUPREME COURT NO.: - TBD

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

JOSEPH LAGUNA

2. Identify the judge issuing the decision, judgment, or order appealed from:

Hon. CAROLYN ELLSWORTH

3. Identify all parties to the proceedings in the district court:

JOSEPH LAGUNA

State of Nevada

4. Identify all parties involved in this appeal:

JOSEPH LAGUNA

State of Nevada

5. Set forth the name, law firm, address, and telephone number of all counsel on
appeal and identify the party or parties whom they represent:

....

Sandra L. Stewart
Attorney at Law
140 Rancho Maria Street
Las Vegas, NV 89148
702-363-4656
(for JOSEPH LAGUNA)

Steven B. Wolfson, Esq.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, NV 89101
702-671-2700
(for State)

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Appointed

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Appointed.

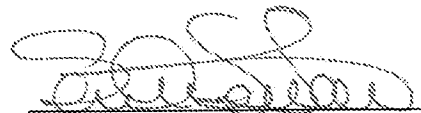
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

Yes. Date unknown.

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

February 27, 2015.

Dated this 9th day of December, 2016.



SANDRA L. STEWART
Attorney for JOSEPH LAGUNA

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on December 9th, 2016, I served a copy of the:

3 **CASE APPEAL STATEMENT**

4 by e-filing the document with the Eighth Judicial District Court via Wiznet, thereby providing
5 access to a copy to all other interested parties, including but not limited to, the following:

6 STEVEN B. WOLFSON, ESQ.
7 **CLARK COUNTY DISTRICT ATTORNEY**
8 200 Lewis Avenue
Las Vegas, NV 89155-2212

9
10 
11 SANDRA L. STEWART

State of Nevada
vs
Joseph Laguna
















[illegible]

CASE INFORMATION












Appealed to Supreme Court
Custody Status - In Custody
Custody Status - Nevada
Department of Corrections
REMANDED W/OUT BAIL
Charge Description Updated

Printed on 12/12/2016 at 4:00 PM

DEPARTMENT 5
CASE SUMMARY
CASE NO. C-15-303991-5

02/27/2015	 Grand Jury Indictment (11:45 AM) (Judicial Officer: Barker, David)
02/27/2015	 Warrant <i>Superseding Indictment Warrant</i>
02/27/2015	 Superseding Indictment <i>Superseding Indictment</i>
03/02/2015	 Indictment Warrant Return <i>Superseding Indictment Warrant Return</i>
03/04/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Superseding Indictment, February 26, 2015</i>
03/04/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 1, January 8, 2015</i>
03/04/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Volume 2, January 29, 2015</i>
03/09/2015	All Pending Motions (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
03/09/2015	All Pending Motions (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
03/09/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>All Pending Motions: 3/9/15</i>
03/26/2015	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
03/26/2015	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
04/03/2015	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Expert Witnesses</i>
04/08/2015	 Motion <i>Motion to Continue Trial Date</i>
04/08/2015	 Notice <i>Notice of Change of Hearing</i>
04/09/2015	 Petition <i>Defendant's Petition for Writ of Habeas Corpus</i>
04/20/2015	Calendar Call (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
04/20/2015	Motion to Continue Trial (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
04/20/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>All Pending Motions: 4/20/15</i>

DEPARTMENT 5
CASE SUMMARY
CASE NO. C-15-303991-5

04/27/2015	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Ellsworth, Carolyn) <i>Vacated - per Judge</i>
05/04/2015	 Return <i>Return To Writ of Habeas Corpus</i>
05/20/2015	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) 05/20/2015, 06/01/2015
05/29/2015	 Grand Jury Indictment (11:45 AM) (Judicial Officer: Barker, David) <i>Second Superseding Indictment</i>
05/29/2015	 Indictment <i>Second Superseding Indictment</i>
05/29/2015	 Warrant <i>Second Superseding Indictment Warrant</i>
06/03/2015	CANCELED Initial Arraignment (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>Vacated</i> <i>Second Superseding Indictment</i>
06/17/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Second Superseding Indictment, May 28, 2015</i>
06/29/2015	 Order <i>Order Denying Defendant's Pre-Trial Petition for Writ of Habeas Corpus</i>
08/31/2015	 Status Check: Trial Setting (9:00 AM) (Judicial Officer: Thompson, Charles) 08/31/2015, 09/21/2015 <i>Status Check: Firm Trial Setting</i>
09/21/2015	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Thompson, Charles) <i>Vacated</i>
09/28/2015	CANCELED Jury Trial - FIRM (1:30 PM) (Judicial Officer: Ellsworth, Carolyn) <i>Vacated</i>
11/02/2015	 Motion <i>Motion to Authorize Clark County Detention Center to Procure Prescription Eyewear for defendant</i>
11/09/2015	 Opposition <i>Filed By: Plaintiff State of Nevada</i> <i>Specialty Appearing Interested Party Sheriff Lombardo of the Las Vegas Metropolitan Police Department's Opposition to Motion to Authorize Clark County Detention Center to Procure Prescription Eyewear for Defendant</i>
11/16/2015	 Motion (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) 11/16/2015, 11/30/2015 <i>Defendant's Motion to Authorize Clark County Detention Center to Procure Prescription Eyewear for Defendant</i>
01/04/2016	 Order








DEPARTMENT 5
CASE SUMMARY
CASE NO. C-15-303991-5

Order Authorizing Clark County Detention Center to Procure Prescription Eyewear for Defendant

04/15/2016	 Joinder <i>Notice of Joinder</i>
04/25/2016	 Joinder <i>Joinder</i>
05/02/2016	 Minute Order (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>Minute Order Re: Status Check: Joinder to Motion to Sever</i>
05/09/2016	 Status Check (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>Status Check: Joinder to Motion to Sever</i>
08/15/2016	 Notice of Witnesses and/or Expert Witnesses <i>Second Supplemental Notice of Expert Witnesses NRS 174.234(2)]</i>
08/19/2016	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
08/22/2016	 Notice of Witnesses and/or Expert Witnesses <i>Third Supplemental Notice of Expert Witnesses</i>
08/28/2016	 Motion <i>Motion in Limine to Preclude any Reference to the Defendant and Robert Figureroa as "Cellies: or Cell Mates</i>
08/28/2016	 Motion <i>Motion in Limine to Conceal Defendant's Tattoos</i>
08/29/2016	 Notice <i>Motion in Limine to Conceal Defendant's Tattoos</i>
08/29/2016	 Notice <i>Notice of Motion</i>
08/30/2016	 Notice <i>Notice of Motion</i>
09/01/2016	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Alibi Witnesses</i>
09/02/2016	 Order Shortening Time <i>Order Shortening Time</i>
09/07/2016	Calendar Call (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
09/07/2016	Motion in Limine (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>Defendant's Motion in Limine to Preclude Any Reference to the Defendant and Robert Figueroa as "Cellies" or Cell Mates</i>
09/07/2016	Motion in Limine (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)

DEPARTMENT 5
CASE SUMMARY
CASE NO. C-15-303991-5

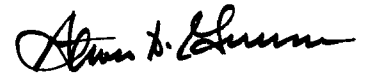
Defendant's Motion in Limine to Conceal Defendant's Tattoos

09/07/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)
09/07/2016	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses</i>
09/08/2016	 Opposition <i>State's Opposition to Defendant's Motion to Exclude Summer Larsen</i>
09/09/2016	 Motion to Exclude (9:00 AM) (Judicial Officer: Ellsworth, Carolyn) <i>Motion to Exclude Summer Larsen on Order Shortening Time</i>
09/09/2016	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses</i>
09/12/2016	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Ellsworth, Carolyn) <i>Vacated - Duplicate Entry</i>
09/12/2016	 Jury Trial (1:30 PM) (Judicial Officer: Ellsworth, Carolyn) 09/12/2016-09/16/2016, 09/19/2016-09/23/2016, 09/27/2016-09/30/2016, 10/03/2016-10/07/2016
09/19/2016	 Notice of Witnesses and/or Expert Witnesses <i>Second Supplemental Notice of Witnesses [NRS 174.234(1)(a)]</i>
09/19/2016	 Order to Show Cause <i>Order to Show Cause Re: Contempt</i>
09/30/2016	 Order to Transport Defendant <i>Order To Transport Defendant to Court</i>
10/03/2016	 Opposition <i>State's Opposition to Defendants' Motion for Mistrial</i>
10/03/2016	 Notice of Witnesses and/or Expert Witnesses <i>Fourth Supplemental Notice of Expert Witnesses</i>
10/03/2016	 Brief <i>Bench Brief</i>
10/07/2016	 Amended Jury List <i>Second Amended Jury List</i>
10/07/2016	 Verdict
11/07/2016	 Order to Show Cause (2:00 PM) (Judicial Officer: Ellsworth, Carolyn) Events: 09/19/2016 Order to Show Cause
11/08/2016	 PSI
11/28/2016	 Sentencing (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)

DEPARTMENT 5
CASE SUMMARY
CASE NO. C-15-303991-5

12/02/2016	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>	
12/09/2016	 Notice of Appeal (criminal) <i>Notice Of Appeal</i>	
12/09/2016	 Case Appeal Statement <i>Case Appeal Statement</i>	

DATE	FINANCIAL INFORMATION	
	Plaintiff State of Nevada	
	Total Charges	3.50
	Total Payments and Credits	3.50
	Balance Due as of 12/12/2016	0.00



CLERK OF THE COURT

1 JOC

3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 THE STATE OF NEVADA,

6 *Plaintiff,*

7 -vs-

CASE NO: C-15-303991-5

8 JOSEPH LAGUNA
9 Aka Joey Laguna
#1203205,

DEPT NO: V

10 *Defendant.*

11 JUDGMENT OF CONVICTION
12 (JURY TRIAL)

13 The defendant previously entered a plea of not guilty to the crimes of COUNT 1 –
14 CONSPIRACY TO COMMIT ROBBERY (a Category B Felony) in violation of NRS
15 199.480, 200.380; COUNT 2 – BURGLARY WHILE IN POSSESSION OF A DEADLY
16 WEAPON (a Category B Felony) in violation of NRS 205.060; COUNT 3 – HOME
17 INVASION WHILE IN POSSESSION OF A DEADLY WEAPON (a Category B Felony)
18 in violation of NRS 205.067; COUNTS 4 & 5 - ATTEMPT ROBBERY WITH USE OF A
19 DEADLY WEAPON (a Category B Felony) in violation of NRS 193.330, 200.380, 193.165;
20 COUNT 6 – MURDER WITH USE OF A DEADLY WEAPON (a Category A Felony) in
21 violation of NRS 200.010, 200.030, 193.165; and COUNT 7 – ATTEMPT MURDER
22 WITH USE OF A DEADLY WEAPON (a Category B Felony) in violation of NRS 200.010,
23 200.030, 193.330;

24 //

25 //

26 //

27 //

28 X

1 and the matter having been tried before a jury and the defendant having been found guilty of
2 said crimes, with a **SECOND DEGREE MURDER VERDICT** as to **COUNT 6**.
3 Thereafter, on the 28th day of November, 2016, the defendant was present in court for
4 sentencing with his counsel MONIQUE MCNEILL, ESQ., and good cause appearing,

5 THE DEFENDANT IS HEREBY ADJUDGED guilty of said crimes as set forth in
6 the jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee, an order and
7 judgment of Restitution in the amount of \$5,500.00 payable to and in favor of the State of
8 Nevada Victims of Crime for which the defendant is jointly and severally liable with his co-
9 defendants Jorge Mendoza and David Murphy, and a \$3.00 DNA Collection Fee,¹ the
10 defendant is sentenced to the Nevada Department of Corrections as follows:

11 on **COUNT 1** – to a MAXIMUM of SEVENTY TWO (72) MONTHS and a MINIMUM of
12 TWENTY EIGHT (28) MONTHS;

13 on **COUNT 2** - to a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS and a
14 MINIMUM of FORTY EIGHT (48) MONTHS, Count 2 to run CONCURRENTLY with
15 Count 1;

16 on **COUNT 3** - to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a
17 MINIMUM of SIXTY SIX (66) MONTHS, Count 3 to run CONCURRENTLY with Count
18 2;

19 on **COUNT 4** - to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a
20 MINIMUM of FORTY EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE
21 HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY EIGHT (48)
22 MONTHS for the Use of a Deadly Weapon, Count 4 to run CONCURRENTLY with Count
23 3;

24 on **COUNT 5** - to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a
25 MINIMUM of FORTY EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE
26 HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY EIGHT (48)

27
28 ¹ The DNA Analysis Fee is WAIVED.

1 MONTHS for the Use of a Deadly Weapon, Count 5 to run CONCURRENTLY with Count
2 4;
3 on **COUNT 6** - to LIFE with a possibility of parole after a term of TEN (10) YEARS have
4 been served, plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS
5 and a MINIMUM of THIRTY SIX (36) MONTHS for the Use of a Deadly Weapon; Count 6
6 to run CONCURRENTLY with COUNT 5;
7 on **COUNT 7** - to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and a
8 MINIMUM of EIGHTY FOUR (84) MONTHS, plus a CONSECUTIVE term of TWO
9 HUNDRED FORTY (240) MONTHS and a MINIMUM of EIGHTY FOUR (84) MONTHS
10 for the Use of a Deadly Weapon, Count 7 to run CONSECUTIVELY to Count 6; with SIX
11 HUNDRED FIFTY FIVE (655) days credit for time served. Defendant's AGGREGATE
12 TOTAL SENTENCE is LIFE with a MINIMUM of TWENTY SEVEN (27) YEARS.

13 DATED this 30th day of November, 2016.

14 
15 CAROLYN ELLSWORTH
16 DISTRICT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

February 27, 2015 11:45 AM Grand Jury Indictment

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 10B

COURT CLERK: Tia Everett

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Edmond James, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 14BGJ019E to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C303991-5, Department V. State requested warrant and argued bail. COURT ORDERED, WARRANT WILL ISSUE with NO BAIL. Exhibit(s) 1a, 14-23 lodged with Clerk of District Court.

I.W.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

March 09, 2015 9:00 AM All Pending Motions

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- FURTHER PROCEEDINGS: SUPERSEDING INDICTMENT - DEFT'S 1,3, 4...SUPERSEDING INDICTMENT WARRANT RETURN - DEFT'S 1,3,4...INDICTMENT RETURN - DEFT. 5... INITIAL ARRAIGNMENT - DEFT. 5

Deft's present in custody. Mr. Coyer present for his client Deft. Larsen, and on behalf of Mr. Wolfbrandt and Mr. Landis' clients, Deft. Mendoza and Deft. Murphy. State FILED Superseding Indictment in OPEN COURT, o include 5th Deft. Laguna, present with Ms. McNeill. Deft's Mendoza, Larsen, Murphy and Laguna ARRAIGNED on Superseding Indictment and INVOKED the 60 day rule. Mr. Coyer requested 21 days from today to file writ. State advised on the first 4 Deft's time should have already run. Mr. Coyer requested additional time, as writ would be due on Monday. State has no opposition to setting all Deft's deadline to file writ in 21 days from today. Ms. McNeill joined in request. COURT ORDERED, counsel will have until 4/9/15 to file writs and trial date set for Deft. Laguna on the same date as co-Deft's and trial STANDS at this time.

CUSTODY (ALL)

- FURTHER PROCEEDINGS: SUPERSEDING INDICTMENT - DEFT'S 1,3, 4...SUPERSEDING

INDICTMENT WARRANT RETURN - DEFT'S 1,3,4...INDICTMENT RETURN - DEFT. 5... INITIAL
ARRAIGNMENT - DEFT. 5

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CUSTODY (ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

March 09, 2015 9:00 AM All Pending Motions

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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CUSTODY (ALL)

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INDICTMENT WARRANT RETURN - DEFT'S 1,3,4...INDICTMENT RETURN - DEFT. 5... INITIAL
ARRAIGNMENT - DEFT. 5

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CUSTODY (ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-15-303991-5 State of Nevada
vs
Joseph Laguna

March 09, 2015 9:00 AM All Pending Motions

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

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CUSTODY (ALL)

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CUSTODY (ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 20, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

April 20, 2015 9:00 AM Calendar Call

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- CALENDAR CALL...DEFT'S MOTION TO CONTINUE TRIAL DATE (DEFT. LAGUNA)

Deft. present in custody. Counsel for remaining Deft's concurred with request to continue trial. Mr. DiGiacomo advised he gave counsel additional time to file writ, and they have agreed to give him additional time to reply. Colloquy regarding trial setting. COURT ORDERED, Motion GRANTED, trial date VACATED and RESET (ALL REMAINING DEFT'S). FURTHER, State will have until 5/4/15 to respond to writ with matter set for hearing thereafter.

CUSTODY (ALL)

5/14/15 9 AM WRIT OF HABEAS CORPUS

9/21/15 9 AM CALENDAR CALL (ALL)

9/28/15 1:30 PM JURY TRIAL (FIRM-ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 20, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

**May 20, 2015 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
 Laguna, Joseph Defendant
 McNeill, Monique A. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

Deft. present in custody. COURT advised, due to her trial schedule, she has been unable to finish reviewing this writ and ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 6/1/15 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

May 29, 2015 11:45 AM Grand Jury Indictment

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

COURT CLERK: April Watkins

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Edmond James. Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 14BGJ019E to the Court. COURT ORDERED, the Second Superseding Indictment may be filed and is assigned Case Number C303991-5, Department 5. State requested warrant, advised there is a no bail hold at this time and requested that stand. COURT ORDERED, WARRANT ISSUED, NO BAIL and matter SET for initial arraignment. Exhibit(s) 1b, 24-30 lodged with Clerk of District Court. Exhibit(s) 1, 1a, 2-23, were previously lodged with Clerk of District Court.

I.W. (CUSTODY)

6/3/15 9:00 AM INITIAL ARRAIGNMENT (DEPT. 5)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 01, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

**June 01, 2015 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

Deft. present in custody. COURT advised she has reviewed all pleadings. Arguments by counsel. COURT stated findings and ORDERED, Petition DENIED, and Writ DISCHARGED. State advised they are taking case back to grand jury to amend indictment. At request of counsel, COURT entered a plea of NOT GUILTY to the 2nd Amended Indictment on behalf of the Deft., trial date STANDS. Future date vacated.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

August 31, 2015 9:00 AM Status Check: Trial Setting

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: TRIAL SETTING

Deft. present in custody. Colloquy regarding scheduling and duration of trial. COURT ORDERED, matter CONTINUED for status check on setting firm trial date.

CUSTODY

9/23/15 9 AM STATUS CHECK: SET FIRM TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 21, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 21, 2015 9:00 AM Status Check: Trial Setting

HEARD BY: Thompson, Charles **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Tia Everett

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Colloquy regarding trial dates. COURT ORDERED, matter SET for trial with a firm setting.

CUSTODY

9/07/2016 9:00 AM CALENDAR CALL

9/12/2016 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

November 16, 2015 9:00 AM Motion

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Laguna, Joseph	Defendant
	Pandukht, Taleen R	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S MOTION TO AUTHORIZE CLARK COUNTY DETENTION CENTER TO PROCURE PRESCRIPTOIN EYEWEAR FOR DEFT.

Deft. present in custody. Marina Geinzer, representative for the jail, also present. State advised they oppose this motion. Matter trailed for Ms. McNeill's office. MATTER RECALLED. Court noted her JEA contacted Ms. McNeill and she stated she thought it was set for the 18th. Ms. Geinzer advised she will not be available Wednesday or next week. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 11/20/15 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2015

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

November 30, 2015 9:00 AM Motion

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Keri Cromer

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Martina Geinzer, Esq., appearing for Las Vegas Metropolitan Police Department. Arguments by counsel regarding the merits of the motion. Statement by Deft. COURT ORDERED, Motion GRANTED; advised this should be paid through Medicaid. Court directed counsel to assist Deft. with a Medicaid application.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

May 02, 2016 9:00 AM Minute Order

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Skye Endresen
 Jennifer Kimmel

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
 Lexis, Agnes Attorney
 McNeill, Monique A. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. McNeill appeared at Co-Deft. Murphy s hearing and requested to Join in the Deft s Motion to Sever. Accordingly, COURT ORDERED, matter set for Status Check.

Deft. was not present this date.

CUSTODY

5/9/16 9:00 A.M. STATUS CHECK: JOINDER TO MOTION TO SEVER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 09, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

May 09, 2016 9:00 AM Status Check

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: MOTION AND JOINDER IN MOTION TO SEVER

Deft. present in custody. Arguments by State and Mr. Coyer regarding his motion. COURT ORDERED, Motion DENIED, Court doesn't believe there are grounds to sever. Arguments by State and Ms. McNeill regarding motion in joinder. COURT stated findings and ORDERED, Motion DENIED. State to prepare order with findings.

CUSTODY

- STATUS CHECK: MOTION AND JOINDER IN MOTION TO SEVER

Deft. present in custody. Arguments by State and Mr. Coyer regarding his motion. COURT ORDERED, Motion DENIED, Court doesn't believe there are grounds to sever. Arguments by State and Ms. McNeill regarding motion in joinder. COURT stated findings and ORDERED, Motion DENIED. State to prepare order with findings.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 07, 2016 9:00 AM All Pending Motions

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Katrina Hernandez

RECORDER: Lara Corcoran

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

-- DEFENDANT LAGUNA'S MOTION IN LIMINE TO CONCEAL DEFENDANT'S TATTOOS. Court noted there was no opposition to the tattoo motion and Mr. DiGiacomo argued it is not an evidentiary issue and further argued in opposition. Court agreed it is not an evidentiary issue. Arguments by Ms. McNeill in support of the motion. Court stated its findings and ORDERED, motion DENIED.

As to DEFENDANT LAGUNA'S MOTION IN LIMINE TO PRECLUDE ANY REFERENCE TO THE DEFENDANT AND ROBERT FIGUEROA AS "CELLIES" OR CELL MATES set to be heard on 9/12/16, COURT ORDERED, motion advanced to today. Mr. DiGiacomo noted what Robert Figueroa will state. Court noted it will admonish Defendant Figueroa outside the presence and before his testimony. Matter RESOLVED. Ms. McNeill to prepare the order.

Noting the Courts ruling the day prior as to co-defendant Summer Larsen, Mr. Landis argued he intends to bring a motion to exclude and stated his arguments. Arguments by Mr. DiGiacomo in opposition. Arguments by Ms. McNeill. Further arguments by Counsel. COURT FURTHER ORDERED, oral motion to exclude, DENIED; matter SET for hearing on Order Shortening Time; Mr. Landis to file the motion by 9/8/16. Colloquy regarding notice of alibi filed by Ms. McNeill and withdrawn. COURT ORDERED, Notice for Alibi witness filed by Monique McNeill, STRICKEN.

CUSTODY (ALL)

9/9/16 9:00 AM MOTION TO EXCLUDE SUMMER LARSEN ON ORDER SHORTENING TIME
(COURTROOM 16-C)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 09, 2016 9:00 AM Motion to Exclude

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carole D'Aloia

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Following arguments by Mr. Landis and Mr. DiGiacomo, COURT ORDERED, motion DENIED as to the untimely notice as Court does not feel the notice was untimely and/or caused prejudice to Defendant Murphy; DENIED as to inadmissible uncharged bad acts implicating Defendant Murphy as the Grand Jury testimony made it quite clear the continuing conspiracy which is adequately charged under the law; DENIED as to exclude Summer Larsen as a Witness; State to prepare the Order. Court advised trial will commence on Monday with picking a jury.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 12, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 12, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. The Court and counsel discussed scheduling for the trial. PROSPECTIVE JURY PRESENT. Continued voir dire of the jury panel by counsel.

COURT ORDERED, Jury recessed for the evening. TRIAL CONTINUED

CUSTODY

9-13-16 1:30 PM JURY TRIAL (DEPT. V)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 13, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 13, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Marwanda Knight

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Deft. David Murphy, present in custody with his attorney, Casey Landis, Esq.

Deft. Jorge Mendoza, present in custody with his attorney, William Wolfbrandt, Esq.

DAY 2 - TRIAL BY JURY

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL - Mr. DiGiacomo noted argument made by the defense on Friday regarding Summer Larsen's jail calls/kites; advised he was able to get the jail calls on Friday and provided them to Mr. Landis Saturday morning and Ms. McNeil on Sunday. Further noting his review of the kites, Mr. DiGiacomo stated there was nothing in the kites that would be discoverable, but to be safe he would provide the kites to the defense.

Further, Mr. DiGiacomo advised he had photos taken during the execution of the search warrant at

Mr. Mendoza s house pulled and that he would provide them by e-mail to the defense attorneys.

Mr. Landis acknowledged receipt of the phone calls. Upon inquiry of the Court, Mr. Landis advised that there were many and that he is working on getting a number. COURT SO NOTED.

PROSPECTIVE JURY PANEL PRESENT - Court noted the absence of Juror #324. Voir Dire continued.

COURT ADMONISHED and RELEASED the Prospective Jury Panel for the evening, and ORDERED, matter CONTINUED to September 14, 2016 at 1:00 p.m.

CONTINUED TO: 09/14/2016 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 14, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- TRIAL BY JURY

IN THE ABSENCE OF THE JURY VENIRE. Court advised juror seated in the #8 had a death in the family and has to leave town. Counsel stipulated to excuse juror and replace her with the next in line. IN THE PRESENCE OF THE JURY VENIRE. Jury selection commenced. LATER: New panel of 50 brought in and sworn. Jury selection continued.

EVENING RECESS

CONTINUED TO: 9/15/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 15, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 15, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY VENIRE PRESENT. Jury selection continued.

EVENING RECESS

CONTINUED TO: 9/16/16 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 16, 2016 9:00 AM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY PRESENT. Indictment read to jury and advised of their pleas of NOT GUILTY. COURT instructed jury as to trial procedure. Opening statements by counsel. Testimony and exhibits per worksheets. JURY ABSENT. Counsel stipulated to opening police exhibits before the jury comes in, and to break the seal on the boxes containing the gun so as to not destroy the boxes. JURY PRESENT. Testimony resumed.

EVENING RECESS

CONTINUED TO: 9/19/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 19, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. Counsel waived the present of Deft's for this hearing. Mr. Landis noted one of the co-Deft. is going to testify, and advised the Guilty Plea Agreement (GPA) needs to be admitted and she will have to testify truthfully. Arguments by counsel. State advised if after testimony it has to be redacted, then it will be. MATTER RECALLED: Court reviewed case law cited by counsel. COURT finds if on cross examination if credibility is attacked and a redaction is required, State will have to amend without redaction. Mr. Landis advised he just received email from the State with more text messages and requested it be excluded as presented late. Ms. McNeill joined in request. State advised they just received the information. Arguments by counsel. Court advised she will allow a short continuance if needed but does not find this prejudicial as custodian of records is going to testify, and they can ask her where she got the information. Upon Court's inquiry as to how much time needed to review this information, Mr. Landis stated he will talk with his expert. Deft's present. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Juror number 12 provided note

to Marshal regarding last witness. Juror 12 brought in, without the other jurors, and upon Court's inquiry stated he may have known the last witnesses when he was a child. Upon Court's inquiry, juror advised this fact would not affect his ability to be a fair juror. Juror 12 left courtroom. Counsel advised they have no opposition to leaving juror 12 on the panel. State advised the co-Deft. is the next witness and requested Court admonish Deft. that she is not allowed to mention any gang affiliation of co-Deft., the fact that Deft. Murphy was in Federal custody, and to listen carefully to the question before answering. COURT ADMONISHED witness Larsen as requested by State. JURY PRESENT. Testimony continued.

EVENING RECESS

CONTINUED TO: 9/19/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 20, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 20, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Mr. Landis advised he is having problems with a potential witness and may need to submit an order for material witness. State advised they are not calling a cell phone expert.

EVENING RECESS

- JURY TRIAL

JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Mr. Landis advised he is having problems with a potential witness and may need to submit an order for material witness. State advised they are not calling a cell phone expert.

EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 21, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 21, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Lexis, Agnes	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Court noted that alternate juror number 4 advised her Marshal he is having some health issues. Counsel stipulated to excuse him,

EVENING RECESS

9/22/16 1:30 PM JURY TRIAL

- JURY TRIAL

JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Court noted that alternate juror number 4 advised her Marshal he is having some health issues. Counsel stipulated to excuse him,

EVENING RECESS

9/22/16 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 22, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 22, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Lexis, Agnes	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY NOT PRESENT. Counsel advised they have agreed to some redactions on exhibit 276 and will submit it tomorrow. COUNSEL stipulated to excuse alternate juror number 4. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Counsel put on the record an objection that was made on the record. Court advised of her reasoning for her ruling. JURY PRESENT. Testimony resumed. JURY ABSENT. Ms. McNeill objected to "pinging" of phone local as to her client as pinging dates was not provided. Arguments by counsel. COURT finds there was nothing hidden intentionally by the State, it is not trial by ambush, and there is nothing on this that is exculpatory. Further arguments by counsel. COURT finds the best evidence rule wasn't implicated or a violation that would rise to a mistrial and ORDERED, Motion for mistrial DENIED. Mr. Landis clarified he did not directly request mistrial.

EVENING RECESS

CONTINUED TO: 9/22/16 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 23, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 23, 2016 9:00 AM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. Mr. Landis advised State provided redacted version of exhibit 276, but you can tell it has been redacted. Counsel advised they can come up with some language that jury is not to draw any inference. Counsel stipulated to admit exhibit 276. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Defense counsel objected to cell tower records. Arguments by counsel. COURT stated findings and ORDERED, Objection OVERRULED. JURY PRESENT. Testimony resumed. JURY ABSENT. Court admonished witness Figueroa that he cannot mention any testimony in front of jury regarding prison or gangs. JURY PRESENT. Testimony resumed. JURY ABSENT. Counsel stipulated not to have trial on Monday.

EVENING RECESS

CONTINUED TO: 9/27/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 27, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

September 27, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- TRIAL BY JURY

JURY ABSENT. State advised they made enlargements of the cell phone exhibits so it will be easier for jury to read. Counsel advised they will review blow-ups and discuss later on admittance. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. State advised they want to put in Grand Jury transcript. Arguments by counsel. Court advised she hasn't seen it yet to make a decision. Further arguments by counsel. State advised they will redact transcript and email copy to Court and counsel to review before trial tomorrow.

EVENING RECESS

9/28/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 28, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 28, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. Counsel placed on the record the conference at the bench yesterday about prior consistent statements. Court believes there has to be a specific obligation. Mr. Landis advised if transcripts come in, he would like the tape also admitted. COURT SO ORDERED, State to redact any portions that need redacted. Ms. McNeill objected to witness referring to her client by his nickname, instead of his last name. Arguments by counsel. COURT googled Deft. Laguna's nickname and found nothing referring to "Killer" and ORDERED, objection overruled although State does not need to call him by his nickname. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Counsel confirmed redactions in transcript. Court stated she did not want to admit the whole thing unless used to impeach. Further arguments by counsel. COURT ORDERED, it is not hearsay based on series of interviews, finds it is relevant and goes to the credibility of this witness. Ms. McNeill advised she wants information to come in. Further arguments by counsel. COURT ORDERED, objection overruled, and State to redact portions that are more probative than prejudicial.

Court advised counsel they can do more research on the case law. JURY PRESENT. Testimony and exhibits per worksheets.

EVENING RECESS

CONTINUED TO: 9/29/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 29, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 29, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Ms. McNeill objected to witness referring Deft's as a "Group" as it infers they are a "Gang", and MOVED for a mistrial. Arguments by counsel. COURT ORDERED, Motion for Mistrial is DENIED. COURT finds it does not infer they are a gang, and did not open any doors, and there is no ineffective assistance of counsel.

EVENING RECESS

CONTINUED TO: 9/30/16 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 30, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

September 30, 2016 9:00 AM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. Court advised counsel how they are going to address the objections placed on the record last night. Ms. McNeill requested statement of witness Sotelo be admitted as a Court's exhibit. COURT SO ORDERED. Arguments by counsel regarding reference as a "group". COURT ORDERED, a Motion for Mistrial is DENIED, HOWEVER, she does not want counsel go down this road any further with this line of questioning. Mr. Landis advised there is another issue as there was a discovery violation and a "proffer" made to witness Figueroa. Arguments by counsel. COURT noted detective said there was not a proffer, so they would need to get Mr. Brown in, Deft. Figueroa's prior counsel, in to testify and clear up this issue. FURTHER, Court sustains objection to last question asked of witnesses yesterday as it may be more prejudicial than probative and jurors will be admonished to disregard the last question. JURY PRESENT. Court admonished jury to disregard the last question. Testimony and exhibits per worksheets. State rested. JURY ABSENT. At 1:06 PM, David Brown, sworn and testified. Deft. Mendoza advised of his right to testify. Arguments by

counsel regarding testimony and whether there was a proffer. COURT stated findings and ORDERED, Objection overruled. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Deft's Murphy and Laguna advised of their right to testify. Counsel noted for the record the reasoning for not cross examining Deft. Mendoza. Ms. McNeill renewed motion to sever and objected to cell phone records. Arguments by counsel. COURT will allow counsel to submit supplemental briefs regarding motion to sever.

EVENING RECESS

CONTINUED TO: 10/3/16 1:30 PM

- JURY TRIAL

JURY ABSENT. Court advised counsel how they are going to address the objections placed on the record last night. Ms. McNeill requested statement of witness Sotelo be admitted as a Court's exhibit. COURT SO ORDERED. Arguments by counsel regarding reference as a "group". COURT ORDERED, a Motion for Mistrial is DENIED, HOWEVER, she does not want counsel go down this road any further with this line of questioning. Mr. Landis advised there is another issue as there was a discovery violation and a "proffer" made to witness Figueroa. Arguments by counsel. COURT noted detective said there was not a proffer, so they would need to get Mr. Brown in, Deft. Figueroa's prior counsel, in to testify and clear up this issue. FURTHER, Court sustains objection to last question asked of witnesses yesterday as it may be more prejudicial than probative and jurors will be admonished to disregard the last question. JURY PRESENT. Court admonished jury to disregard the last question. Testimony and exhibits per worksheets. State rested. JURY ABSENT. At 1:06 PM, David Brown, sworn and testified. Deft. Mendoza advised of his right to testify. Arguments by counsel regarding testimony and whether there was a proffer. COURT stated findings and ORDERED, Objection overruled. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Deft's Murphy and Laguna advised of their right to testify. Counsel noted for the record the reasoning for not cross examining Deft. Mendoza. Ms. McNeill renewed motion to sever and objected to cell phone records. Arguments by counsel. COURT will allow counsel to submit supplemental briefs regarding motion to sever.

EVENING RECESS

CONTINUED TO: 10/3/16 1:30 PM

- JURY TRIAL

JURY ABSENT. Court advised counsel how they are going to address the objections placed on the record last night. Ms. McNeill requested statement of witness Sotelo be admitted as a Court's exhibit. COURT SO ORDERED. Arguments by counsel regarding reference as a "group". COURT

ORDERED, a Motion for Mistrial is DENIED, HOWEVER, she does not want counsel go down this road any further with this line of questioning. Mr. Landis advised there is another issue as there was a discovery violation and a "proffer" made to witness Figueroa. Arguments by counsel. COURT noted detective said there was not a proffer, so they would need to get Mr. Brown in, Deft. Figueroa's prior counsel, in to testify and clear up this issue. FURTHER, Court sustains objection to last question asked of witnesses yesterday as it may be more prejudicial than probative and jurors will be admonished to disregard the last question. JURY PRESENT. Court admonished jury to disregard the last question. Testimony and exhibits per worksheets. State rested. JURY ABSENT. At 1:06 PM, David Brown, sworn and testified. Deft. Mendoza advised of his right to testify. Arguments by counsel regarding testimony and whether there was a proffer. COURT stated findings and ORDERED, Objection overruled. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Deft's Murphy and Laguna advised of their right to testify. Counsel noted for the record the reasoning for not cross examining Deft. Mendoza. Ms. McNeill renewed motion to sever and objected to cell phone records. Arguments by counsel. COURT will allow counsel to submit supplemental briefs regarding motion to sever.

EVENING RECESS

CONTINUED TO: 10/3/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 03, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

October 03, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Debbie Winn

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- TRIAL BY JURY

JURY ABSENT. Court advised she thoroughly read all supplemental briefs and advised of tentative ruling. Arguments by counsel. COURT stated findings and ORDERED, Motion to Sever is DENIED. State advised they have agreed NOT to seek life without possibility of parole and counsel will prepare and file a stipulation. Counsel placed stipulation on the record. JURY PRESENT. Testimony and exhibits per worksheets.

EVENING RECESS

CONTINUED TO: 10/4/16 1:30 PM
- TRIAL BY JURY

JURY ABSENT. Court advised she thoroughly read all supplemental briefs and advised of tentative ruling. Arguments by counsel. COURT stated findings and ORDERED, Motion to Sever is DENIED. State advised they have agreed NOT to seek life without possibility of parole and counsel will prepare and file a stipulation. Counsel placed stipulation on the record. JURY PRESENT. Testimony and exhibits per worksheets.

EVENING RECESS

CONTINUED TO: 10/4/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 04, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

October 04, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. State inquired how far defense counsel can go, and how far State can go based on Mr. Landis questioning of the present witness. Mr. Landis advised there is no support for some of the statements by witness as to bias and prejudice. Arguments by counsel. Colloquy between Court and counsel regarding testimony and cross-examination. Further arguments by counsel regarding examination of this witness and Detective Jensen. COURT stated findings and ORDERED, she sees no reason to go into gang information. JURY PRESENT. Testimony and exhibits per worksheets. JURY ABSENT. Deft's Laguna and Murphy advised of their right to testify. JURY PRESENT. Testimony resumed. JURY ABSENT. Counsel placed objections heard at the bench on the record.

EVENING RECESS

CONTINUED TO: 10/5/16 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 05, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

October 05, 2016 1:30 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- TRIAL BY JURY

JURY PRESENT. Testimony and exhibits per worksheet. JURY ABSENT. Court and counsel worked on jury instructions.

EVENING RECESS

CONTINUED TO: 10/6/16 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

October 06, 2016 1:00 PM Jury Trial

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY TRIAL

JURY ABSENT. Jury instructions settled on the record. COURT ORDERED, Defense proposed instructions not given, will be filed as a group for each Deft. respectively. JURY PRESENT. Defense rested. State rested rebuttal. COURT instructed jury. Closing arguments by State and Defense counsel. State's rebuttal closing CONTINUED.

EVENING RECESS

CONTINUED TO: 10/7/16 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

October 07, 2016 9:00 AM Jury Trial

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Shelley Boyle

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	Lexis, Agnes	Attorney
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Co-Deft. David Murphy and his counsel Casey Landis, Esq present. Co Deft. Jorge Mendoza and his counsel William Wolfbrandt, Esq. also present.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding Juror Number 11 informed the Marshall she is ill but wishes to continue as a Juror. Following colloquy and after reaching the consensus to allow Juror 11 to stay on the Juror panel, Juror 11 informed the Court she was too ill to continue. COURT ORDERED, Juror 11 DISMISSED from the Jury panel and REPLACED with Alternate Juror 1.

JURY PRESENT:

COURT INSTRUCTED Alternate Juror 1 to take the seat of Juror 11 who is DISMISSED due to illness. State's closing rebuttal by Mr. Digiacomo. At the hour of 10:41 a.m. the jury retired to deliberate.

OUTSIDE THE PRESENCE OF THE JURY:

PRINT DATE: 12/12/2016

Page 51 of 55

Minutes Date: February 27, 2015

Colloquy and argument regarding a jury question when a person's involvement in the commission of a crime of attempt robbery or burglary or home invasion end. Counsel and Court agreed additional instruction was warranted, providing page 59 as a supplemental instruction to the jury.

JURY PRESENT:

At the hour of 5:03 p.m. the Jury returned with a verdict as follows:

COUNT 1 - CONSPIRACY TO COMMIT ROBBERY, GUILTY

COUNT 2 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON, GUILTY

COUNT 3 - HOME INVASION WHILE IN POSSESSION OF A DEADLY WEAPON, GUILTY

COUNT 4 - ATTEMPT ROBBERY WITH A DEADLY WEAPON, GUILTY

COUNT 5 - ATTEMPT ROBBERY WITH A DEADLY WEAPON, GUILTY

COUNT 6 - SECOND DEGREE MURDER WITH A DEADLY WEAPON, GUILTY

COUNT 7 - ATTEMPT MURDER WITH A DEADLY WEAPON, GUILTY

COURT FURTHER ORDERED, Deft. REMANDED INTO CUSTODY WITHOUT BAIL, a Sentencing date SET.

CUSTODY

11/28/16 9:00 A.M. SENTENCING (ALL DEFTS.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 07, 2016

C-15-303991-5 State of Nevada
 vs
 Joseph Laguna

November 07, 2016 2:00 PM Order to Show Cause

HEARD BY: Ellsworth, Carolyn **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- ORDER TO SHOW CAUSE: FLEEING JUROR - JOHN SELTENE

Mr. Seltene present, and advised why he failed to return back for the trial, when ordered by the Court. COURT ORDERED, Mr. Seltene to report to jury services to finish his jury duty on January 3, 2017 at 7:45 AM. FURTHER, he will not receive another summons, but he is REQUIRED to be present.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 28, 2016

C-15-303991-5 State of Nevada
vs
Joseph Laguna

November 28, 2016 9:00 AM Sentencing

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Denise Trujillo

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Laguna, Joseph	Defendant
	McNeill, Monique A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- SENTENCING

Deft. present in custody. DEFT. LAGUNA ADJUDGED GUILTY OF CT 1 - CONSPIRACY TO COMMIT ROBBERY (F); CT 2 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F); CT 3 - HOME INVASION WHILE IN POSSESSION OF A DEADLY WEAPON (F); CT 4 & CT 5 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (F); CT 6 - MURDER WITH USE OF A DEADLY WEAPON (F); and CT 7 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). Statements by counsel. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, the DNA Analysis fee, waived as previously taken, \$3.00 DNA Collection fee, and JUDGMENT of RESTITUTION of \$5,500.00 PAYABLE to State of Nevada, Victim of Crimes, jointly and severally with co-Deft's, Deft. SENTENCED to:
CT 1 - a MAXIMUM of SEVENTY TWO (72) and MINIMUM of TWENTY EIGHT (28) MONTHS in the Nevada Department of Corrections (NDC);
CT 2 - a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS and MINIMUM of FORTY EIGHT (48) MONTHS in the NDC to run CONCURRENT with CT 1;

CT 3 - a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and MINIMUM of SIXTY SIX (66) MONTHS in the NDC to run CONCURRENT with CT 2;

CT 4 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and MINIMUM of FORTY EIGHT (48) MONTHS in the NDC with a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and MINIMUM of FORTY EIGHT (48) MONTHS for weapons enhancement, to run CONCURRENT with CT 3;

CT 5 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and MINIMUM of FORTY EIGHT (48) MONTHS in the NDC with a CONSECUTIVE MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and MINIMUM of FORTY EIGHT (48) MONTHS for weapons enhancement, to run CONCURRENT with CT 4;

CT 6 - a MAXIMUM of LIFE and a MINIMUM of TEN (10) YEARS in the NDC with a CONSECUTIVE MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and MINIMUM of THIRTY SIX (36) MONTHS for weapons enhancement, in the NDC, to run CONCURRENT with CT 5;

CT 7 - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and MINIMUM of EIGHTY FOUR (84) and a CONSECUTIVE MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and MINIMUM of EIGHTY FOUR (84) MONTHS for weapons enhancement, to run CONSECUTIVE to CT 6, for an AGGREGATE TOTAL of a MAXIMUM of LIFE, and MINIMUM of TWENTY SEVEN (27) YEARS with 655 DAYS CREDIT for time served.

NDC

WARRANTS (ONE WEEK)

**ALL DEFS IN-CUSTODY AT CCDC, THESE CHARGES (C-15-303991,
C/C 4-20, DC 5 AND 15F02342X, P/H 3-10, JC 1 [DEF. LAGUNA])**

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LVJC CASE TO BE DISMISSED: 15F02342X, P/H 3-10, JC 1 (LAGUNA)

Exhibits:	1. Proposed Indictment	14. Leads Online
	2. Photo	15. Neustar records
	3. Photo	16. Tmobile records
	4. Photo	17. AT&T records
	5. Photo	18. Telephone records
	6. Photo	19. Telephone records
	7. Transcript	20. Map
	8. Photo	21. Map
	9. Photo	22. Map
	10. Photo	23. Map
	11. Photo	
	12. Transcript	
	13. Transcript	

Exhibits 1a, 14-23, to be lodged with the Clerk of the Court.
Exhibits 1-13, previously lodged with the Clerk of the Court.

Def. Counsel(s): DEF. MENDOZA – WILLIAM WOLFBRANDT, ESQ.
DEF. LARSEN – GREGORY COYER, ESQ.
DEF. MURPHY – CASEY LANDIS, ESQ.
DEF. LAGUNA – MONIQUE MCNEILL, ESQ.

WARRANTS (ONE WEEK)

**ALL 4 DEFS IN-CUSTODY AT CCDC, THESE CHARGES/THIS CASE
(C-15-303991, C/C 9-21-15, DC 5)**

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Exhibits:	1. Proposed Indictment	14. Leads Online
	1a. Superseding Indictment	15. Neustar records
	1b. Second Superseding Indictment	16. Tmobile records
	2. Photo	17. AT&T records
	3. Photo	18. Telephone records
	4. Photo	19. Telephone records
	5. Photo	20. Map
	6. Photo	21. Map
	7. Transcript	22. Map
	8. Photo	23. Map
	9. Photo	24. Transcript
	10. Photo	25. Transcript
	11. Photo	26. Transcript
	12. Transcript	27. EZ Pawn
	13. Transcript	28. Map
		29. Declaration
		30. Declaration

Exhibits 1b, 24-30, to be lodged with the Clerk of the Court.

Exhibits 1, 1a, 2-23, were previously lodged with the Clerk of the Court.

CASE NO. C-12-303991-1/4/5

DEPT NO. 5

PLAINTIFF, STATE OF NEVADA,

VS

DEFENDANT, JORGE MENDOZA, DAVID

MURPHY & JOSEPH LAGUNA

TRIAL DATE: 9/12/2016

JUDGE: Hon. Carolyn Ellsworth

CLERK: Denise Trujillo

RECORDER: Lara Corcoran

COUNSEL FOR PLAINTIFF, Chief Deputy

District Attorneys Marc DiGiacomo and Agnes

Lexis

COUNSEL FOR DEFENDANT MENDOZA,

Lew Wolfbrandt

COUNSEL FOR DEFENDANT MURPHY,

Casey Landis

COUNSEL FOR DEFENDANT LAGUNA,

Monique McNeill

No.		Date Offered	Obj	Date Admitted
1	DVD 9-1-1 Gene Walker	9/16	stip	9/16/16
2	Photo Jorge Mendoza	9/29	obj	9/29/16
3	Photo Amanda Mendoza			
4	Photo Monty Gibson			
5	Photo Joseph Laguna	9/29	obj	9/29/16
6	Aerial Map 1661 Broadmere	9/16	no	9/16/16
7	Aerial Map 1661 Broadmere	↓	↓	↓
8	Aerial Map 1661 Broadmere	9/16	no	9/16/16
9	Aerial Laguna & Murphy Residence			
10	Aerial Murphy Residence			
11	Aerial Crime Scene	9/16	no	9/16/16
12	CSD Longcattle evidence	↓	↓	↓
13	CSD 1 st Floor 1661 Broadmere	↓	↓	↓
14	CSD all of 1661 Broadmere	↓	↓	↓
15	CSD Blood Trail	↓	↓	↓
16	Photograph Steve Larsen	↓	↓	↓
17	Photograph Joseph Larsen	↓	↓	↓

18	Crime Scene Photograph – Overall 1661 Broadmere	9/16	NO	9/16/16
19	Crime Scene Photograph – Overall 1661 Broadmere			
20	Crime Scene Photograph – Overall 1661 Broadmere			
21	Crime Scene Photograph – Overall 1661 Broadmere			
22	Crime Scene Photograph – Overall 1661 Broadmere			
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37	Crime Scene Photograph – Overall 1661 Broadmere			
38	Crime Scene Photograph – Overall 1661 Broadmere			
39	Crime Scene Photograph – Overall 1661 Broadmere	9/16	NO	9/16/16

40	Crime Scene Photograph – Overall 1661 Broadmere	9/16	NO	9/16/16
41	Crime Scene Photograph – Overall 1661 Broadmere			
42	Crime Scene Photograph – Overall 1661 Broadmere			
43	Crime Scene Photograph – Overall 1661 Broadmere			
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59	Crime Scene Photograph – Overall 1661 Broadmere			
60	Crime Scene Photograph – Overall 1661 Broadmere			
61	Crime Scene Photograph – Overall 1661 Broadmere	9/16	NO	9/16/10

62	Crime Scene Photograph – Overall 1661 Broadmere	9/16	20	9/16/16
63	Crime Scene Photograph – Overall 1661 Broadmere			
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79	Crime Scene Photograph – Overall 1661 Broadmere			
80	Crime Scene Photograph – Bullet Strikes			
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85	Crime Scene Photograph – Bullet Strikes	9/14	NO	9/16/16
86	Crime Scene Photograph – Bullet Strikes			
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112	Crime Scene Photograph – Bullet Strikes			

113	Crime Scene Photograph – Bullet Strikes	9/14	NO	9/16
114	Crime Scene Photograph – Bullet Strikes			
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139	Crime Scene Photograph – Bullet Strikes			
140	Crime Scene Photograph – Bullet Strikes			
141	Crime Scene Photograph – Numbered Items			

142	Crime Scene Photograph – Numbered Items	9/16	no	9/16/16
143	Crime Scene Photograph – Numbered Items			
144	Crime Scene Photograph – Numbered Items			
145	Crime Scene Photograph – Numbered Items			
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165	Crime Scene Photograph – Numbered Items			
166	Crime Scene Photograph – Numbered Items			
167	Crime Scene Photograph – Numbered Items			
168	Crime Scene Photograph – Broadmere & Longcattle			
169	Crime Scene Photograph – Numbered Items			9/16/16

170	Crime Scene Photograph – Steve Larsen Car	9/16/16	NO	9/16/16
171	Crime Scene Photograph – Glock .40	1	1	1
172	Crime Scene Photograph – Glock .40			
173	Crime Scene Photograph – Green Pick-Up			
174	Crime Scene Photograph – Green Pick-Up			
175	Crime Scene Photograph – Green Pick-Up			
176	Crime Scene Photograph – Green Pick-Up			
177	Crime Scene Photograph – Green Pick-Up			
178	Crime Scene Photograph – Numbered Items			
179	Crime Scene Photograph – Numbered Items			
180	Crime Scene Photograph – Numbered Items			
181	Crime Scene Photograph – 9 mm Rifle			
182	Crime Scene Photograph – 9 mm Rifle			
183	Crime Scene Photograph – Numbered Items			
184	Crime Scene Photograph – Tan Work Shirt			
185	Crime Scene Photograph – 1009 Longcattle			
186	Crime Scene Photograph – Black pants & Shoes			
187	Crime Scene Photograph – Numbered Items			
188	Crime Scene Photograph – Bullet hole on pants			
189	Crime Scene Photograph – Black Honda			
190	Crime Scene Photograph – Black Honda			
191	Crime Scene Photograph – Black Honda			
192	Crime Scene Photograph – Black Honda			
193	Crime Scene Photograph – Black Honda			
194	Crime Scene Photograph – Black Honda			
195	Crime Scene Photograph – Black Honda			
196	Crime Scene Photograph – Numbered Items			
197	Crime Scene Photograph – Numbered Items			
198	Crime Scene Photograph – Numbered Items	↓	↓	↓

199	Crime Scene Photograph – Blood Trails	9/16	NO	9/16/16
200	Crime Scene Photograph – Blood Trails	↓	↓	↓
201	Crime Scene Photograph – Blood Trails	↓	↓	↓
202	Crime Scene Photograph – Blood Trails	↓	↓	↓
203	Crime Scene Photograph – Blood Trails	↓	↓	↓
204	Crime Scene Photograph – Blood Trails	↓	↓	↓
205	Crime Scene Photograph – Blood Trails	↓	↓	↓
206	Crime Scene Photograph – Blood Trails	↓	↓	↓
207	Crime Scene Photograph – Blood Trails	↓	↓	↓
208	Crime Scene Photograph – Blood Trails	↓	↓	↓
209	Crime Scene Photograph – Blood Trails	↓	↓	↓
210	Crime Scene Photograph – Blood Trails	↓	↓	↓
211	Crime Scene Photograph – Blood Trails	↓	↓	↓
212	Crime Scene Photograph – Blood Trails	↓	↓	↓
213	Crime Scene Photograph – Blood Trails	↓	↓	↓
214	Crime Scene Photograph – Blood Trails	↓	↓	↓
215	Crime Scene Photograph – Blood Trails	↓	↓	↓
216	Crime Scene Photograph – Blood Trails	↓	↓	↓
217	Evidence Package Box in Vault 4th floor	↓	↓	↓
217A	✓ Hi-Point 9mm Rifle	↓	↓	↓
217B	✓ Evidence Package	↓	↓	↓
217C	✓ Black Metal handgun magazine	↓	↓	↓
218	✓ Evidence Package	9/20	NO	9/20
218A	✓ .38 Caliber Revolver	9/20	"	"
218B	✓ 2 .38 caliber cartridge cases and 1 cartridge	"	"	"
219	✓ Evidence Package	9/16/16	NO	9/16/16
219A	✓ Glock .40 Pistol	↓	↓	↓
219B	✓ Glock .40 magazine	↓	↓	↓
219C	✓ 1 Cartridge "WIN 40 S&W"	↓	↓	↓