

  
CLERK OF THE COURT

1 **NOAS**  
2 PHILIP J. KOHN, PUBLIC DEFENDER  
3 NEVADA BAR No. 0556  
4 309 South Third Street, Suite 226  
5 Las Vegas, Nevada 89155  
6 (702) 455-4685  
7 Attorney for Defendant

Electronically Filed  
Mar 30 2017 10:50 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

9 **DISTRICT COURT**  
10 **CLARK COUNTY, NEVADA**

11 THE STATE OF NEVADA, )  
12 )  
13 Plaintiff, ) CASE NO. C-16-312970-1  
14 v. ) DEPT. NO. X  
15 JAMES COOPER, )  
16 Defendant. )  
NOTICE OF APPEAL

17 TO: THE STATE OF NEVADA

18 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,  
19 NEVADA and DEPARTMENT NO. X OF THE EIGHTH JUDICIAL  
20 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE  
COUNTY OF CLARK.

21 NOTICE is hereby given that Defendant, James Cooper,  
22 presently incarcerated in the Nevada State Prison, appeals to the  
23 Supreme Court of the State of Nevada from the judgment entered  
24 against said Defendant on the 2<sup>nd</sup> day of March, 2017 whereby he  
25 was convicted of Cts. 1 and 2 - Battery Constituting Domestic  
26 Violence and Cts. 3 and 4 - Child Abuse, Neglect or Endangerment  
27 and sentenced to \$25 Admin. Fee; \$150 DNA analysis fee; genetic  
28 testing; \$3 DNA collection fee; Cts. 1 and 2 - 24-60 months; Cts.

1 3 and 4 - 24-60 months; Cts. 1 and 3 consecutive; Cts. 1 and 2  
2 concurrent; Cts. 3 and 4 concurrent; 244 days CTS; the aggregate  
3 total sentence is 48-120 months.

4 DATED this 22<sup>nd</sup> day of March, 2017.

5 PHILIP J. KOHN  
6 CLARK COUNTY PUBLIC DEFENDER

7  
8 By: /s/ Howard S. Brooks  
9 HOWARD S. BROOKS, #3374  
10 Deputy Public Defender  
11 309 S. Third Street, Ste. 226  
12 Las Vegas, Nevada 89155  
13 (702) 455-4685  
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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that service of the above and foregoing  
was made this 22<sup>nd</sup> day of March, 2017, by Electronic Filing to:

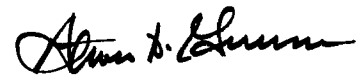
District Attorneys Office  
E-Mail Address:

PDMotions@clarkcountyda.com

Jennifer.Garcia@clarkcountyda.com

Eileen.Davis@clarkcountyda.com

/s/ Carrie M. Connolly  
Secretary for the  
Public Defender's Office



CLERK OF THE COURT

CAS

PHILIP J. KOHN, PUBLIC DEFENDER  
NEVADA BAR No. 0556  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
(702) 455-4685  
Attorney for Defendant

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-16-312970-1
	)	
v.	)	DEPT. NO. X
	)	
JAMES COOPER,	)	
	)	
Defendant.	)	

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CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement:  
James Cooper.

2. Judge issuing the decision, judgment, or order  
appealed from: Jessie Walsh.

3. All parties to the proceedings in the district  
court (the use of et al. To denote parties is prohibited): The  
State of Nevada, Plaintiff; James Cooper, Defendant.

4. All parties involved in this appeal (the use of  
et. al. to denote parties is prohibited): James Cooper,  
Appellant; The State of Nevada, Respondent.

1           5.    Name, law firm, address, and telephone number of  
2 all counsel on appeal and party or parties whom they represent:

3 Philip J. Kohn  
4 Clark County Public Defender  
5 309 South Third Street, #226  
6 Las Vegas, Nevada 89155-2610

STEVEN B. WOLFSON  
Clark County District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155

7 Attorney for Appellant

ADAM LAXALT  
Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(702) 687-3538

8  
9 Counsel for Respondent.

10           6.    Whether appellant was represented by appointed or  
11 retained counsel in the district court: Appointed.

12           7.    Whether appellant is represented by appointed or  
13 retained counsel on appeal: Appointed.

14           8.    Whether appellant was granted leave to proceed in  
15 forma pauperis, and the date of entry of the district court  
16 order granting such leave: N/A.

17           9.    Date proceedings commenced in the district court  
18 (e.g., date complaint, indictment, information, or petition was  
19 filed): Information filed 03/01/16.

20           DATED this 22nd day of March, 2017.

21                           PHILIP J. KOHN  
22                           CLARK COUNTY PUBLIC DEFENDER

23  
24                           By: /s/ Howard S. Brooks  
25                           HOWARD S. BROOKS, #3374  
26                           Deputy Public Defender  
27                           309 S. Third Street, Ste. 226  
28                           Las Vegas, Nevada 89155  
                          (702) 455-4685

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District Attorneys Office  
E-Mail Address:  
PDMotions@ccdanhv.com  
  
Jennifer.Garcia@ccdanhv.com  
  
Eileen.Davis@ccdanhv.com

3

**CASE SUMMARY**

State of Nevada  
vs  
James Cooper

**CASE NO. C-16-312970-1**

Location: Department 10  
Judicial Officer: Walsh, Jessie  
Filed on: 02/25/2016  
Cross-Reference Case: C312970  
Number:  
Defendant's Scope ID #: 2634475  
ITAG Booking Number: 0  
ITAG Case ID: 1794404  
Lower Court Case # Root: 16F01139  
Lower Court Case Number: 16F01139X  
Metro Event Number: 1601223254  
Supreme Court No.: 72091

**CASE INFORMATION**

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: <b>District Court</b>				
1. BATTERY CONSTITUTING DOMESTIC VIOLENCE PCN: 0025603679 ACN: 1601223254 Arrest: 01/23/2016 MET - Metro	F	01/22/2016	Case Flags:	<b>Appealed to Supreme Court Custody Status - Nevada Department of Corrections No Bail Set Charge Description Updated JC Custody Status at Time of B/O SURETY BOND</b>
2. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION	F	01/22/2016		
3. CHILD ABUSE, NEGLECT, OR ENDANGERMENT	F	01/22/2016		
4. CHILD ABUSE, NEGLECT, OR ENDANGERMENT	F	01/22/2016		

**Statistical Closures**

02/24/2017 Jury Trial - Conviction - Criminal

**Warrants**

Bench Warrant - Cooper, James (Judicial Officer: Walsh, Jessie )

07/06/2016 9:37 AM Returned - Served

06/20/2016 2:41 PM Active

Hold Without Bond

Material Witness Warrant - Jensen, Brittney (Judicial Officer: Walsh, Jessie )

11/15/2016 9:26 AM Returned - Served

06/07/2016 10:48 AM Active

Fine: \$0

Bond: \$0

Material Witness Warrant - Cooper, James (Judicial Officer: Walsh, Jessie )

06/07/2016 6:08 AM Warrant Issued In Error - Clear

Fine: \$0

Bond: \$0

**Bonds**

Surety #S51-02472507 \$30,000.00

8/4/2016 Exonerated

1/27/2016 Active

Counts: 1, 2, 3, 4











**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	C-16-312970-1
Court	Department 10
Date Assigned	02/25/2016
Judicial Officer	Walsh, Jessie














DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**  
 PARTY INFORMATION

















		<i>Lead Attorneys</i>
<b>Defendant</b>	<b>Cooper, James</b>	
		<b>Public Defender</b> <i>Retained</i>
<b>Plaintiff</b>	<b>State of Nevada</b>	
		<b>Wolfson, Steven B</b> 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
02/25/2016	 Criminal Bindover Packet Las Vegas Justice Court	
03/01/2016	 Information <i>Information</i>	
03/01/2016	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses[NRS 174.234(2)]</i>	
03/03/2016	 <b>Initial Arraignment</b> (10:00 AM) (Judicial Officer: De La Garza, Melisa)	
03/03/2016	<b>Plea</b> (Judicial Officer: Walsh, Jessie) 1. BATTERY CONSTITUTING DOMESTIC VIOLENCE Not Guilty PCN: 0025603679   Sequence:  2. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION Not Guilty PCN:   Sequence:  3. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Not Guilty PCN:   Sequence:  4. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Not Guilty PCN:   Sequence:	
03/18/2016	 Reporters Transcript <i>Reporter's Transcript of Preliminary Hearing 02-25-16</i>	
03/23/2016	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>	
03/23/2016	 Supplemental Witness List <i>Supplemental Notice of Expert Witnesses (NRS 174.234(2))</i>	
04/11/2016	 Motion <i>Notice of Motion and Motion In Limine to Admit Evidence of Other Bad Acts Pursuant to NRS 48.045 and Evidence of Domestic Violence Pursuant to 48.061</i>	
04/14/2016	 Supplemental Witness List <i>Second Supplemental Notice of Expert Witnesses</i>	
04/18/2016	 Request for Attendance of Out-Of-State Witness	

DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**















	<i>Request for Attendance of Out-Of-State Witness Brittney Jensen</i>
04/18/2016	 Certificate <i>Certificate for Attendance of Out-Of-State Witness Brittney Jensen</i>
04/18/2016	 Order <i>Order for Payment of Witness Fees</i>
04/25/2016	<b>Calendar Call</b> (8:30 AM) (Judicial Officer: Ames, Jack B.)
04/25/2016	<b>Motion in Limine</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <b>04/25/2016, 04/28/2016</b> <i>State's Notice of Motion and Motion In Limine to Admit Evidence of Other Bad Acts Pursuant to NRS 48.045 and Evidence of Domestic Violence Pursuant to 48.061</i>
04/25/2016	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Ames, Jack B.)
04/27/2016	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Ames, Jack B.)
04/28/2016	<b>Petrocelli Hearing</b> (10:00 AM) (Judicial Officer: Walsh, Jessie)
04/28/2016	<b>Status Check: Reset Trial Date</b> (10:00 AM) (Judicial Officer: Ames, Jack B.)
04/28/2016	 <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Ames, Jack B.)
04/29/2016	<b>CANCELED Overflow</b> (8:30 AM) (Judicial Officer: Smith, Douglas E.) <i>Vacated</i> <i>State anticipates 6-8 witnesses 3 out of state witnesses 3-4 days for trial DA - Kristina Rhoades Attorney - Jeb Bond</i>
05/02/2016	<b>CANCELED Jury Trial</b> (1:00 PM) (Judicial Officer: Walsh, Jessie) <i>Vacated - per Judge</i>
05/02/2016	 Motion Filed By: Defendant Cooper, James <i>Bret O. Whipple, Esq.'s Motion to Withdraw as Counsel of Record</i>
05/16/2016	 <b>Motion to Withdraw as Counsel</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <b>05/16/2016, 05/18/2016</b> <i>Bret O. Whipple, Esq.'s Motion to Withdraw as Counsel</i>
06/07/2016	 Ex Parte Application <i>Ex Parte Application for Order Requiring Material Witness to Post Bail</i>
06/07/2016	 Order <i>Order Requiring Material Witness to Post Bail or be Committed to Custody</i>
06/07/2016	 Warrant <i>Warrant of Arrest - Material Witness</i>
06/17/2016	 Opposition to Motion Filed By: Defendant Cooper, James <i>Opposition to Motion in Limine to Admit Evidence of Other Bad Acts Pursuant to NRS 48.045 and Evidence of Domestic Violence Pursuant to 48.061</i>

DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**




06/20/2016	 <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Walsh, Jessie)
06/22/2016	 Motion Filed By: Defendant Cooper, James <i>Motion to Withdraw as Counsel of Record</i>
06/22/2016	 Bench Warrant <i>Bench Warrant</i>
06/24/2016	 Notice of Intent to Forfeit
06/24/2016	 Bench Warrant Return
06/27/2016	<b>CANCELED Jury Trial</b> (2:00 PM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
07/05/2016	 Motion <i>Motion To Exonerate Bonds</i>
07/06/2016	 <b>Motion to Withdraw as Counsel</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <i>Bret O. Whipple, Esq.'s Motion to Withdraw as Counsel of Record</i>
07/06/2016	<b>Bench Warrant Return</b> (8:30 AM) (Judicial Officer: Walsh, Jessie)
07/13/2016	 <b>Confirmation of Counsel</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <i>Confirmation of Counsel - PD</i>
08/04/2016	 <b>Motion to Exonerate</b> (9:00 AM) (Judicial Officer: Barker, David) <i>Motion To Exonerate Bonds</i>
08/09/2016	 Order to Exonerate Bond
09/01/2016	 Motion <i>Motion OR/Bail Release, or, in the Alternative For Setting of Reasonable Bail</i>
09/06/2016	 Opposition <i>State's Opposition to Defendant's Motion for OR/Bail Release, or, in the Alternative, for Setting of Reasonable Bail</i>
09/07/2016	 <b>Motion for Own Recognizance Release/Settting Reasonable Bail</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <i>Defendant's Motion for OR/Bail Release, or in the Alternative, for Settting of Reasonable Bail</i>
10/17/2016	 Reporters Transcript <i>Reporter's Transcript of Initial Arraignment 01-27-16</i>
10/18/2016	 Motion <i>Notice of Motion and Motion In Limine to Admit a Certified Copy of Sunrise Hospital Medical Records, Recorded 911 Call, and Recorded Jail Calls</i>
10/24/2016	 Opposition to Motion <i>Opposition To State's Motion In Limine To Admit A Certified Copy Of Sunrise Hospital</i>

DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**






*Medical Records, Recorded 911 Call, And Recorded Jail Calls*

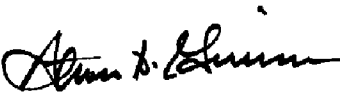
10/27/2016	 Reply <i>State's Reply to Defendant's Opposition to State's Motion in Limine</i>
10/27/2016	 Motion to Dismiss <i>Motion To Dismiss Counts One And Two Based On Improper Hearsay Testimony</i>
10/31/2016	<b>Motion in Limine</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <b>10/31/2016, 11/07/2016</b> <i>State's Motion In Limine to Admit a Certified Copy of Sunrise Hospital Medical Records, Recorded 911 Call, and Recorded Jail Calls</i>
11/02/2016	 Opposition <i>State's Opposition to Defendant's Motion to Dismiss Counts One and Two Based on Improper Hearsay Testimony</i>
11/07/2016	 Notice of Witnesses and/or Expert Witnesses <i>Defendant's Notice Of Witnesses, Pursuant To NRS 174.234</i>
11/07/2016	<b>Calendar Call</b> (8:30 AM) (Judicial Officer: Walsh, Jessie)
11/07/2016	<b>Motion to Dismiss</b> (8:30 AM) (Judicial Officer: Walsh, Jessie) <i>Defendant's Motion To Dismiss Counts One And Two Based On Improper Hearsay Testimony</i>
11/07/2016	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Walsh, Jessie)
11/14/2016	 <b>Hearing</b> (10:30 AM) (Judicial Officer: Walsh, Jessie) <i>Hearing: State's Motion In Limine to Admit Evidence of Other Bad Acts Pursuant to NRS 48.045 and Evidence of Domestic Violence Pursuant to 48.061</i>
11/14/2016	 <b>Jury Trial</b> (1:00 PM) (Judicial Officer: Walsh, Jessie) <b>11/14/2016-11/15/2016, 11/17/2016-11/18/2016</b>
11/14/2016	 Amended Information <i>Amended Information</i>
11/14/2016	 Jury List
11/15/2016	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated - On in Error</i>
11/18/2016	 Amended Jury List
11/18/2016	 Instructions to the Jury
11/18/2016	 Verdict
12/28/2016	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
12/28/2016	 Application to Proceed in Forma Pauperis

DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**

12/30/2016	 Case Appeal Statement <i>Case Appeal Statement</i>
01/05/2017	<b>CANCELED Show Cause Hearing</b> (9:00 AM) (Judicial Officer: Barker, David) <i>Vacated - per Judge</i>
01/31/2017	 PSI
02/08/2017	 <b>Sentencing</b> (8:30 AM) (Judicial Officer: Barker, David) <b>02/08/2017, 02/15/2017</b>
02/15/2017	<b>Disposition</b> (Judicial Officer: Walsh, Jessie) 1. BATTERY CONSTITUTING DOMESTIC VIOLENCE Guilty PCN: 0025603679 Sequence:  2. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION Guilty PCN: Sequence:  3. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Guilty PCN: Sequence:  4. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Guilty PCN: Sequence:
02/15/2017	<b>Sentence</b> (Judicial Officer: Walsh, Jessie) 1. BATTERY CONSTITUTING DOMESTIC VIOLENCE Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months
02/15/2017	<b>Sentence</b> (Judicial Officer: Walsh, Jessie) 2. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 1
02/15/2017	<b>Sentence</b> (Judicial Officer: Walsh, Jessie) 3. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Consecutive: Charge 1
02/15/2017	<b>Sentence</b> (Judicial Officer: Walsh, Jessie) 4. CHILD ABUSE, NEGLECT, OR ENDANGERMENT Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 3 Credit for Time Served: 244 Days Comments: Aggregate total Minimum of 48 months, Maximum of 120 months. Fee Totals: Administrative Assessment Fee 25.00 \$25

DEPARTMENT 10  
**CASE SUMMARY**  
**CASE NO. C-16-312970-1**

		DNA Analysis Fee	150.00
		\$150	
		Genetic Marker	
		Analysis AA Fee	3.00
		\$3	
		Fee Totals \$	178.00
02/24/2017		Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>	
03/02/2017		Judgment of Conviction <i>Judgment of Conviction ( Jury Trial)</i>	
03/14/2017		Notice of Hearing <i>Notice of Hearing</i>	
03/22/2017		Notice of Appeal (criminal) <i>Notice of Appeal</i>	
03/22/2017		Case Appeal Statement <i>Case Appeal Statement</i>	
03/27/2017		<b>Status Check: Confirmation of Counsel</b> (8:30 AM) (Judicial Officer: Walsh, Jessie)	
DATE		FINANCIAL INFORMATION	
	<b>Defendant</b>	Cooper, James	
	Total Charges		192.00
	Total Payments and Credits		14.00
	<b>Balance Due as of 3/23/2017</b>		<b>178.00</b>

  
CLERK OF THE COURT

JOC

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C312970-1

DEPT. NO. X

JAMES COOPER aka  
James Marlin Cooper  
#2634475

Defendant.

JUDGMENT OF CONVICTION  
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – BATTERY CONSTITUTING DOMESTIC VIOLENCE (Category C Felony) in violation of NRS 200.481, 200.4851C, 33.018; COUNT 2 – BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION (Category C Felony) in violation of NRS 200.481, 200.485, 33.018; and COUNTS 3 and 4 – CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNTS 1 and 2 – BATTERY CONSTITUTING DOMESTIC VIOLENCE (Category C Felony) in violation of NRS 200.481, 200.4851C, 33.018; and COUNTS 3

1 and 4 – CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony) in  
2 violation of NRS 200.508(1); thereafter, on the 15<sup>th</sup> day of February, 2017, the  
3 Defendant was present in court for sentencing with counsel TALIA WALKENSHAW,  
4 Deputy Public Defender, and good cause appearing,  
5

6 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in  
7 addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee  
8 including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the  
9 Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:  
10 **COUNT 1** - a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of  
11 TWENTY-FOUR (24) MONTHS; **COUNT 2** - a MAXIMUM of SIXTY (60) MONTHS with  
12 a MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS; **COUNT 3** - a  
13 MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-  
14 FOUR (24) MONTHS; and **COUNT 4** - a MAXIMUM of SIXTY (60) MONTHS with a  
15 MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS; COUNTS 1 and 3  
16 CONSECUTIVE; COUNTS 1 AND 2 CONCURRENT; COUNTS 3 and 4  
17 CONCURRENT; with TWO HUNDRED FORTY-FOUR (244) DAYS credit for time  
18 served. The AGGREGATE TOTAL sentence is ONE HUNDRED TWENTY (120)  
19 MONTHS MAXIMUM with a MINIMUM PAROLE ELIGIBILITY OF FORTY-EIGHT (48)  
20 MONTHS.  
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23  
24 DATED this 28 day of February, 2017

25  
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\_\_\_\_\_  
SENIOR DISTRICT JUDGE



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 03, 2016**

---

C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

---

**March 03, 2016      10:00 AM      Initial Arraignment**

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

**COURT CLERK:** Kristen Brown

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

**PRESENT:**      Bond, Jeb      Attorney  
                         Cooper, James      Defendant

**JOURNAL ENTRIES**

- Deputized Law Clerk, Vivian Luong appearing for the State.

DEFT. COOPER ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

BOND

4/25/16 8:30 AM CALENDAR CALL (DEPT. 10)

5/02/16 1:00 PM JURY TRIAL (DEPT. 10)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 25, 2016**

---

C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

---

**April 25, 2016      8:30 AM      All Pending Motions**

**HEARD BY:** Ames, Jack B.      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Jennifer Kimmel  
Skye Endresen

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bond, Jeb	Attorney
	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- CALENDAR CALL ... STATE'S MOTION IN LIMINE TO ADMIT EVIDENCE OF OTHER BAD ACTS PURSUANT TO NRS 48.045 AND EVIDENCE OF DOMESTIC VIOLENCE PURSUANT TO 48.061

Mr. Bond advised that although State said the Motion in Limine was previously faxed to his office, he did not receive it until this morning; therefore, requested to continue the motion until Wednesday. Mr. Bond further advised he is ready to proceed to trial, and is aware the matter will likely go to overflow. Ms. Rhoades noted there was a certificate of service attached to the motion, she has no issue with Mr. Bond filing a response today, and the State is ready to proceed to trial. COURT ORDERED, Motion in Limine CONTINUED, Petrocelli Hearing SET; a written response by Defense is required prior to the hearing. COURT FURTHER ORDERED, trial date VACATED, matter REFERRED to Overflow.

**BOND**

PRINT DATE: 03/23/2017

Page 2 of 28

Minutes Date: March 03, 2016

4/28/16 1:00 PM STATE'S MOTION IN LIMINE TO ADMIT EVIDENCE OF OTHER BAD ACTS  
PURSUANT TO NRS 48.045 AND EVIDENCE OF DOMESTIC VIOLENCE PURSUANT TO  
48.061...PETROCELLI HEARING (DEPT. 10)

4/29/16 8:30 AM JURY TRIAL (OVERFLOW - DEPT. 18)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 27, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**April 27, 2016      8:30 AM      All Pending Motions**

**HEARD BY:** Ames, Jack B.      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Keri Cromer

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

**PRESENT:**      Engler, Alissa      Attorney  
                         Rhoades, Kristina A.      Attorney  
                         State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- STATUS CHECK: RESET TRIAL/PETROCELLI HEARING

Counsel present one-day early to request tomorrow's matters be rescheduled to 10:00 am. COURT SO ORDERED.

BOND

CONTINUED TO 4/28/2016 - 10:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

C-16-312970-1

State of Nevada

vs

James Cooper

**April 28, 2016****10:00 AM****All Pending Motions**

**STATE'S MOTION  
IN LIMINE TO  
ADMIT EVIDENCE  
OF OTHER BAD  
ACTS....PETROCELL  
I HEARING**

**HEARD BY:** Ames, Jack B.**COURTROOM:** RJC Courtroom 14B**COURT CLERK:** Louisa Garcia**RECORDER:** Victoria Boyd**REPORTER:****PARTIES****PRESENT:**

Cooper, James

Defendant

Engler, Alissa

Attorney

Rhoades, Kristina A.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- STATUS CHECK: RESET TRIAL DATE...STATE'S MOTION IN LIMINE TO ADMIT EVIDENCE OF OTHER BAD ACTS PURSUANT TO NRS 48.045 AND EVIDENCE OF DOMESTIC VIOLENCE PURSUANT TO 48.061...PETROCELLI HEARING

Court noted this was on calendar to determine whether or not there is a waiver of the 60 day rule. State advised it was a defense request and they have no objection to a continuance. Ms. Engler stated conflicts in her schedule, noting she is scheduled for trial in Ely, Nevada, for an in-custody defendant and cannot be available next week. Upon Court's inquiry, Defendant stated he does not wish to waive the 60 day rule. Colloquy regarding trial schedule. COURT ORDERED, trial date VACATED and RESET on the next available date; State's motion and Petrocelli hearing to begin at 1:00 p.m., and

jury selection at 2:00 p.m. At the request of State, COURT ADMONISHED, Defendant to have no contact, whatsoever, with Brittney Jensen, directly by himself or by someone else.

BOND

6/20/16 8:30 AM CALENDAR CALL

6/27/16 1:00 PM STATE'S MOTION IN LIMINE TO ADMIT EVIDENCE OF OTHER BAD ACTS....PETROCELLI HEARING

6/27/16 2:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 16, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**May 16, 2016      8:30 AM      Motion to Withdraw as  
   Counsel**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

**PRESENT:**      Giles, Michael G, ESQ      Attorney  
                                 State of Nevada      Plaintiff  
                                 Whipple, Bret O.      Attorney

**JOURNAL ENTRIES**

- Deft. not present. Mr. Whipple requested a continuance as his client's family contacted him and they are trying to work something out with him. There being no opposition, COURT ORDERED, matter CONTINUED to the date given.

**BOND**

05/18/16    8:30 A.M.    Bret O. Whipple, Esq.'s Motion to Withdraw as Counsel

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 18, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**May 18, 2016      8:30 AM      Motion to Withdraw as  
   Counsel**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Engler, Alissa	Attorney
	Lexis, Chad N.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. not present. Ms. Engler requested to take the matter off calendar as counsel and the client have come to an agreement. COURT ORDERED, motion WITHDRAWN. FURTHER COURT ORDERED, FUTURE date STANDS.

BOND



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 20, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**June 20, 2016      8:30 AM      Calendar Call**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bond, Jeb	Attorney
	Cooper, James	Defendant
	Cooper, Jonathan	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. not present. Mr. Bond advised they were planning on going to trial, however, he's surprised deft., is not present. Ms. Rhoades stated her concerns since the last time this matter was on, counsel had a motion to withdraw and withdrew the motion, since deft. paid them. Mr. Bond advised he lost contact with deft. COURT ORDERED, BENCH WARRANT, NO BAIL. Ms. Rhoades stated her concerns regarding deft. being out and having contact with the victim and the victim's children. Court noted that if Mr. Jeb does hear from the deft., that counsel is to relay to deft. that he's to stay away from the victim in all manner or form. FURTHER COURT ORDERED, trial date VACATED.

B.W. BOND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 06, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**July 06, 2016      8:30 AM      Motion to Withdraw as  
   Counsel**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bond, Jeb	Attorney
	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- DEFT. COOPER RETURNED ON THE WARRANT. Mr. Bond Esq., standing in for Mr. Whipple on behalf of deft., and requesting to withdraw as counsel. Ms. Rhoades advised the State takes no position on the matter. Upon Court's inquiry, deft. cannot afford to hire an attorney. COURT ORDERED, Bret O. Whipple, Esq.'s Motion to Withdraw as Counsel of Record, GRANTED Pursuant to EDCR 7.40. FURTHER COURT ORDERED, matter set for confirmation of Public Defender, on the date given.

**CUSTODY**

07/13/16    8:30 A.M.    CONFIRMATION OF COUNSEL - PD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

### **Felony/Gross Misdemeanor**

## COURT MINUTES

July 13, 2016

C-16-312970-1	State of Nevada vs James Cooper
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July 13, 2016	8:30 AM	Confirmation of Counsel	Confirmation of Counsel - PD
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**HEARD BY:** Walsh, Jessie                      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Kathy Klein  
Katrina Hernandez

**RECORDER:** Victoria Boyd

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

## JOURNAL ENTRIES

- Ms. Walkenshaw advised requested discovery from Mr. Whipple and had not received it yet. Ms. Walkenshaw further noted she did a conflict check and found no conflict and can confirm as Counsel for Deft. COURT ORDERED, Trial SET.

## CUSTODY

11/07/16 8:30 AM CALENDAR CALL

11/14/16 1:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 04, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**August 04, 2016      9:00 AM      Motion to Exonerate**

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

**COURT CLERK:** Shelley Boyle

**RECORDER:** Cheryl Carpenter

**REPORTER:**

**PARTIES**

**PRESENT:**      Adams, Danae      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Bond Clerk, Kaye Jenks, also present.

With the State making no objection, COURT ORDERED, Motion GRANTED, BOND EXONERATED;  
the Show Cause Hearing set 01/05/17 VACATED.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 07, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**September 07, 2016      8:30 AM      Motion for Own  
   Recognizance  
   Release/Settting Reasonable  
   Bail**

**HEARD BY:** Walsh, Jessie

**COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- Following arguments by counsel, COURT ORDERED, Defendant's Motion for OR/Bail Release, or in the Alternative, for Setting of Reasonable Bail, DENIED. FURTHER COURT ORDERED BAIL SET AT \$80,000.00 Cash or Surety.

**CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 31, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**October 31, 2016      8:30 AM      Motion in Limine**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- Upon counsel's request, COURT ORDERED, Matter CONTINUED to the date given.

**CUSTODY**

11/07/16 8:30 A.M. State's Motion In Limine to Admit a Certified Copy of Sunrise Hospital Medical Records, Recorded 911 Call, and Recorded Jail Calls

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 07, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**November 07, 2016      8:30 AM      All Pending Motions**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- Defendant's Motion To Dismiss Counts One And Two Based On Improper Hearsay Testimony...State's Motion in Limine to Admit A Certified Copy of Sunrise Hospital Medical Records, Recorded 911 Call, And Recorded Jail Call

Following arguments by counsel, Court Stated its Findings and ORDERED, Defendant's Motion To Dismiss Counts One And Two Based On Improper Hearsay Testimony, DENIED IN ITS ENTIRETY; FURTHER COURT ORDERED, State's Motion in Limine to Admit A Certified Copy of Sunrise Hospital Medical Records, Recorded 911 Call, And Recorded Jail Call, GRANTED IN ITS ENTIRETY. Ms. Rhoades to prepare the order. Upon Court's inquiry, counsel is ready for trial. Ms. Rhoades requested bad acts motion be heard first. Colloquy regarding Court's schedule. FURTHER COURT ORDERED, Bad Acts Motion set on the date given.

11/14/16    10:30 A.M.    HEARING: BAD ACTS MOTION





**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 14, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**November 14, 2016      10:30 AM      Hearing**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Cynthia Moleres

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Eichacker, Kenton G.	Attorney
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- Amended Information FILED IN OPEN COURT

Ms. Rhoades stated the last plea offer for the record. Upon Court's inquiry, Ms. Walkenshaw confirmed she had presented the offer to Deft. and Deft. had rejected it. Deft. concurred.

Ms. Rhoades advised the witness, Ms. Jensen, had requested an attorney be appointed; however, no criminal charges will be filed as a result of this case. Ms. Rhoades further advised the State has been prosecuting Deft. and believes Deft. is the aggressor under these facts. Upon Court's inquiry, Ms. Rhoades confirmed the State did not anticipate charging Ms. Jensen with any criminal charges regardless of her testimony regarding these two incidences. Ms. Jensen requested an attorney advising some of her statements could incriminate herself. COURT NOTED the State indicated Ms. Jensen would not be charged with anything related to these two incidences.

Testimony and Exhibits presented (see worksheets). Ms. Rhoades advised Ms. Jensen requested to be present during the testimony of James Cameron Blair, who is 9 years old. Ms. Walkenshaw stated she had no objection as long as there was no communication between the witnesses. Ms. Rhoades stated her concerns with Ms. Jensen being in the Courtroom. COURT NOTED if there was any type of non-verbal communication between the witness and his mother, the State could make a record of it and at that point she might be asked to leave the Courtroom, while the State continues to examine the child.

Arguments by counsel. COURT stated its FINDINGS and ORDERED, the Evidence could COME IN. COURT NOTED it would give the Jury a specific limiting instruction that Deft's bad acts can only be considered with respect to his motive, intent, absence of mistake to disprove any claim of self defense and to provide context to Deft. and Brittney's relationship with each other. COURT FURTHER NOTED it is not to show that because Deft. committed similar acts in the past, Deft. is likely to have done it in this specific instance. State to prepare the order.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 14, 2016**

---

C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

---

**November 14, 2016      1:00 PM      Jury Trial**

**HEARD BY:** Walsh, Jessie

**COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Eichacker, Kenton G.	Attorney
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- IN THE PRESENCE OF THE PROSPECTIVE JURY.

Following brief introductions by the Court, voir dire oath given, voir dire commences.

CONFERENCES AT BENCH. Following voir dire, 12 Jurors and 1 Alternate selected. Court thanked and excused the remaining prospective panel. Selected Jurors Sworn. COURT admonished the Jury and ORDERED, trial CONTINUED.

CONTINUED TO: 11-15-16 9:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 15, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**November 15, 2016      9:00 AM      Jury Trial**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Eichacker, Kenton G.	Attorney
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY: Ms. Rhoades advised there were items admitted in the bad acts motion and are being used for this trial and marked as other numbers. Ms. Walkenshaw stated no opposition. Ms. Rhoades advised she has medical records and certification of those records. Further counsel has provided a copy to defense counsel. Ms. Walkenshaw advised the Court has already made a ruling on these records. Court so noted. Ms. Walkenshaw advised as to the expert witnesses' availability and schedule. Counsel will need to have these witnesses heard on Thursday at 10:00 a.m., and 11:30 a.m. Court noted it received defense counsel's proposed Jury Instructions. Ms. Walkenshaw request Ms. Jensen be allowed to remain in court during the minor children's testimony. Ms. Walkenshaw stated no opposition as long as there's no communication. Court so Agreed.

INSIDE THE PRESENCE OF THE JURY: Following brief instruction by the court, Opening statements given by Mr. Rowles and Mr. Eichacker. Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Argument by Ms. Walkenshaw as to victim character evidence coming in. Argument by Ms. Rhoades in opposition. Following arguments Court Stated its Findings, and ORDERED the proper foundation needs to be laid before the specific act can come in. Further, a proper jury instruction needs to be fashioned so that the jury can be instructed there're not to consider this character evidence, that she has a propensity to violence buy that the evidence is coming in strictly because it relates to deft's state of mind.

Argument by Ms. Rhoades as to the marijuana issue. Further, counsel cut that out of the 911 calls. Argument by Ms. Walkenshaw in opposition. COURT ORDERED, counsel can get into that area when questioning the witness.

Argument by Ms. Rhoades as to prior bad acts by victim coming in. Argument by Ms. Walkenshaw in opposition. COURT ORDERED, victim's character is fair came.

INSIDE THE PRESENCE OF THE JURY: Continued Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Argument by Mr. Rowles as to prior inconsistent statements by witness coming in. Argument by Ms. Walkenshaw in opposition. COURT ORDERED, the officer can tell the Jury what Cameron told him. Upon Court's inquiry,

INSIDE THE PRESENCE OF THE JURY: Continued Testimony and exhibits presented. (See worksheets). Court admonished the jury and instructed them to return tomorrow as the time given.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 17, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Eichacker, Kenton G.	Attorney
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY: Ms. Rhoades requested the material witness warrant be recalled/quashed, as to Brittney Jensen. COURT SO ORDERED.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions Settled.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented. (See worksheets). State RESTED. Court admonished the Jury and instructed them to return tomorrow at the given time.

OUTSIDE THE PRESENCE OF THE JURY: Court canvassed deft. on his right to testify. Deft. stated he will testify. Colloquy regarding prior bad acts coming in. COURT ORDERED, only the July 2015 incident comes in. COURT ADJOURNED.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 18, 2016**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**November 18, 2016      9:00 AM      Jury Trial**

**HEARD BY:** Walsh, Jessie      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Kory Schlitz

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Eichacker, Kenton G.	Attorney
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- JURY PRESENT:

Testimony presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding recently submitted jury instruction by the State. There being no opposition from either party, the instructions will be amended. Instructions settled.

JURY PRESENT:

Court instructed the jury.

Closing arguments by Mr. Rowles and Ms. Walkenshaw.

At the hour of 12:50 P.M., the jury retired to deliberate. Court thanked and excused the alternate.

PRINT DATE: 03/23/2017

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Minutes Date: March 03, 2016



At the hour of 4:22 P.M., the jury returned with a verdict of GUILTY of COUNT 1 - BATTERY CONSTITUTION DOMESTIC VIOLENCE (F), GUILTY of COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE (F), GUILTY of COUNT 3 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (F), GUILTY OF COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (F).

Jury polled. Court thank and excused the jury.

Ms. Rhodes requested the Defendant be remanded without bail. Ms. Walkenshaw requested Defendant's bail to remain at \$80,000.00. COURT ORDERED, Defendant REMANDED WITHOUT BAIL, matter SET for Sentencing.

CUSTODY

2/8/17 8:30 A.M. SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 08, 2017**

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C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

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**February 08, 2017      8:30 AM      Sentencing**

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**HEARD BY:** Barker, David      **COURTROOM:** RJC Courtroom 14B  
                                 Senior, Judge

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**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- Ms. Walkenshaw requested a continuance as she wasn't able to access the PSI, since it was sealed in Odyssey, even though she's counsel of record. Further, Ms. Rhoades provided a copy this morning. Colloquy regarding prior convictions listed in the PSI. Upon counsel's inquiry, Court noted a psychological evaluation is not necessary. Further, COURT ORDERED, matter CONTINUED to the date given.

**CUSTODY**

02/15/17    8:30 A.M.    SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 15, 2017**

---

C-16-312970-1      State of Nevada  
                                 vs  
                                 James Cooper

---

**February 15, 2017      8:30 AM      Sentencing**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, James	Defendant
	Rhoades, Kristina A.	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

**JOURNAL ENTRIES**

- DEFT. COOPER ADJUDGED GUILTY of COUNT 1 - BATTERY CONSTITUTION DOMESTIC VIOLENCE (F), GUILTY of COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE (F), GUILTY of COUNT 3 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (F), GUILTY OF COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT (F). Arguments by counsel. JOCs previously submitted as Court's Exhibit for trial, used at sentencing. Statements by deft. Victim witness Sworn statements given. Matter submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED As to COUNT - 1 a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC); As to COUNT - 2 a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC); CONCURRENT with COUNT - 1; As to COUNT 3 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC); CONSECUTIVE to COUNT 1; As to COUNT 4 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY

(60) MONTHS in the Nevada Department of Corrections (NDC); CONCURRENT with COUNT 3; with 244 DAYS credit for time served. COURT FURTHER ORDERED, AGGREGATE total of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY- (120) MONTHS in the Nevada Department of Corrections (NDC). CASE CLOSED.

BOND if any, EXONERATED.

# EXHIBIT(S) LIST

Case No.: C312970

Hearing / Trial Date: 11-14-16 (Hearing)

Dept. No.: 10

Judge: J. Walsh

Plaintiff: State of NV

Court Clerk: Cynthia Moberg

Recorder / Reporter: Victoria Boyd

Counsel for Plaintiff: K. Rhodes / W. Bowles

vs.

Defendant: James Cooper

Counsel for Defendant: T. Walkenshaw

## HEARING / TRIAL BEFORE THE COURT

State's

### EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	911 Call DVD	11-14-16	No	11-14-16
2	Voluntary Statement	11-14-16	Yes	11-14-16
3	Picture full body	11-14-16	No	11-14-16
4	Picture Head Shot			
5	Picture Side View			
6	Picture Elbow			
7	Picture Upper Lip			
8	Picture Left Hand			
9	Statement of B. Jensen 7-3-2015	11-14-16	No	11-14-16
1A	Declaration of Research Assistant	11-14-16	No	11-14-16

# STATE'S EXHIBIT LIST

TRIAL DATES: 11/14/16 -

Case No. C-16-312970-1	Clerk: T. Bershire / K. Schlitz
Dept. X Judge: Jessie Walsh	Recorder:
Pltf(s): State of Nevada	Pltf's Counsel: DDA Kristina Rhoades and DDA William Rowles
Deflt(s): James Cooper	Deflt's Counsel: DPD Talia Walkenshaw and Kenton Eichacker

Exhibit No.	Description	Date Offered	Obj.	Adm.	Date Admitted
1	Overhead Photo - Neighborhood including 356 East Desert Inn Rd.	11/15/16	N	Y	11/15/16
2	Audio CD - 01/22/16 AM 911 Call by James Cameron Blair and Brittney Jensen	11/15/16	St. P		11/15/16
3	Audio CD - 01/22/16 AM 911 Call by James Cooper	↓	↓	↓	↓
4	Video DVD - Body Worn Camera - J15052K	11/15/16	N	Y	11/15/16
5	Brittney's Letter - 01/26/16	11/15/16	N	Y	11/15/16
6	Officer Pickens sketch of apartment layout	↓	↓	↓	↓
7	Brittney Jensen Sunrise Medical Records	11/15/16	N	Y	11/15/16
8	Photo - 356 E. Desert Inn	↓	↓	↓	↓
9	Photo - apartment 111 door	↓	↓	↓	↓
10	Photo - kitchen, trash can knocked down	↓	↓	↓	↓
11	Photo - kitchen, floor, rug, pillow	↓	↓	↓	↓
12	Photo - kitchen floor, different angle with rug and pillow	↓	↓	↓	↓
13	Photo - kitchen stove	↓	↓	↓	↓
14	Photo - kitchen sink and dishwasher	↓	↓	↓	↓
15	Photo - kitchen rug close up	↓	↓	↓	↓
16	Photo - kitchen rug Brittney's dreadlock close up	↓	↓	↓	↓
17	Photo - kitchen doorway to hallway	↓	↓	↓	↓
18	Photo - living room	↓	↓	↓	↓
19	Photo - living room, doorway open to kitchen	↓	↓	↓	↓

Exhibit No.	Description	Date Offered	Obj.	Adm.	Date Admitted
20	Photo – living room, front doorway	11/15/16	N	Y	11/15/16
21	Photo – master bedroom entryway with tool suitcase				
22	Photo – master bedroom floor, tool case, various food items on floor				
23	Photo – master bedroom - close up of tool suitcase with broken handle				
24	Photo – master bedroom floor with food items and tools				
25	Photo – master bedroom - overview of tools with 2 of Defendant's dreadlocks				
26	Photo – master bedroom - close up of brown dreadlock				
27	Photo – master bedroom - close up of second dreadlock				
28	Photo – master bedroom - night stand with Brittney's dreadlock				
29	Photo – master bedroom – close up of Brittney's dreadlock				
30	Photo – master bedroom – close up of tools				
31	Photo – master bedroom – close up of cords and tools				
32	Photo – master bedroom – close up of cords, tools, dreadlock				
33	Photo – master bedroom – entryway with tool case, closet door				
34	Photo – master bedroom – close up of closet door				
35	Photo – master bedroom – bed headboard				
36	Photo – master bedroom – closet door and open door into hallway				
37	Photo – bathroom floor				
38	Photo – bathroom tub with shower curtain and rod				
39	Photo – bathroom floor close up				
40	Photo – bathroom door handle				
41	Photo – Sunrise – Brittney overview	11/15/16	Stop		11/15/16
42	Photo – Sunrise – Brittney left side of face				
43	Photo – Sunrise – Brittney left side of face close up				
44	Photo – Sunrise – Brittney close up of scalp				
45	Photo – Sunrise – Brittney front of face				
46	Photo – Sunrise – Brittney front/left side close up of face				
47	Photo – Sunrise – Brittney close up of left eye, red cheek				
48	Photo – Sunrise – Brittney right side of face				
49	Photo – Sunrise – Brittney forehead				
50	Photo – Sunrise – Brittney right side of scalp, dreadlock missing				
51	Photo – Sunrise – Brittney linear mark on neck				
52	Photo – Sunrise – Brittney linear mark on neck close up				

		ofr	obj	Admit	date
53	Photo - Sunrise - Brittney red mark on left chest	11/15/16	Stip		11/15/16
54	Photo - Sunrise - Brittney red mark on chest close up	↓			↓
55	Photo - Sunrise - Brittney right elbow abrasions	↓			↓
56	Photo - Sunrise - Brittney right elbow abrasions close up	↓			↓
57	Photo - Sunrise - Brittney upper arm abrasions	↓			↓
58	Photo - Sunrise - Brittney missing dreadlock on right side w/ruler	↓			↓
59	Photo - Sunrise - Brittney forehead close up w/ruler	↓			↓
60	Photo - Sunrise - Brittney left side of face close up w/ruler	↓			↓
61	Photo - Sunrise - Brittney left eye w/ruler	↓	↓		↓
62	Photo - James Cooper full front	11/15/16	Stip		11/15/16
63	Photo - James Cooper, face close up	↓	↓		↓
64	Photo - James Cooper scalp, missing dreadlocks	↓	↓		↓
65	Photo - James Cooper hands	↓	↓		↓
66	Photo - James Cooper finger close up	↓	↓		↓
67	Audio CD - Call No. 49102201, 1/23/16 at 11:58 AM	↓	↓		↓
68	Audio CD - Call No. 49103049, 1/23/16 at 12:54 PM	11/15/16	N	Y	11/15/16
69	Audio CD - Call No. 49110899, 1/23/16 at 6:33 PM	↓	↓	↓	↓
70	Audio CD - Call No. 49112506, 1/23/16 at 7:38 PM	↓	↓	↓	↓
71	Audio CD - Call No. 49119204, 1/24/16 at 5:46 AM	↓	↓	↓	↓
72	Audio CD - Call No. 54076009, 8/10/16 at 12:28 PM	↓	↓	↓	↓
73	Audio CD - 911 Call Original	↓	↓	↓	↓
74	Declaration - Nicole Roe	11/15/16	N	Y	11/15/16
75	Voluntary Statement - James Cameron Polari	↓	↓	↓	↓
76	Photo - Full Body	11/15/16	Y	Y	11/15/16
77	Photo - Head Shot	↓	↓	↓	↓
78	Photo - Side View	↓	↓	↓	↓
79	Photo - Elbow	↓	↓	↓	↓
80	Photo - Upper hip	↓	↓	↓	↓
81	Photo - Left Hand	↓	↓	↓	↓
82	Voluntary Statement	11/15/16	N	Y	11/15/16
83	Photo	↓	↓	↓	↓
84	Photo	11/17/16	Stip		11/17/16
85					
86					
87					





# EXHIBIT(S) LIST

Case No.: C312970

Dept. No.: 10

Plaintiff: State of NV

vs.  
Defendant: James Cooper

Hearing / Trial Date: 11-14-16 (Hearing)

Judge: J. Walsh

Court Clerk: Aphie Mofers / T. Berkshire / F. Schilitz

Recorder / Reporter: Victoria Boyd

Counsel for Plaintiff: K. Rhodes / W. Rowles

Counsel for Defendant: J. Walkenshaw

## HEARING / TRIAL BEFORE THE COURT

Court's

### EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	14F12344X CR Complaint / Admonishment / Disposition	11-14-16	No	11-14-16
2	15F10224X CR Complaint / Admonishment / Disposition	↓	No	↓
3	Juror question	11-15-16	N	11-15-16
4	Proposed Jury Instructions	11-17-16	Y	11-17-16
5	Proposed Jury Instructions	↓	↓	↓
6	Proposed Jury Instructions	↓	↓	↓
7	Verdict Form (Proposed)	↓	↓	↓
8	Proposed Jury Instruction	↓	↓	↓
9	Proposed Jury Instruction	↓	↓	↓
10	Proposed Jury Instruction	↓	↓	↓
11	Proposed Jury Instruction	↓	↓	↓
12	Proposed Jury Instruction	↓	↓	↓
13	Proposed Jury Instruction	↓	↓	↓
14	Proposed Jury Instruction	↓	↓	↓
15	Juror Question	↓	↓	↓
16	Juror Question	11/18/16	not asked	

# 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.

JAMES COOPER aka JAMES MARLIN  
COOPER,

Defendant(s).

Case No: C-16-312970-1

Dept No: X

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 23 day of March 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk