

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			
146	Crime Scene Photograph – Numbered Items			
147	Crime Scene Photograph – Numbered Items			
148	Crime Scene Photograph – Numbered Items			
149	Crime Scene Photograph – Numbered Items			
150	Crime Scene Photograph – Numbered Items			
151	Crime Scene Photograph – Numbered Items			
152	Crime Scene Photograph – Numbered Items			
153	Crime Scene Photograph – Numbered Items			
154	Crime Scene Photograph – Numbered Items			
155	Crime Scene Photograph – Numbered Items			
156	Crime Scene Photograph – Numbered Items			
157	Crime Scene Photograph – Numbered Items			
158	Crime Scene Photograph – Numbered Items			
159	Crime Scene Photograph – Numbered Items			
160	Crime Scene Photograph – Numbered Items			
161	Crime Scene Photograph – Numbered Items			
162	Crime Scene Photograph – Numbered Items			
163	Crime Scene Photograph – Numbered Items			
164	Crime Scene Photograph – Numbered Items			
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			9/16/15

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 <del>Box in Vault 4th Floor</del>			
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"	↓	↓	↓

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	<del>NO</del>	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	3/21/16
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	stop	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	Figueroa 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	Crickettowers 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 - [unclear]	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) Casey			
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 Phone log	↓	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 (ru 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 JOC 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. CC303991

[illegible]

# Court's EXHIBITS

CASE NO. C 303991

	Date Offered	Objection	Date Admitted
1) Jury Question - witness Kovachich <del>asked</del>	9/16/16		9/16/16
2) Juror Note	9/19/16		9/19/16
3) Juror Question - Estevallo, asked	9/20/16		9/20/16
4) Juror Question (Gandy) asked	9/23/16		9/23/16
5) Jail Calls - Summer Larsen	9/29/16		9/29/16
6) Statement of Sotillo	9/30		9/30/16
7) Letter 3/27/15	↓		↓
8) Email 9/29/16	↓		↓
9) Juror Note (asked) McPaul	10/4		10/4/16
10) Record of Gabriel Sotelo 14CRN001997	10/16		10/16/16
11) Court Order re Medical Records-Figueroa	"		"
12) Jail call	10/16		10/16/16
13) Jury Question during deliberation	10/7/16		10/7/16
14) State's Power Point 1 <sup>st</sup> Closing	10/7/16		10/7/16

# 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.

DAVID M. MURPHY,

Defendant(s).


Case No: C-15-303991-4

Dept No: V

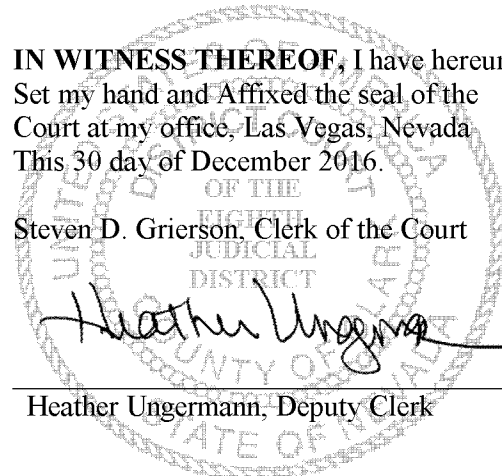
now on file and of record in this office.

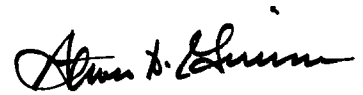
IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 30 day of December 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk





CLERK OF THE COURT

Electronically Filed  
Jan 11 2017 11:14 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**NOAS**  
CASEY A. LANDIS, ESQ.  
Nevada Bar No. 9424  
**LANDIS LAW GROUP**  
200 Hoover Ave.  
Las Vegas, Nevada 89101  
Telephone: 702.487.3650  
Facsimile: 702.664.2632  
E-mail: [clandis@lvjusticeadvocates.com](mailto:clandis@lvjusticeadvocates.com)  
Attorney for Defendant

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

v.

DAVID MURPHY,

Defendant.

CASE NO.: C-15-303991-4

DEPT. NO.: V

**NOTICE OF APPEAL**

TO: THE STATE OF NEVADA, STEVEN WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA AND DEPARTMENT V OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

NOTICE is hereby given that Defendant, Steven Christopher Gazlay, presently incarcerated at the High Desert State Prison, appeals to the Supreme Court of the State of Nevada from the Judgment of Conviction and Sentence entered against said Defendant on December 2, 2016.

DATED this 27<sup>th</sup> day of December, 2016.

**LANDIS LAW GROUP**

/s/ Casey A. Landis  
CASEY A. LANDIS, ESQ.  
Nevada Bar No. 9424  
200 Hoover Ave.  
Las Vegas, Nevada 89101

LANDIS LAW GROUP  
200 HOOVER AVE.  
LAS VEGAS, NEVADA 89101



**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that service of the above and forgoing was made this 27<sup>th</sup>  
day of December, 2016 by email to:

CLARK COUNTY DISTRICT ATTORNEY  
Email: PDmotions@clarkcountyda.com

By /s/ Casey A. Landis

**CERTIFICATE OF MAILING**

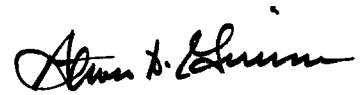
The undersigned does hereby certify that on the 27<sup>th</sup> day of December, 2016, I did deposit  
in the United States Post Office at Las Vegas, Nevada, a true copy of the above and forgoing  
Notice of Appeal addressed to the following: :

STEVEN WOLFSON  
Clark County District Attorney  
Criminal Appeals Division  
200 Lewis Avenue  
Las Vegas, NV 89101

ADAM LAXALT  
Nevada Attorney General  
100 North Carson Street  
Carson City, NV 89701

DAVID MURPHY, ID:65173  
High Desert State Prison  
PO Box 650  
Indian Springs, Nevada 89070-0650

By /s/ Casey A. Landis



CLERK OF THE COURT

ASTA  
CASEY A. LANDIS, ESQ.  
Nevada Bar No. 9424  
LANDIS LAW GROUP  
200 Hoover Ave.  
Las Vegas, Nevada 89101  
Telephone: 702.487.3650  
Facsimile: 702.664.2632  
E-mail: [clandis@lvjusticeadvocates.com](mailto:clandis@lvjusticeadvocates.com)  
Attorney for Defendant

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

v.

DAVID MURPHY,

Defendant.

CASE NO.: C-15-303991-4

DEPT. NO.: V

**CASE APPEAL STATEMENT**

1. **Appellant filing this case appeal statement:** David Murphy.
2. **Judge issuing the decision, judgment, or order appealed from:** The Honorable Carolyn Ellsworth.
3. **All parties to the proceedings in the district court (the use of et al. to denote parties is prohibited):** David Mark Murphy - Appellant; Joseph Laguna – Codefendant; Jorge Mendoza – Codefendant; The State of Nevada, Respondent.
4. **All parties involved in this appeal (the use of et. al. to denote parties is prohibited):** David Mark Murphy - Appellant; Joseph Laguna – Codefendant; Jorge Mendoza – Codefendant; The State of Nevada, Respondent.

///

///

///

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

CASEY A. LANDIS  
Landis Law Group  
200 Hoover Ave.  
Las Vegas, Nevada 89101  
Attorney for Appellant Murphy

STEVEN WOLFSON  
Clark County District Attorney  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
Counsel for Respondent

SANDRA STEWART  
140 Rancho Maria Street  
Las Vegas, NV 89148  
Attorney for Appellant Laguna

ADAM LAXALT  
Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717  
Counsel for Respondent

AMANDA GREGORY  
Gregory and Waldo, LLC  
324 S. 3rd Street, STE 2  
Las Vegas, NV 89101  
Attorney for Appellant Mendoza

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

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

8. **Whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:** Appellant never requested leave to proceed as such.

9. **Date proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):** Indictment filed January 30, 2015.

DATED this 27<sup>th</sup> day of December, 2016.

LANDIS LAW GROUP

/s/ Casey A. Landis  
CASEY A. LANDIS, ESQ.  
Nevada Bar No. 9424  
200 Hoover Ave.  
Las Vegas, Nevada 89101

**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that service of the above and forgoing was made this 27<sup>th</sup>  
day of December, 2016 by email to:

CLARK COUNTY DISTRICT ATTORNEY  
Email: PDmotions@clarkcountyda.com

By /s/ Casey A. Landis

**CERTIFICATE OF MAILING**

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ADAM LAXALT  
Nevada Attorney General  
100 North Carson Street  
Carson City, NV 89701

DAVID MURPHY, ID:65173  
High Desert State Prison  
PO Box 650  
Indian Springs, Nevada 89070-0650

By /s/ Casey A. Landis

**State of Nevada**  
**VS**  
**David Murphy**

~~~~~

## CASE INFORMATION










**Appealed to Supreme Court**  
**Custody Status - In Custody**  
**Custody Status - Nevada**  
**Department of Corrections**  
*REMANDED W/OUT BAIL*  
**No Bail Set**  
**Charge Description Updated**

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**

Plaintiff

State of Nevada

Wolfson, Steven B  
702-671-2700(W)

| DATE       | EVENTS & ORDERS OF THE COURT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | INDEX |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 01/30/2015 |  <b>Grand Jury Indictment</b> (11:45 AM) (Judicial Officer: Barker, David)                                                                                                                                                                                                                                                                                                                                                                             |       |
| 01/30/2015 |  Indictment<br><i>Indictment</i>                                                                                                                                                                                                                                                                                                                                                                                                                       |       |
| 01/30/2015 |  Warrant<br><i>Indictment Warrant</i>                                                                                                                                                                                                                                                                                                                                                                                                                  |       |
| 02/03/2015 |  Indictment Warrant Return                                                                                                                                                                                                                                                                                                                                                                                                                             |       |
| 02/06/2015 |  Media Request and Order<br><i>Media Request And Order Allowing Camera Access To Court Proceedings</i>                                                                                                                                                                                                                                                                                                                                                 |       |
| 02/09/2015 |  <b>Initial Arraignment</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                                                                                                                                                                                                                                                                                           |       |
| 02/09/2015 | <b>CANCELED Indictment Warrant Return</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated</i>                                                                                                                                                                                                                                                                                                                                                                                                                            |       |
| 02/17/2015 |  Transcript of Proceedings<br><i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 1, January 8, 2015</i>                                                                                                                                                                                                                                                                                                                               |       |
| 02/17/2015 |  Transcript of Proceedings<br><i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 2, January 29, 2015</i>                                                                                                                                                                                                                                                                                                                            |       |
| 02/23/2015 |  <b>Arraignment Continued</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                                                                                                                                                                                                                                                                                       |       |
| 02/23/2015 | <b>CANCELED Status Check</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated</i><br><i>Status Check: Grand Jury Transcript</i>                                                                                                                                                                                                                                                                                                                                                                                           |       |
| 02/23/2015 | <b>Plea</b> (Judicial Officer: Ellsworth, Carolyn)<br>1. CONSPIRACY TO COMMIT ROBBERY<br>Not Guilty<br>PCN: Sequence:<br><br>2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON<br>Not Guilty<br>PCN: Sequence:<br><br>3. HOME INVASION WHILE IN POSSESSION OF A DEADLY WEAPON<br>Not Guilty<br>PCN: Sequence:<br><br>4. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON<br>Not Guilty<br>PCN: Sequence:<br><br>5. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON<br>Not Guilty<br>PCN: Sequence:<br><br>6. MURDER WITH USE OF A DEADLY WEAPON |       |
















DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**














Not Guilty  
PCN: Sequence:

7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Not Guilty  
PCN: Sequence:
















|            |                                                                                                                                                                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/27/2015 |  <b>Grand Jury Indictment</b> (11:45 AM) (Judicial Officer: Barker, David)                                                                                                  |
| 02/27/2015 |  Superseding Indictment<br><i>Superseding Indictment</i>                                                                                                                    |
| 02/27/2015 |  Warrant<br><i>Superseding Indictment Warrant</i>                                                                                                                           |
| 03/02/2015 |  Indictment Warrant Return<br><i>Superseding Indictment Warrant Return</i>                                                                                                  |
| 03/04/2015 |  Transcript of Proceedings<br><i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Superseding Indictment, February 26, 2015</i>                                    |
| 03/09/2015 | <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Further Proceedings: Superseding Indictment</i>                                                                                                                            |
| 03/09/2015 | <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Superseding Indictment Warrant Return</i>                                                                                                                                  |
| 03/09/2015 |  <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>All Pending Motions: 3/9/15</i>                                                        |
| 03/26/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Witnesses</i>                                                                                                |
| 03/26/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Expert Witnesses</i>                                                                                         |
| 03/27/2015 |  Motion<br><i>Motion To Authorize Clark County Detention Center To Procure Prescription Eyewear For Defendant</i>                                                         |
| 04/03/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Supplemental Notice of Expert Witnesses</i>                                                                            |
| 04/06/2015 |  <b>Motion</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Motion To Authorize Clark County Detention Center To Procure Prescription Eyewear For Defendant</i> |
| 04/09/2015 |  Writ<br><i>Petition For Writ of Habeas Corpus</i>                                                                                                                        |
| 04/20/2015 |  <b>Calendar Call</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                    |

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**


















|            |                                                                                                                                                                                                                                                    |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/27/2015 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated - per Judge</i>                                                                                                                                          |
| 05/03/2015 |  <b>Order</b><br><i>Order Authorizing Clark County Detention Center To Procure Prescription Eyewear For Defendant</i>                                             |
| 05/04/2015 |  <b>Return</b><br><i>Return to Writ of Habeas Corpus</i>                                                                                                          |
| 05/20/2015 |  <b>Petition for Writ of Habeas Corpus</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><b>05/20/2015, 06/01/2015</b>                                      |
| 05/29/2015 |  <b>Grand Jury Indictment</b> (11:45 AM) (Judicial Officer: Barker, David)<br><i>Second Superseding Indictment</i>                                                |
| 05/29/2015 |  <b>Indictment</b><br><i>Second Superseding Indictment</i>                                                                                                        |
| 05/29/2015 |  <b>Warrant</b><br><i>Second Superseding Indictment Warrant</i>                                                                                                   |
| 06/03/2015 | <b>CANCELED Initial Arraignment</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated</i><br><i>Second Superseding Indictment</i>                                                                                                     |
| 06/17/2015 |  <b>Transcript of Proceedings</b><br><i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Second Superseding Indictment, May 28, 2015</i>               |
| 06/29/2015 |  <b>Order</b><br><i>Order Denying Defendant's Pre-Trial Petition for Writ of Habeas Corpus</i>                                                                  |
| 08/31/2015 |  <b>Status Check: Trial Setting</b> (9:00 AM) (Judicial Officer: Thompson, Charles)<br><b>08/31/2015, 09/21/2015</b><br><i>Status Check: Firm Trial Setting</i> |
| 09/21/2015 | <b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Thompson, Charles)<br><i>Vacated</i>                                                                                                                                                    |
| 09/28/2015 | <b>CANCELED Jury Trial - FIRM</b> (1:30 PM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated</i>                                                                                                                                               |
| 04/03/2016 |  <b>Motion</b><br><i>Motion To Sever</i>                                                                                                                        |
| 04/06/2016 |  <b>Motion</b><br><i>Motion to Dismiss Counsel and Appointment of Alternate Counsel</i>                                                                         |
| 04/07/2016 |  <b>Opposition</b><br><i>State's Opposition to Defendant's Motion to Sever</i>                                                                                  |
| 04/18/2016 |  <b>Status Check</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><b>04/18/2016, 05/02/2016, 05/09/2016</b>                                              |

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**

*Defendant's Motion to Sever*

|            |                                                                                                                                                                                                                                                                                     |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/02/2016 | <b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Defendant's Motion to Dismiss Counsel and Appointment of Alternate Counsel</i>                                                                                                                      |
| 05/02/2016 |  <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                                       |
| 05/04/2016 |  <b>Faretta Canvass</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                                           |
| 07/11/2016 |  <b>Motion</b><br><i>Motion To Withdraw As Attorney Of Record</i>                                                                                                                                  |
| 07/25/2016 |  <b>Motion to Withdraw as Counsel</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><b>07/25/2016, 07/27/2016</b><br><i>Casey A. Landis', Esq., Motion To Withdraw As Attorney Of Record</i> |
| 08/03/2016 |  <b>Motion</b><br><i>Motion to Dismiss Counsel and Appointment of Alternate Counsel</i>                                                                                                            |
| 08/15/2016 |  <b>Notice of Witnesses and/or Expert Witnesses</b><br><i>Second Supplemental Notice of Expert Witnesses [NRS 174.234(2)]</i>                                                                      |
| 08/22/2016 |  <b>Notice of Witnesses and/or Expert Witnesses</b><br><i>Third Supplemental Notice of Expert Witnesses</i>                                                                                        |
| 08/22/2016 |  <b>Notice of Witnesses and/or Expert Witnesses</b><br><i>Notice Of Expert Witness</i>                                                                                                           |
| 08/24/2016 |  <b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><b>08/24/2016, 08/31/2016</b><br><i>Defendant's Motion to Dismiss Counsel and Appointment of Alternate Counsel</i> |
| 09/07/2016 |  <b>Calendar Call</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                                                                           |
| 09/07/2016 |  <b>Notice of Witnesses and/or Expert Witnesses</b><br><i>Supplemental Notice of Witnesses</i>                                                                                                   |
| 09/08/2016 |  <b>Opposition</b><br><i>State's Opposition to Defendant's Motion to Exclude Summer Larsen</i>                                                                                                   |
| 09/08/2016 |  <b>Motion</b><br><i>Motion To Exclude Summer Larsen</i>                                                                                                                                         |
| 09/09/2016 |  <b>Motion to Exclude</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Motion to Exclude Summer Larsen on Order Shortening Time</i>                                                    |
| 09/12/2016 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Vacated - Duplicate Entry</i>                                                                                                                                                                     |
| 09/12/2016 |  <b>Jury Trial</b> (1:30 PM) (Judicial Officer: Ellsworth, Carolyn)<br><b>09/12/2016-09/16/2016, 09/19/2016-09/23/2016, 09/27/2016-09/30/2016, 10/03/2016-10/07/2016</b>                         |

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**




|            |                                                                                                                                                                                                                                |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/19/2016 |  Order<br><i>Order to Transport Defendant to Court</i>                                                                                        |
| 09/19/2016 |  Notice of Witnesses and/or Expert Witnesses<br><i>Second Supplemental Notice of Witnesses [NRS174.234 (1)(a)]</i>                            |
| 09/19/2016 |  Order to Show Cause<br><i>Order to Show Cause Re: Contempt</i>                                                                               |
| 09/26/2016 |  Ex Parte Application<br><i>Ex Parte Application For Order Requiring Material Witness To Post Bail</i>                                        |
| 09/29/2016 |  Order<br><i>Order Requiring Material Witness To Post Bail Or Be Committed To Custody</i>                                                     |
| 09/29/2016 |  Warrant<br><i>Warrant Of Arrest</i>                                                                                                          |
| 10/03/2016 |  Opposition<br><i>State's Opposition to Defendants' Motion for Mistrial</i>                                                                   |
| 10/03/2016 |  Notice of Witnesses and/or Expert Witnesses<br><i>Fourth Supplemental Notice of Expert Witnesses</i>                                         |
| 10/04/2016 |  <b>Minute Order</b> (3:00 AM) (Judicial Officer: Ellsworth, Carolyn)<br><i>Minute Order: Quash Matrial Witness Warrant - Gabriel Sotel</i> |
| 10/05/2016 |  Miscellaneous Filing<br><i>Defendant's Proposed Jury Instructions</i>                                                                      |
| 10/06/2016 |  Order to Transport Defendant<br><i>Order to Transport Defendant to Court</i>                                                               |
| 10/06/2016 |  Proposed Jury Instructions Not Used At Trial<br><i>Defendant's Proposed Jury Instructions Not Used At Trial</i>                            |
| 10/07/2016 |  Amended Jury List<br><i>Second Amended Jury List</i>                                                                                       |
| 10/07/2016 |  Verdict                                                                                                                                    |
| 11/07/2016 |  <b>Order to Show Cause</b> (2:00 PM) (Judicial Officer: Ellsworth, Carolyn)<br>Events: 09/19/2016 Order to Show Cause                      |
| 11/08/2016 |  PSI                                                                                                                                        |
| 11/28/2016 |  <b>Sentencing</b> (9:00 AM) (Judicial Officer: Ellsworth, Carolyn)                                                                         |
| 11/28/2016 | <b>Disposition</b> (Judicial Officer: Ellsworth, Carolyn)<br>1. CONSPIRACY TO COMMIT ROBBERY<br>Guilty<br>PCN: Sequence:                                                                                                       |

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**

2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:
3. HOME INVASION WHILE IN POSSESSION OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:
4. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:
5. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:
6. MURDER WITH USE OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:
7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:

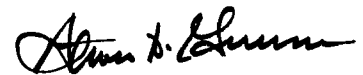
|            |                                                                                                                                                                                                                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>1. CONSPIRACY TO COMMIT ROBBERY<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum:28 Months, Maximum:72 Months                                                                                                                                   |
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum:48 Months, Maximum:180 Months<br>Concurrent: Charge 1                                                                                       |
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>3. HOME INVASION WHILE IN POSSESSION OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum:66 Months, Maximum:180 Months<br>Concurrent: Charge 2                                                                                  |
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>4. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum:48 Months, Maximum:120 Months<br>Consecutive Enhancement:for weapons enhancement, Minimum:36 Months, Maximum:120 Months<br>Concurrent: Charge 3 |
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>5. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum:48 Months, Maximum:120 Months<br>Consecutive Enhancement:for weapons enhancement, Minimum:36 Months, Maximum:120 Months<br>Concurrent: Charge 4 |

DEPARTMENT 5  
**CASE SUMMARY**  
**CASE NO. C-15-303991-4**

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>6. MURDER WITH USE OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Life with the possibility of parole after: 10 Years<br>Consecutive Enhancement: fpr weapon enhancement, Minimum: 36 Months,<br>Maximum: 240 Months<br>Concurrent: Charge 5                                                                                                                                                                                                                                                                                                                                           |
| 11/28/2016 | <b>Sentence</b> (Judicial Officer: Ellsworth, Carolyn)<br>7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON<br>Adult Adjudication<br>Sentenced to Nevada Dept. of Corrections<br>Term: Minimum: 84 Months, Maximum: 240 Months<br>Consecutive Enhancement: for weapons enhancement, Minimum: 36 Months,<br>Maximum: 240 Months<br>Consecutive: Charge 6<br>Credit for Time Served: 719 Days<br>Other Fees<br>1. , \$5,500.00 payable to State of Nevada, Victim of Crimes, jointly and severally<br>with co-defendant<br>Fee Totals:<br>Administrative<br>Assessment Fee 25.00<br>\$25<br>DNA Analysis Fee 150.00<br>\$150<br>Genetic Marker<br>Analysis AA Fee 3.00<br>\$3<br>Fee Totals \$ 178.00 |
| 12/02/2016 |  Judgment of Conviction<br><i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/30/2016 |  Notice of Appeal (criminal)<br><i>Notice of Appeal</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12/30/2016 |  Case Appeal Statement<br><i>Case Appeal Statement</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| DATE | FINANCIAL INFORMATION                      |
|------|--------------------------------------------|
|      | <b>Defendant</b> Murphy, David M           |
|      | Total Charges 192.00                       |
|      | Total Payments and Credits 14.00           |
|      | <b>Balance Due as of 12/30/2016 178.00</b> |





CLERK OF THE COURT

1 JOC

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5 THE STATE OF NEVADA,

6 *Plaintiff,*

7 -vs-

CASE NO: C-15-303991-4

8 David Murphy  
9 #859628,

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 28<sup>th</sup> day of November, 2016, the defendant was present in court for  
4 sentencing with his counsel DANIEL GILLIAM, 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 Joseph Laguna, a \$150.00 DNA Analysis Fee including  
10 testing to determine genetic markers, and a \$3.00 DNA Collection Fee, the defendant is  
11 sentenced to the Nevada Department of Corrections as follows:

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

14 on **COUNT 2** - to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a  
15 MINIMUM of FORTY EIGHT (48) MONTHS, Count 2 to run CONCURRENTLY with  
16 Count 1;

17 on **COUNT 3** - to a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS and a  
18 MINIMUM of SIXTY SIX (66) MONTHS, Count 3 to run CONCURRENTLY with Count  
19 2;

20 on **COUNT 4** - to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a  
21 MINIMUM of FORTY EIGHT (48) MONTHS, plus a CONSECUTIVE term of ONE  
22 HUNDRED TWENTY (120) MONTHS and a MINIMUM of THIRTY SIX (36) MONTHS  
23 for the Use of a Deadly Weapon, Count 4 to run CONCURRENTLY with Count 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 THIRTY SIX (36) MONTHS  
27 for the Use of a Deadly Weapon, Count 5 to run CONCURRENTLY with Count 4;  
28

1 on **COUNT 6** - to LIFE with a possibility of parole after a term of TEN (10) YEARS have  
2 been served, plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS  
3 and a MINIMUM of THIRTY SIX (36) MONTHS for the Use of a Deadly Weapon; Count 6  
4 to run CONCURRENTLY with COUNT 5;

5 on **COUNT 7** - to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and a  
6 MINIMUM of THIRTY SIX (36) MONTHS, plus a CONSECUTIVE term of TWO  
7 HUNDRED FORTY (240) MONTHS and a MINIMUM of THIRTY SIX (36) MONTHS  
8 for the Use of a Deadly Weapon, Count 7 to run CONSECUTIVELY to Count 6; with  
9 SEVEN HUNDRED NINETEEN (719) days credit for time served. Defendant's  
10 AGGREGATE TOTAL SENTENCE is LIFE with a MINIMUM of TWENTY THREE (23)  
11 YEARS.

12 DATED this 30th day of November, 2016.

13   
14 CAROLYN ELLSWORTH  
15 DISTRICT JUDGE  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 30, 2015**

C-15-303991-4      State of Nevada  
vs  
David Murphy

**January 30, 2015      11:45 AM      Grand Jury Indictment**

**HEARD BY:** Barker, David

**COURTROOM:** RJC Courtroom 10B

**COURT CLERK:** Shelly Landwehr

**RECORDER:** Cheryl Carpenter

**REPORTER:**

**PARTIES**

|                 |                   |           |
|-----------------|-------------------|-----------|
| <b>PRESENT:</b> | Jones, Tierra D.  | Attorney  |
|                 | State of Nevada   | Plaintiff |
|                 | Talim, Tina Singh | Attorney  |

**JOURNAL ENTRIES**

- At this time, Ms. Talim informed the Court that the Clark County Grand Jury had certain matters to present to the court. 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 14BGJ019D to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-15-303991-4, Department 5. Ms. Jones requested a warrant, no bail. COURT ORDERED, NO BAIL WARRANT WILL ISSUE Matter SET for arraignment. Exhibit(s) 1-13 lodged with Clerk of District Court. COURT FURTHER ORDERED, Justice Court case 14F14997D DISMISSED.

**WARRANT (CUSTODY)**

2/09/15 9:00 AM INITIAL ARRAIGNMENT (DEPT. 5)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2015**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**February 09, 2015      9:00 AM      Initial Arraignment**

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

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

Deft. present in custody. Counsel requested matter be CONTINUED to get the preliminary hearing transcript. COURT ORDERED, matter CONTINUED.

CUSTODY

2/23/15 9 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 23, 2015**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**February 23, 2015      9:00 AM      Arraignment Continued**

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

**COURT CLERK:** April Watkins

**RECORDER:** Debbie Winn  
                         Lara Corcoran

**REPORTER:**

**PARTIES**

**PRESENT:**      Landis, Casey, ESQ      Attorney  
                         Lexis, Agnes      Attorney  
                         State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- AS TO DEFT. MENDOZA:

DEFT. MENDOZA ARRAIGNED, PLED NOT GUILTY. Mr. Wolfbrandt stated he was prepared to waive 60 Day Rule and advised he is contemplating filing writ. Court INVOKED 60-DAY RULE and ORDERED, matter SET for trial.

AS TO DEFT. LARSEN:

DEFT. LARSEN ARRAIGNED, PLEAD NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter SET for trial. Mr. Coyer requested 21 days from the filing of the grand jury transcript to file writ.

AS TO DEFT. MURPHY:

Per Court Service Officer, Deft. refused to be transported today. Mr. Landis stated he believed Deft.



would refuse transport today, ENTERED NOT GUILTY PLEA on Deft's behalf, advised he was intending on invoking today but will be filing writ. COURT ORDERED, matter SET for trial.

FURTHER ORDERED, All Defts' have 21 days from the filing of the grand jury transcript to file writ.

CUSTODY (ALL)

4/20/15 9:00 AM CALENDAR CALL (ALL)

4/27/15 1:30 PM JURY TRIAL (ALL)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 27, 2015**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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 14BGJ019D to the Court. COURT ORDERED, the Superseding Indictment may be filed and is assigned Case Number C303991-4, Department V. COURT ORDERED, WARRANT WILL ISSUE, NO BAIL. Exhibit(s) 1a, 14-23 lodged with Clerk of District Court. FURTHER ORDERED, matter SET for Further Proceedings.

I.W.

3/09/2015 9:00 AM FURTHER PROCEEDINGS: SUPERSEDING INDICTMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 09, 2015**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

C-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Coyer, Gregory E.   | Attorney  |
|                 | Di Giacomo, Marc P. | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

**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)**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 06, 2015**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**April 06, 2015      9:00 AM      Motion**

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

**COURT CLERK:** Denise Trujillo

**RECORDER:** Sandra Pruchnic

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Kochevar, Brian J. | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- DEFT'S MOTION TO AUTHORIZE CLARK COUTNY DETENTION CENTER TO PROCURE PRESCRIPTION EYEWEAR FOR DEFT.

Deft. present in custody, without benefit of counsel. State takes no position. COURT ORDERED, Motion GRANTED, Mr. Landis to prepare the order.

CUSTODY

CLERK'S NOTE: Law clerk called office, but mail box was full, and clerk emailed information to Mr. Landis this date./dt

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 20, 2015**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Coyer, Gregory E.  | Attorney  |
|                 | Kochevar, Brian J. | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | 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-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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 14BGJ019D to the Court. COURT ORDERED, the Second Superseding Indictment may be filed and is assigned Case Number C303991-4, 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | 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

9/21/15 9 AM STATUS CHECK: SET FIRM TRIAL DATE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 21, 2015**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | 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**

**April 18, 2016**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**April 18, 2016      9:00 AM      Motion to Sever**

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

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

**PRESENT:**      Di Giacomo, Marc P.      Attorney  
                                 Landis, Casey, ESQ      Attorney  
                                 Murphy, David M      Defendant  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- DEFT'S MOTION TO SEVER

Deft. present in custody. Counsel for co-Deft's also present. Ms. O'Neill advised she filed a joinder. Court noted it is not done correctly and ORDERED, matter CONTINUED, counsel can all file appropriate joinders if they so choose.

CUSTODY

CONTINUED TO: 5/2/16 9 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 02, 2016**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**May 02, 2016      9:00 AM      All Pending Motions**

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

**COURT CLERK:** Skye Endresen  
                         Jennifer Kimmel

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

**JOURNAL ENTRIES**

- Also present on behalf of Co-Defendants: Monique Mcneil, Esq., William Wolfbrandt, Esq., and Gregory Coyer, Esq.

DEFENDANT'S MOTION TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL ... DEFENDANT'S MOTION TO SEVER

Mr. Landis advised he does not have a pre-paid account set up with Clark County Detention Center to receive phone calls due to the high volume of calls received regarding his involvement in civil rights litigation. Mr. Landis further advised he would not discuss details or strategies over the phone, however, he has visited Deft. approximately twenty times. Deft. argued the visits were not substantive, that he cannot pay to call Mr. Landis due to lack of funds, and that most of his communication is through a third party. COURT STATED FINDINGS and ORDERED, Motion to Dismiss Counsel DENIED. Deft. advised he would not like Mr. Landis to file any motions on his



behalf and requested to represent himself going forward. COURT FURTHER ORDERED, matter SET for Faretta Canvass. At the request of the State, COURT ADDITIONALLY ORDERED, Motion to Sever CONTINUED. Counsel for Co-Deft's stated they will be filing joinder motions.

CUSTODY

5/4/16 9:00 AM FARETTA CANVASS

5/9/16 9:00 AM MOTION TO SEVER

CLERK'S NOTE: Co-Defts. placed on calendar for Joinder to Motion to Sever. -se5/2/16

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 04, 2016**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**May 04, 2016      9:00 AM      Faretta Canvass**

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

**COURT CLERK:** Phyllis Irby

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- The Court noted Deft indicated at the last hearing he wanted to represent himself. Deft advised he has spoken with his attorney Mr. Landis and has agreed to stay with his attorney. Deft stated he will not have access to a law library to help himself, therefore has agreed to stay with his counsel.  
COURT ORDERED, MATTER RESOLVED.

**CUSTODY**

5-09-16 9:00 AM DEFT'S MOTION TO SEVER (DEPT. V)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 09, 2016**

C-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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.

**C-15-303991-4**

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 25, 2016**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**July 25, 2016      9:00 AM      Motion to Withdraw as  
                                                 Counsel**

**HEARD BY:**   Ellsworth, Carolyn

**COURTROOM:**   RJC Courtroom 16D

**COURT CLERK:**   Denise Trujillo

**RECORDER:**   Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Engler, Alissa     | Attorney  |
|                 | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- CASEY A LANDIS', ESQ. MOTION TO WITHDRAW AS ATTORNEY OF RECORD

Deft. present in custody. Ms. Engler advised Mr. Whipple will accept appointment for Deft. Murphy. Upon Court's inquiry, Ms. Engler advised without discovery she cannot confirm they will be ready at time of current trial date. COURT ORDERED, Motion is DENIED as she cannot allow withdrawal if it will affect the current trial date. FURTHER, advised Mr. Landis he may need to come back to this jurisdiction for trial. Ms. Engler requested matter be continued for Mr. Whipple to review the case. COURT ORDERED, matter CONTINUED, but advised counsel, if he is appointed, she will not allow a continuance.

CUSTODY

CONTINUED TO: 7/27/16 9 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 27, 2016**

C-15-303991-4      State of Nevada  
vs  
David Murphy

**July 27, 2016      9:00 AM      Motion to Withdraw as  
Counsel**

**HEARD BY:** Ellsworth, Carolyn

**COURTROOM:** RJC Courtroom 16D

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Engler, Alissa     | Attorney  |
|                 | Landis, Casey, ESQ | Attorney  |
|                 | Lexis, Agnes       | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- CASEY A. LANDIS', ESQ. MOTION TO WITHDRAW AS ATTORNEY OF RECORD

Deft. present in custody. Ms. Engler advised Mr. Whipple cannot confirm as counsel due to the length of the trial and the short setting. Mr. Landis advised he is prepared to remain on this case. COURT ORDERED, trial date STANDS.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 24, 2016**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**August 24, 2016      9:00 AM      Motion to Dismiss**

**HEARD BY:** Bixler, James      **COURTROOM:** RJC Courtroom 16D

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Flinn, William W.  | Attorney  |
|                 | Landis, Casey, ESQ | Attorney  |
|                 | Murphy, David M    | Defendant |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- DEFT'S MOTION TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL

Deft. present in custody. Upon Court's inquiry, Deft. advised he wrote the motion. State advised Court previously denied Mr. Landis' motion to withdraw. Mr. Landis confirmed that both he and the Deft. have filed previous motions that were denied. COURT ORDERED, matter CONTINUED as Judge Ellsworth should make this decision.

CUSTODY

CONTINUED TO: 8/31/16 9 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 31, 2016**

C-15-303991-4      State of Nevada  
vs  
David Murphy

**August 31, 2016      9:00 AM      Motion to Dismiss**

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

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

**JOURNAL ENTRIES**

**- DEFT'S MOTION TO DISMISS COUNSEL & APPOINTMENT OF ALTERNATE COUNSEL**

Deft. present in custody. Court noted the trial is only a few weeks from now. Upon Court's inquiry, Mr. Landis advised Court of the work he has done on the case, and although there were a few months he did not see the Deft., for the last few months he has seen him several times. Deft. advised he wants new counsel as he hasn't received all his discovery. State noted they have provided counsel with all the records. COURT ORDERED, Motion DENIED, State to prepare the order.

**CUSTODY**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 07, 2016**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**September 07, 2016      9:00 AM      Calendar Call**

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

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | State of Nevada     | Plaintiff |

**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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Deft. Jore Mendoza, present in custody with his attorney, William Wolfbrandt, Esq.

Deft. Joseph Laguna, present in custody with is attorney, Monique McNeil, 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Jones, Tierra D.    | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 22, 2016**

C-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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-15-303991-4      State of Nevada  
vs  
David Murphy

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**October 04, 2016      3:00 AM      Minute Order**

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

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

**PARTIES**

**PRESENT:**      Di Giacomo, Marc P.      Attorney  
                                 Landis, Casey, ESQ      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- MINUTE ORDER: QUASH MATERIAL WARRANT - Gabriel Sotel #259201 Regarding Case #C303991

COURT ORDERED, Material Warrant is QUASHED as to Gabriel Sotel in case C303991.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 04, 2016**

---

C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

---

**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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**

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Landis, Casey, ESQ  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

**JOURNAL ENTRIES**

- Co-Deft. Jorge Mendoza and his counsel, William Wolfbrandt, Esq. present. Co Deft. Joseph Laguna and his counsel Monique McNeill, 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: 12/30/2016

Page 61 of 65

Minutes Date: January 30, 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**

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C-15-303991-4      State of Nevada  
                                 vs  
                                 David Murphy

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**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.

- 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.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Felony/Gross Misdemeanor

# COURT MINUTES

November 28, 2016

C-15-303991-4                      State of Nevada  
vs  
David Murphy

**November 28, 2016      9:00 AM      Sentencing**

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

**COURT CLERK:** Denise Trujillo

**RECORDER:** Lara Corcoran

**REPORTER:**

## PARTIES

|                 |                     |           |
|-----------------|---------------------|-----------|
| <b>PRESENT:</b> | Di Giacomo, Marc P. | Attorney  |
|                 | Gilliam, Daniel R.  | Attorney  |
|                 | Lexis, Agnes        | Attorney  |
|                 | Murphy, David M     | Defendant |
|                 | State of Nevada     | Plaintiff |

## JOURNAL ENTRIES

- SENTENCING

Deft. present in custody. DEFT. MURPHY 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, \$150.00 DNA Analysis fee including testing to determine genetic markers, \$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 EIGHTY (180) 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 THIRTY SIX (36) 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 THIRTY SIX (36) 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 THIRTY SIX (36) MONTHS for weapons enhancement, to run CONSECUTIVE to CT 6, for an AGGREGATE TOTAL of a MAXIMUM of LIFE, and MINIMUM of TWENTY THREE (23) YEARS with 719 DAYS CREDIT for time served.

NDC

**WARRANTS (ONE WEEK)**

**ALL 4 DEFS IN-CUSTODY AT CCDC, THESE CHARGES (14F14997A-B-C-D, P/H 2-5, JC 12)**

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-  
-

**LVJC CASES TO BE DISMISSED: 14F14997A-B-C-D, P/H 2-5, JC 12**

**Exhibits:**

- 1. Proposed Indictment**
- 2. Photo**
- 3. Photo**
- 4. Photo**
- 5. Photo**
- 6. Photo**
- 7. Transcript**
- 8. Photo**
- 9. Photo**
- 10. Photo**
- 11. Photo**
- 12. Transcript**
- 13. Transcript**

**Exhibits 1-13, to be lodged with the Clerk of the Court.**

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**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)**

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

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



**WARRANTS (ONE WEEK)**  
**ALL 4 DEFS IN-CUSTODY AT CCDC, THESE CHARGES**  
**(15F06818A/B/C/D, P/H 6-8, JC 4)**

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**LVJC CASE TO BE DISMISSED: 15F06818A/B/C/D, P/H 6-8, JC 4**

|                  |                               |                  |                         |
|------------------|-------------------------------|------------------|-------------------------|
| <b>Exhibits:</b> | <b>1. Proposed Indictment</b> | <b>16. Photo</b> | <b>31. Photo</b>        |
|                  | <b>2. Photo</b>               | <b>17. Photo</b> | <b>32. Photo</b>        |
|                  | <b>3. Photo</b>               | <b>18. Photo</b> | <b>33. Photo</b>        |
|                  | <b>4. Photo</b>               | <b>19. Photo</b> | <b>34. Photo</b>        |
|                  | <b>5. Photo</b>               | <b>20. Photo</b> | <b>35. Instructions</b> |
|                  | <b>6. Photo</b>               | <b>21. Photo</b> | <b>36. Transcript</b>   |
|                  | <b>7. Photo</b>               | <b>22. Photo</b> |                         |
|                  | <b>8. Photo</b>               | <b>23. Photo</b> |                         |
|                  | <b>9. Photo</b>               | <b>24. Photo</b> |                         |
|                  | <b>10. Photo</b>              | <b>25. Photo</b> |                         |
|                  | <b>11. Photo</b>              | <b>26. Photo</b> |                         |
|                  | <b>12. Photo</b>              | <b>27. Photo</b> |                         |
|                  | <b>13. Photo</b>              | <b>28. Photo</b> |                         |
|                  | <b>14. Photo</b>              | <b>29. Photo</b> |                         |
|                  | <b>15. Photo</b>              | <b>30. Photo</b> |                         |

**Exhibits 1-36, to be lodged with the Clerk of the Court.**

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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         | stop   | 9/16/16       |
| 2   | Photo Jorge Mendoza                      | 9/29         | obj/no | 9/29/16       |
| 3   | Photo Amanda Mendoza                     |              |        |               |
| 4   | Photo Monty Gibson                       |              |        |               |
| 5   | Photo Joseph Laguna                      | 9/29         | obj/no | 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 <sup>st</sup> 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 |      |    |         |
| 23 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 24 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 25 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
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| 35 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 36 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 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 | 9/16/10 |
| 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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| 57 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 58 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 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 |      |    |         |
| 64 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 65 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
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| 78 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 79 | Crime Scene Photograph – Overall 1661 Broadmere |      |    |         |
| 80 | Crime Scene Photograph – Bullet Strikes         |      |    |         |
| 81 | Crime Scene Photograph – Bullet Strikes         |      |    |         |
| 82 | Crime Scene Photograph – Bullet Strikes         |      |    |         |
| 83 | Crime Scene Photograph – Bullet Strikes         |      |    |         |
| 84 | Crime Scene Photograph – Bullet Strikes         |      |    |         |

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|-----|-----------------------------------------|------|----|---------|
| 85  | Crime Scene Photograph – Bullet Strikes | 9/16 | NO | 9/16/16 |
| 86  | Crime Scene Photograph – Bullet Strikes |      |    |         |
| 87  | Crime Scene Photograph – Bullet Strikes |      |    |         |
| 88  | Crime Scene Photograph – Bullet Strikes |      |    |         |
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| 104 | Crime Scene Photograph – Bullet Strikes |      |    |         |
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| 109 | Crime Scene Photograph – Bullet Strikes |      |    |         |
| 110 | Crime Scene Photograph – Bullet Strikes |      |    |         |
| 111 | Crime Scene Photograph – Bullet Strikes |      |    |         |
| 112 | Crime Scene Photograph – Bullet Strikes |      |    |         |



|     |                                         |      |    |      |
|-----|-----------------------------------------|------|----|------|
| 113 | Crime Scene Photograph – Bullet Strikes | 9/14 | NO | 9/16 |
| 114 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 115 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 116 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 117 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 118 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 119 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 120 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 121 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 122 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 123 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 124 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 125 | Crime Scene Photograph – Bullet Strikes |      |    |      |
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| 129 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 130 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 131 | Crime Scene Photograph – Bullet Strikes |      |    |      |
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| 133 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 134 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 135 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 136 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 137 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 138 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 139 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 140 | Crime Scene Photograph – Bullet Strikes |      |    |      |
| 141 | Crime Scene Photograph – Numbered Items |      |    |      |