

Heun S. Shinn
CLERK OF THE COURT

1 Robert Holmes III
2 4657 Swaying Ferns Dr
3 LV NV 89147
4 702-758-0228

Electronically Filed
Feb 16 2017 01:22 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

8
9 Eighth Judicial District Court
10 Clark County, Nevada

11 Las Vegas Metropolitan Police
12 Department,

13 Plaintiff

14 vs

15 Robert Holmes III
16 vs. Currency 28/656-73
17 Defendant

CASE NO: 07A537416
Dept. NO: V111

Notice of
Appeal

18 This is a Notice of Appeal
19 From Order Granting Plaintiff's
20 Motion For Attorney Fees And Costs
21 And Judgment Against Robert Holmes III
22 ON JANUARY 30, 2017

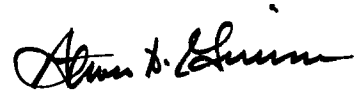
23
24 submitted by Robert Holmes III

Date 2-6-2017 Robert Holmes III

25 RECEIVED

FEB 06 2017

CLERK OF THE COURT



CLERK OF THE COURT

ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff(s),

vs.

U.S. CURRENCY \$281,656.73,

Defendant(s),

Case No: 07A537416

Dept No: VIII

CASE APPEAL STATEMENT

1. Appellant(s): Robert Holmes, III

2. Judge: Douglas E. Smith

3. Appellant(s): Robert Holmes, III

Counsel:

Robert Holmes, III
4657 Swaying Ferns Dr.
Las Vegas, NV 89147

4. Respondent (s): Las Vegas Metropolitan Police Department

Counsel:

Adele V. Karoum, Esq.
10001 Park Run Dr.

Las Vegas, NV 89145

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, June 21, 2012 &
***Expires 1 year from date filed* December 27, 2016
Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

9. Date Commenced in District Court: March 9, 2007

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

Type of Judgment or Order Being Appealed: Judgment

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 60547, 60809, 61094, 61616, 62264, 62274, 62357,
71680

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 10 day of February 2017.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Robert Holmes, III

DEPARTMENT 8

www.wiley.com

Location:
 Trial Officer:
 Filed on:
 Prior History:
 Reference Case
 Number:
 Court No.:

CASE INFORMATION


DATE	CASE ASSIGNMENT
------	-----------------

PARTY INFORMATION













Plaintiff	Las Vegas Metropolitan Police Dept	Wolfson, Steven B <i>Retained</i> 702-671-2700(W)
Defendant	U S Currency \$281,656.73	
Also Known As	Ferguson, J B	
	Holmes, Bobby	
	Holmes, Robert	
	Hoyt, Daimon D	
Conversion	No Convert Value @ 07A537416	
Extended	Removed: 04/24/2009	
Connection Type	Converted From Blackstone	
Other	Trevarthen, Tonya M	
Other Defendant	Ferguson, Bryan M	
	Holmes III, Robert	
	Monroe, Daimon	

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CASE SUMMARY
CASE NO. 07A537416

Pro Se

DATE	EVENTS & ORDERS OF THE COURT	INDEX
03/09/2007	 Complaint <i>Complaint for Forfeiture</i>	
03/20/2007	 Affidavit of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept	
03/20/2007	 Summons Filed by: Plaintiff Las Vegas Metropolitan Police Dept	
03/27/2007	 Order for Service by Publication Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order for Publication of Forfeiture Action</i>	
03/27/2007	 Affidavit Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Affidavit for Order of Publication</i>	
03/28/2007	 Affidavit of Mailing Filed By: Plaintiff Las Vegas Metropolitan Police Dept	
03/28/2007	 Affidavit of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept	
03/28/2007	 Affidavit of Service Filed By: Plaintiff Las Vegas Metropolitan Police Dept	
03/29/2007	 Answer Filed By: Other Defendant Holmes III, Robert	
03/29/2007	 Initial Appearance Fee Disclosure Filed By: Other Defendant Holmes III, Robert <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>	
04/05/2007	 Answer Filed By: Other Defendant Monroe, Daimon <i>Formal Answer to Complaint</i>	
04/05/2007	 Motion to Stay Filed By: Other Defendant Monroe, Daimon <i>Motion to Stay Proceedings</i>	
04/05/2007	 Order to Proceed In Forma Pauperis Granted for: Other Defendant Monroe, Daimon <i>Order to Proceed in Forma Pauperis (Sealed)</i>	
04/05/2007	 Application to Proceed in Forma Pauperis Filed By: Other Defendant Monroe, Daimon <i>Application to Proceed in Forma Pauperis (Sealed)</i>	
04/10/2007	 Answer	

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	Filed By: Other Defendant Fergason, Bryan M <i>Answer to Complaint for Forfeiture</i>
04/10/2007	 Initial Appearance Fee Disclosure Filed By: Other Defendant Fergason, Bryan M <i>Initial Appearance Fee Disclosure (N.R.S. Chapter 19)</i>
04/12/2007	 Amended Answer Filed By: Other Defendant Holmes III, Robert
04/13/2007	 Motion <i>Motion of Claimants Failure to Verify Answer</i>
04/17/2007	 Notice of Hearing <i>Notice of (Hearing/Motion)</i>
04/23/2007	 Motion to Stay <i>Motion for Stay of Forfeiture Case</i>
04/23/2007	 Receipt of Copy Filed by: Other Defendant Fergason, Bryan M
04/26/2007	 Response Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Plaintiff's Response to Claimant's Motion for Stay of Forfeiture Proceedings</i>
05/08/2007	 Affidavit of Publication
05/16/2007	Motion (8:30 AM) Events: 04/13/2007 Motion <i>DEFT MONROE'S MTN OF CLAIMENTS FAILURE TO VERIFY ANSWER /1 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>
05/18/2007	 Three Day Notice of Intent to Default Filed by: Plaintiff Las Vegas Metropolitan Police Dept
05/18/2007	 Order Granting Motion <i>Order Granting Motion for Stay of Forfeiture Proceedings</i>
05/21/2007	CANCELED Motion to Stay (8:30 AM) Events: 04/17/2007 Notice of Hearing <i>Vacated</i>
05/21/2007	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
05/30/2007	CANCELED Motion to Stay (8:30 AM) Events: 04/23/2007 Motion to Stay <i>Vacated</i>
06/01/2007	 Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Motion for Partial Judgment by Default</i>












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06/01/2007	 Default Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Partial Default</i>
06/19/2007	 Change of Address Filed By: Also Known As Holmes, Robert
08/20/2008	 Motion for Withdrawal <i>Motion to Withdraw</i>
08/21/2008	 Certificate of Mailing Filed By: Other Defendant Holmes III, Robert
09/22/2008	CANCELED Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Cadish, Elissa F.) Events: 08/20/2008 Motion for Withdrawal <i>Vacated</i>
10/29/2009	 Order to Statistically Close Case
05/13/2010	 Notice of Motion Filed By: Other Defendant Holmes III, Robert
06/11/2010	 Motion (8:33 AM) (Judicial Officer: Smith, Douglas E.) Events: 05/13/2010 Notice of Motion <i>Def. Robert Holmes III's Motion For Return of Illegally Seized Preoperty and Money</i>
10/26/2011	 Notice Filed By: Other Defendant Monroe, Daimon <i>Notice to the Court</i>
11/30/2011	 Notice of Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion to Reconsider Court Statistically Closing Case</i>
12/19/2011	 Notice Filed By: Other Defendant Monroe, Daimon <i>Notice to Court</i>
01/03/2012	 Notice of Motion Filed By: Other Defendant Holmes III, Robert
01/09/2012	 Motion to Reconsider (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
01/24/2012	 Order Granting Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting Plaintiff's Motion to Reconsider Statistically Closing Case</i>
02/06/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 02/06/2012, 02/21/2012, 02/28/2012 Events: 01/03/2012 Notice of Motion <i>Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>










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02/06/2012	 Motion to Dismiss Filed By: Other Defendant Holmes III, Robert <i>Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/06/2012	 Notice of Motion
02/09/2012	 Supplement Filed by: Other Defendant Holmes III, Robert <i>Supplement to Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/09/2012	 Notice of Motion Filed By: Other Defendant Holmes III, Robert
02/22/2012	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Claimant's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/28/2012	Motion to Dismiss (8:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 02/06/2012 Notice of Motion <i>Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
02/28/2012	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case;</i> <i>Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
03/05/2012	 Notice of Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion to Lift Stay</i>
03/09/2012	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Re Hearing Held January 28, 2012</i>
03/12/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
03/15/2012	 Motion Filed By: Other Defendant Holmes III, Robert <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>
03/15/2012	 Supplement Filed by: Other Defendant Holmes III, Robert <i>Second Supplement to Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case</i>
03/26/2012	 Notice of Appeal Filed By: Other Defendant Holmes III, Robert
03/27/2012	 Opposition to Motion

















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	Filed By: Other Defendant Holmes III, Robert <i>Opposition to Plaintiff's Motion to Lift Stay</i>
03/27/2012	 Case Appeal Statement
03/28/2012	 Response Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Response to Opposition to Motion to Lift Stay</i>
03/30/2012	 Motion Filed By: Other Defendant Monroe, Daimon <i>Motion of Specific Facts and to Ask Court Consider Leaving Stay</i>
04/09/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Plaintiff's Motion to Lift Stay</i>
04/16/2012	 Reply Filed by: Other Defendant Holmes III, Robert <i>Reply to Response to Opposition to Motion to Lift Stay</i>
04/27/2012	 Order Granting Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting Motion to Lift Stay</i>
04/27/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
05/01/2012	 Notice of Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Motion and Motion for Summary Judgment</i>
05/01/2012	 Notice of Appeal Filed By: Other Defendant Holmes III, Robert
05/04/2012	 Case Appeal Statement
05/08/2012	 Notice of Appeal Filed By: Other Defendant Holmes III, Robert
05/10/2012	 Case Appeal Statement
05/11/2012	 Notice of Motion Filed By: Other Defendant Monroe, Daimon <i>Notice of Motion and Motion to Strike Summary Judgment by Plaintiff</i>
05/22/2012	 Opposition to Motion Filed By: Other Defendant Holmes III, Robert <i>Claimant Robert Holmes' III Opposition to Plaintiff's Motion for Summary Judgment</i>
06/05/2012	 Motion for Summary Judgment (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/05/2012, 08/07/2012, 11/13/2012 Events: 05/01/2012 Notice of Motion <i>Plaintiff's Motion for Summary Judgment</i>

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06/07/2012	 Application to Proceed in Forma Pauperis <i>Application to Proceed Informa Pauperis (Sealed)</i>
06/08/2012	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Plaintiff's Opposition to Motion to Strike Summary Judgment</i>
06/11/2012	 Order for Production of Inmate <i>Order for Production of Inmate Robert Holmes BAC #1034184</i>
06/12/2012	 Affidavit of Mailing Filed By: Plaintiff Las Vegas Metropolitan Police Dept
06/14/2012	 Notice of Appeal Filed By: Other Defendant Holmes III, Robert
06/14/2012	 Designation of Record on Appeal Filed By: Other Defendant Holmes III, Robert
06/19/2012	 Case Appeal Statement
06/21/2012	 Order to Proceed In Forma Pauperis Granted for: Other Defendant Holmes III, Robert <i>Order to Proceed In Forma Pauperis (Sealed)</i>
06/22/2012	 Motion to Strike <i>Defendant's Motion to Strike Plaintiff's Motion to Oppision to Strike Summary Judgment</i>
06/25/2012	 Order for Production of Inmate <i>Order for Production of Inmate Daimon Monroe, BAC #38299</i>
06/26/2012	 Order to Withdraw as Attorney of Record Filed by: Defendant U S Currency \$281,656.73 <i>Order to Withdraw</i>
06/29/2012	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Fergason, BAC #59427</i>
07/09/2012	 Motion to Withdraw As Counsel Filed By: Defendant U S Currency \$281,656.73
07/23/2012	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Cynthia L. Dustin, Esq's Motion to Withdraw as Counsel</i>
08/07/2012	Motion to Strike (8:00 AM) (Judicial Officer: Bonaventure, Joseph T.) Events: 05/11/2012 Notice of Motion <i>Defendant, Daimon Monroe's Pro Per Notice of Motion and Motion to Strike Summary Judgment by Plaintiff</i>
08/07/2012	 All Pending Motions (8:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Plaintiff's Motion for Summary Judgment; Defendant Daimon Monroe's Pro Per Motion to Strike Summary Judgment by Plaintiff</i>

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08/07/2012	 Affidavit of Mailing Filed By: Plaintiff Las Vegas Metropolitan Police Dept
08/16/2012	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Re Hearing Held August 7, 2012</i>
08/16/2012	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
08/16/2012	 Order for Production of Inmate <i>Order for Production of Inmate Robert Holmes, BAC #1034184</i>
08/16/2012	 Order for Production of Inmate <i>Order for Production of Inmate Daimon Monroe, BAC #38299</i>
08/16/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
08/21/2012	 Affidavit for Order of Publication Filed By: Plaintiff Las Vegas Metropolitan Police Dept
08/28/2012	 Notice of Appeal Filed By: Other Defendant Monroe, Daimon
08/30/2012	 Case Appeal Statement Filed By: Other Defendant Monroe, Daimon
08/30/2012	 Order for Publication Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order for Publication of Forfeiture Action</i>
08/30/2012	 Affidavit of Mailing Filed By: Plaintiff Las Vegas Metropolitan Police Dept
09/07/2012	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
09/18/2012	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
09/21/2012	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
09/21/2012	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Plaintiff's Opposition to Claimant Daimon Monroe's Motion for Return of Seized Property and Suppression of Evidence</i>
10/04/2012	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept

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Plaintiff's Opposition to Claimant Daimon Monroe's Motion for Material Evidence

10/04/2012	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Plaintiff's Opposition to Claimant Daimon Monroe's Motion for Summary Judgment and to Strike Plaintiff's Motion for Summary Judgment</i>
10/05/2012	 Affidavit of Publication Filed By: Plaintiff Las Vegas Metropolitan Police Dept
10/05/2012	 Opposition to Motion For Summary Judgment Filed By: Other Defendant Fergason, Bryan M <i>Opposition to Motion for Summary Judgment and Other Relief</i>
10/05/2012	 Opposition to Motion For Summary Judgment Filed By: Other Defendant Holmes III, Robert <i>Claimant Robert Holmes III (First) Supplement and Opposition to Plaintiff's Motion for Summary Judgment</i>
10/08/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 09/07/2012 Notice of Motion <i>Defendant, Daimon Monroe's Pro Per Motion For Return of Seized Property and Suppression of Evidence</i>
10/09/2012	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
10/09/2012	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
10/09/2012	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
10/09/2012	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Las Vegas Metropolitan Police Dept (Plaintiff) Creditors: Robert Holmes (Also Known As) Judgment: 10/09/2012, Docketed: 10/16/2012 Comment: #60547 Order these Appeals Dismissed
10/09/2012	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Las Vegas Metropolitan Police Dept (Plaintiff) Creditors: Robert Holmes (Also Known As) Judgment: 10/09/2012, Docketed: 10/16/2012 Comment: #60809 Order these appeals Dismissed
10/09/2012	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Las Vegas Metropolitan Police Dept (Plaintiff) Creditors: Robert Holmes (Also Known As) Judgment: 10/09/2012, Docketed: 10/16/2012 Comment: #61094 Order These Appeals Dismissed
10/22/2012	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 09/18/2012 Notice of Motion <i>Defendant, U.S. Currency \$281,656.73 Motion for Material Evidence</i>
11/09/2012	 Order

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	Filed By: Plaintiff Las Vegas Metropolitan Police Dept
11/13/2012	Motion for Summary Judgment (8:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 09/21/2012 Notice of Motion <i>Defendant's Motion for Summary Judgment and to strike Plaintiff's Motion for Summary Judgment</i>
11/13/2012	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Defendant's Motion for Summary Judgment and to Strike Plaintiff's Motion for Summary Judgment; Plaintiff's Motion for Summary Judgment</i>
11/13/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
11/28/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
11/28/2012	Summary Judgment (Judicial Officer: Smith, Douglas E.) Debtors: Daimon Monroe (Other Defendant), Daimon D Hoyt (Also Known As), Bryan M Fergason (Other Defendant), J B Fergason (Also Known As), Tonya M Trevarthen (Other), Robert Holmes III (Other Defendant), Bobby Holmes (Also Known As), Robert Holmes (Also Known As) Creditors: Las Vegas Metropolitan Police Dept (Plaintiff) Judgment: 11/28/2012, Docketed: 12/05/2012
11/29/2012	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
12/06/2012	 Order to Statistically Close Case <i>Civil Order to Statistically Close Case</i>
12/07/2012	 Notice of Appeal Filed By: Other Defendant Monroe, Daimon
12/10/2012	 Case Appeal Statement Filed By: Other Defendant Monroe, Daimon
12/10/2012	 Notice of Appeal
12/11/2012	 Case Appeal Statement Filed By: Other Defendant Holmes III, Robert
12/18/2012	 Amended Notice of Appeal <i>"First Pro Se Amended Notice of Appeal and Appeal Statement"</i>
12/18/2012	 Designation of Record on Appeal
12/19/2012	 Case Appeal Statement Filed By: Other Defendant Holmes III, Robert
12/21/2012	 Notice of Appeal <i>Notice to the Court / or Alternative Notice of Appeal</i>
12/27/2012	

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	 Case Appeal Statement Filed By: Other Defendant Fergason, Bryan M
01/16/2013	 Application to Proceed in Forma Pauperis Filed By: Other Defendant Fergason, Bryan M <i>Application to Proceed In Forma Pauperis (Sealed)</i>
02/01/2013	 Order to Proceed In Forma Pauperis Granted for: Other Defendant Fergason, Bryan M <i>Order to Proceed In Forma Pauperis (Sealed)</i>
03/25/2013	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
03/25/2013	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Daimon Monroe (Other Defendant) Creditors: Las Vegas Metropolitan Police Dept (Plaintiff) Judgment: 03/25/2013, Docketed: 04/01/2013 Comment: Supreme Court No 61616 - Appeal Dismissed
04/25/2013	CANCELED Minute Order (1:57 PM) (Judicial Officer: Smith, Douglas E.) <i>Vacated - Set in Error</i> <i>Minute Order Re: Supreme Court's Order Dismissing Appeal</i>
01/04/2014	 Request Filed by: Other Defendant Fergason, Bryan M <i>Request for Transcript of Proceedings</i>
01/17/2014	 Recorders Transcript of Hearing <i>Transcript of Hearing Held on November 13, 2012</i>
08/28/2014	 Notice of Appearance Party: Plaintiff Las Vegas Metropolitan Police Dept
09/05/2014	 Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Motion to Settle the Record Pursuant to NRAP 10(c)</i>
09/08/2014	 Notice of Hearing Filed By: Plaintiff Las Vegas Metropolitan Police Dept
10/07/2014	 Supplement Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Supplement to LVMPD's Motion to Settle the Record Pursuant to NRAP 10(c)</i>
10/13/2014	 Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>LVMPD's Motion to Settle the Record Pursuant to NRAP 10(c)</i>
11/06/2014	 Order Granting Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting LVMPD's Motion to Settle the Record Pursuant to NRAP 10(c)</i>
11/06/2014	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept

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01/27/2016	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Nevada Supreme Court Clerk's Certificate Judgment - Reversed and Remand</i>
01/27/2016	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Bryan M Ferguson (Other Defendant) Creditors: Las Vegas Metropolitan Police Dept (Plaintiff) Judgment: 01/27/2016, Docketed: 02/03/2016 Comment: Supreme Court No. 62357; Reversed and Remanded
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits for Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume I, Bates 0001-0250)</i>
03/15/2016	 Motion for Summary Judgment Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson</i>
03/15/2016	 Errata Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Errata to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume II, Bates 0251-0500)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume III, Bates 0501-0750)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume IV, Bates 0751-1000)</i>
03/15/2016	 Notice of Hearing Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Hearing Re: Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume V, Bates 1001-1250)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume VI, Bates 1251-1500)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan</i>

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








Ferguson (Volume VII, Bates 1501-1750)

03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume VIII, Bates 1751-2000)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume IX, Bates 2001-2250)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume X, Bates 2251-2500)</i>
03/15/2016	 Appendix Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Appendix of Exhibits to Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (Volume XI, Bates 2501-2742)</i>
03/28/2016	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
03/29/2016	CANCELED At Request of Court (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Vacated</i> <i>Status Check: Supreme Court Remand</i>
04/06/2016	 Notice of Motion Filed By: Other Defendant Ferguson, Bryan M <i>Notice of Motion and Motion on an Order Shortening Time for Additional Time to Respond to Motion for Summary Judgment and Other Relief</i>
04/06/2016	 Notice of Motion Filed By: Other Defendant Ferguson, Bryan M
04/07/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Motion, on an Order Shortening Time, for Additional Time and Other Relief</i>
04/08/2016	 Amended Order <i>Amended Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
04/11/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
04/19/2016	 Motion for Summary Judgment (8:00 AM) (Judicial Officer: Smith, Douglas E.) 04/19/2016, 06/28/2016 Events: 03/15/2016 Appendix 03/15/2016 Motion for Summary Judgment 03/15/2016 Errata 03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix


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CASE SUMMARY
CASE NO. 07A537416

	03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix 03/15/2016 Appendix <i>Renewed Motion for Summary Judgment Against Defendant, Bryan Fergason</i>
04/19/2016	 NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand</i>
04/19/2016	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Nevada Supreme Court Clerk's Certificate Judgment - Reversed and Remand</i>
04/19/2016	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Las Vegas Metropolitan Police Dept (Plaintiff) Creditors: Robert Holmes III (Other Defendant) Judgment: 04/19/2016, Docketed: 04/26/2016 Comment: Supreme Court No 62274 - Appeal Reversed and Remanded
04/19/2016	Clerk's Certificate (Judicial Officer: Smith, Douglas E.) Debtors: Daimon Monroe (Other Defendant) Creditors: Las Vegas Metropolitan Police Dept (Plaintiff) Judgment: 04/19/2016, Docketed: 04/26/2016 Comment: Supreme Court No 62264 - Appeal Affirmed in Part and Reversed in Part and Remanded
04/21/2016	 Reply to Opposition Filed by: Other Defendant Fergason, Bryan M <i>Claimant's Reply to Plaintiff's Opposition and Other Relief</i>
04/26/2016	 Notice of Proof Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Proof of Service</i>
04/26/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Motion to Personally Give Evidence Proving the Fraudulent Warrant and Request for Discovery</i>
05/05/2016	 Motion for Summary Judgment Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Renewed Motion for Summary Judgment Against Defendants Daimon Monroe and Robert Holmes, III</i>
05/06/2016	 Notice of Hearing Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Hearing Re: Renewed Motion for Summary Judgment Against Defendants Monroe and Holmes</i>
05/06/2016	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Fergason, BAC #96803</i>
05/06/2016	 Motion Filed By: Also Known As Hoyt, Daimon D <i>Defendant's Pro Per Motion</i>


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05/06/2016	 Motion Filed By: Also Known As Hoyt, Daimon D <i>Defendant's Pro Per Motion</i>
05/09/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 04/06/2016 Notice of Motion <i>Plaintiff's Motion on an Order Shortening Time to Respond to Motion for Summary Judgment and Other Relief</i>
05/10/2016	 Notice of Change of Hearing
05/16/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Motion to Compel Plaintiffs to Produce for the Court all Pictures of the Warrants at the Scene all Warrants Involved, and any Computer to the Warrants Entered in Metro's Central Data Base</i>
05/16/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Opposition to Motion and Notification of an Inability to Get Proper Copies Because of My Conditions of Confinement and to ask for a Date to be Allowed to Show this Court and Plaintiffs Defendant Monroes Evidence</i>
05/17/2016	 Status Check (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Status Check: Plaintiff to Provide Documentation Regarding Service of Process Upon Defendant Regarding Renewed Motion for Summary Judgment</i>
05/18/2016	 Opposition to Motion Filed By: Other Defendant Ferguson, Bryan M <i>Claimant's Opposition to Plaintiff's Renewed Motion for Summary Judgment and Other Relief</i>
05/18/2016	 Certificate of Service Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Certificate of Delivery</i>
05/20/2016	 Notice of Change of Hearing Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Change of Hearing Date and Motion Response Due Date</i>
05/24/2016	 Opposition to Motion For Summary Judgment Filed By: Also Known As Holmes, Bobby <i>Opposition to Summary Judgment and Motion to Strike the Plaintiff's Renewed Summary Judgment.</i>
05/27/2016	 Application to Proceed in Forma Pauperis Filed By: Also Known As Hoyt, Daimon D <i>Request to Grant Informas Pauperis do to Indegency (Sealed)</i>
05/27/2016	 Notice of Motion Filed By: Also Known As Hoyt, Daimon D
05/27/2016	 Notice of Motion Filed By: Also Known As Hoyt, Daimon D









DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

06/03/2016	 Notice of Motion Filed By: Other Defendant Holmes III, Robert <i>Notice of Motion & Opposition to Summary Judgment and Motion to Strike the Plaintiff's Renewed Summary Judgment.</i>
06/03/2016	 Notice of Motion Filed By: Other Defendant Holmes III, Robert <i>Notice of Motion and First Supplement to Opposition to Summary Judgment and Motion to Strike the Plaintiff's Renewed Summary Judgment</i>
06/09/2016	 Notice of Proof <i>Notice of Proof of Service</i>
06/15/2016	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
06/16/2016	 Order for Production of Inmate <i>Order for Production of Inmate Daimon Holt, aka, Daimon Monroe BAC #38299</i>
06/21/2016	 Reply in Support Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Reply in Support of Renewed Motion for Summary Judgment Against Defendants Bryan Ferguson, Daimon Monroe and Robert Holmes, III</i>
06/24/2016	 Notice of Motion Filed By: Other Defendant Holmes III, Robert <i>2nd Supplement and Notice of Motion, Opposition and Motion to Strike Plaintiff's Reply in Support of Renewed Motion for Summary Judgment Against Defendant Robert Holmes III</i>
06/27/2016	Petition to Proceed in Forma Pauperis (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 05/27/2016 Application to Proceed in Forma Pauperis <i>Request to Grant In Forma Pauperis due to Indigency</i>
06/27/2016	Motion to Produce (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 05/27/2016 Notice of Motion <i>Motion to Produce Documents and Request for Further Discovery if Defendant Monroe's Motion for Summary Judgment is Denied</i>
06/27/2016	 All Pending Motions (3:00 AM) (Judicial Officer: Smith, Douglas E.)
06/28/2016	Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/28/2016, 07/12/2016 <i>Def't's Pro Se Motion to Personally Give Evidence Proving the Fraudulent Warrant and Request for Discovery</i>
06/28/2016	Motion for Summary Judgment (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/28/2016, 07/12/2016 <i>Renewed Motion for Summary Judgment Against Defendants Daimon Monroe and Robert Holmes, III</i>
06/28/2016	Motion to Compel (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/28/2016, 07/12/2016 <i>Defendant's Pro Per Motion and Notification of an Inability to get Proper Copies</i>
06/28/2016	Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/28/2016, 07/12/2016 <i>Defendant's Pro Per Motion to Compel</i>











DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

06/28/2016	 Opposition and Countermotion (8:00 AM) (Judicial Officer: Smith, Douglas E.) 06/28/2016, 07/12/2016 Events: 05/27/2016 Notice of Motion <i>Opposition to Plaintiff's Renewed Request for Summary Judgment, and Request for Immediate Return of Monies to Defendants</i>
06/28/2016	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.)
06/28/2016	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
06/28/2016	 Order for Production of Inmate <i>Order for Production of Inmate Daimon Holt, aka, Daimon Monroe, ID #715429</i>
07/06/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/07/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/07/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/07/2016	 Notice of Change of Hearing Filed By: Other Defendant Monroe, Daimon
07/07/2016	 Opposition Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Opposition to Defendant Robert Holmes, III's Second Supplement, Opposition, and Motion to Strike Plaintiff's Reply and LVMPD's Countermotion to Strike</i>
07/08/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Combined Opposition to Daimon Monroe's Three Pro Se Motions Filed on July 7, 2016</i>
07/12/2016	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.)
07/12/2016	 Opposition to Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Opposition to Defendant Bryan Ferguson's Motion to Strike and/or Continue Hearing and Other Relief on Order Shortening Time</i>
07/19/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/19/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/19/2016	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept

DEPARTMENT 8
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CASE NO. 07A537416

07/19/2016	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
07/20/2016	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Entry of Orders</i>
07/22/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/22/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/22/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
07/22/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
08/15/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 07/06/2016 Notice of Motion <i>Notice of Motion - Motion for 60 Days to Refile my Opposition and my Summary Judgment</i>
08/15/2016	Motion for Clarification (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 07/07/2016 Notice of Motion <i>Notice of Motion - Motion to Clarify I did File a Opposition, I did File a Motionfro Summary Judgment and I did File a Informa Pauperis if this Court Granted them I ask for a Rehearing</i>
08/15/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 07/07/2016 Notice of Motion <i>Notice of Motion - Motion to Notify Court I Sent a Informa Pauperis and Opposition to Plaintiff's Request for Summary Judgment and Sent a Request for Summary Judgment on May 23, 2016</i>
08/18/2016	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
08/19/2016	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
08/22/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 08/22/2016, 10/18/2016 Events: 07/19/2016 Notice of Motion <i>Defendant's Motion to Supplement my Opposition to Plaintiffs Summery Judgment.</i>
08/22/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 08/22/2016, 10/18/2016 Events: 07/22/2016 Notice of Motion <i>Motion on Coverup done by R-O-P and Sandra DiGiacomo</i>
08/22/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 08/22/2016, 10/18/2016 Events: 07/22/2016 Notice of Motion <i>Motion, Evidence Submitted into Record on Illegal Arrests and Sizure and Illegal Convictions and State Obstructing and Illegal Seizure of Money</i>
08/22/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.)

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CASE NO. 07A537416












	08/22/2016, 10/18/2016 Events: 07/22/2016 Notice of Motion <i>Motion on some more Facts on Illegal Warrants and Illegal Taking of these Monies</i>
08/22/2016	Motion (3:00 AM) (Judicial Officer: Smith, Douglas E.) 08/22/2016, 10/18/2016 Events: 07/22/2016 Notice of Motion <i>Motion on Monies taken Illegally, due to Original Arrest Lacking Legal Warrant</i>
08/22/2016	 All Pending Motions (3:00 AM) (Judicial Officer: Smith, Douglas E.)
08/29/2016	 Notice of Motion Filed By: Other Defendant Monroe, Daimon
08/31/2016	 Reply to Opposition Filed by: Other Defendant Ferguson, Bryan M <i>Claimant Ferguson Reply to LVMPD's Opposition, Et.</i>
09/13/2016	 Order for Production of Inmate <i>Order for Production of Inmate Bryan M. Ferguson, BAC #96803</i>
09/13/2016	 Order for Production of Inmate <i>Order for Production of Inmate DAIMON HOLT, aka, Daimon Monroe, ID #715429</i>
10/11/2016	 Reply Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Final Reply on Renewed Motion for Summary Judgment</i>
10/12/2016	 Substitution of Attorney Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>Substitution of Attorney Pursuant to EDCR 7.40(b)(1)</i>
10/18/2016	Hearing (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Hearing</i>
10/18/2016	Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.) Events: 08/29/2016 Notice of Motion <i>Notice of Motion</i>
10/18/2016	Status Check (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Defendant's Opposition to the State's Motion for Summary Judgment</i>
10/18/2016	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Hearing . . . Notice of Motion . . . Defendant's Opposition to the State's Motion for Summary Judgment . . . Defendant's Motion to Supplement my Opposition to Plaintiff's Summary Judgment . . . Motion on Cover-up done by R-O-P and Sandra DiGiacomo . . . Motion, Evidence Submitted into Record on Illegal Arrests and Seizure . . . Motion on Some More Facts on Illegal Warrants and Illegal taking of these Monies . . . Motion on Monies Taken Illegally due to Original Arrest Lacking Legal Warrant</i>
10/26/2016	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Findings of Fact, Conclusions of Law, and Order</i>
10/27/2016	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

10/31/2016	 Notice of Appeal
10/31/2016	 Designation of Record on Appeal
11/01/2016	 Case Appeal Statement Filed By: Other Defendant Holmes III, Robert
11/02/2016	 Memorandum of Costs and Disbursements <i>Plaintiff's Verified Memorandum of Costs</i>
11/14/2016	 Motion for Attorney Fees and Costs Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPD's Motion for Attorneys Fees and Costs Against Robert Holmes, III</i>
11/16/2016	 Notice of Hearing Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Hearing Re: LVMPD's Motion for Attorneys Fees and Costs Against Robert Holmes, III</i>
11/28/2016	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
11/28/2016	 Motion to Strike <i>Motion to Strike and or Opposition to LVMPD's Motion for Attorneys Fees and Cost Against Robert Holmes, III</i>
11/28/2016	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept
12/09/2016	 Application to Proceed in Forma Pauperis Filed By: Also Known As Holmes, Robert <i>Application to Proceed in Forma Pauperis (Sealed)</i>
12/22/2016	 Reply in Support Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Reply in Support of LVMPD's Motion for Attorneys Fees and Costs Against Robert Holmes, III</i>
12/27/2016	 Order to Proceed In Forma Pauperis Granted for: Other Defendant Holmes III, Robert <i>Order to Proceed In Forma Pauperis</i>
12/28/2016	 Notice of Motion Filed By: Other Defendant Holmes III, Robert <i>Notice of Motion and First Supplement to Opposition to Summary Judgment and Motion to Strike the Plaintiff's Renewed Summary Judgment</i>
01/04/2017	 Order for Production of Inmate Party: Plaintiff Las Vegas Metropolitan Police Dept <i>Order for Production of Inmate Daimon Monroe, BAC #38299</i>
01/04/2017	 Order for Production of Inmate Party: Plaintiff Las Vegas Metropolitan Police Dept

DEPARTMENT 8
CASE SUMMARY
CASE NO. 07A537416

Order for Production of Inmate Bryan M. Ferguson, BAC#96803

01/09/2017	 Motion for Attorney Fees and Costs (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Las Vegas Metropolitan Police Department's Motion for Attorney's Fees and Costs Against Robert Holmes, III</i>
01/10/2017	 Status Check (8:00 AM) (Judicial Officer: Smith, Douglas E.) 01/10/2017, 04/18/2017 <i>Status Check: Stay Pending Supreme Court Filing in C228752 (Monroe)</i>
01/31/2017	 Order Granting Motion Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order Granting Plaintiff's Motion for Attorneys Fees and Costs and Judgment Against Robert Holmes, III</i>
01/31/2017	Judgment Plus Legal Interest (Judicial Officer: Smith, Douglas E.) Debtors: Robert Holmes III (Other Defendant) Creditors: Las Vegas Metropolitan Police Dept (Plaintiff) Judgment: 01/31/2017, Docketed: 02/06/2017 Total Judgment: 6,568.64
02/01/2017	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Entry of Order</i>
02/06/2017	 Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Order</i>
02/06/2017	 Notice of Appeal <i>Notice of Appeal</i>
02/07/2017	 Order for Production of Inmate Party: Plaintiff Las Vegas Metropolitan Police Dept <i>Order for Production of Inmate Bryan M. Ferguson, BAC#96803</i>
02/07/2017	 Hearing (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Renewed Motion for Summary Judgment (Ferguson)</i>
02/07/2017	 Notice of Entry of Order Filed By: Plaintiff Las Vegas Metropolitan Police Dept <i>Notice of Entry of Order</i>
02/09/2017	 Supplement to Motion for Summary Judgment Filed by: Plaintiff Las Vegas Metropolitan Police Dept <i>LVMPS's Supplement to Renewed Motion for Summary Judgment as Against Defendant Bryan Ferguson</i>
02/10/2017	 Case Appeal Statement Filed By: Other Defendant Holmes III, Robert <i>Case Appeal Statement</i>
02/27/2017	Decision (3:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Decision: Renewed Motion for Summary Judgment (Ferguson)</i>

DEPARTMENT 8
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CASE NO. 07A537416

04/11/2017 | **Status Check** (8:00 AM) (Judicial Officer: Smith, Douglas E.) |

DATE

FINANCIAL INFORMATION

Conversion Extended Connection Type No Convert Value @ 07A537416

Total Charges 202.00

Total Payments and Credits 202.00

Balance Due as of 2/10/2017 0.00

Other Defendant Holmes III, Robert

Total Charges 1.50

Total Payments and Credits 1.50

Balance Due as of 2/10/2017 0.00

Plaintiff Las Vegas Metropolitan Police Dept

Total Charges 17.50

Total Payments and Credits 17.50

Balance Due as of 2/10/2017 0.00

ORIGINAL

CIVIL COVER SHEET

Clark County, Nevada

Case No.

(Assigned by Clerk's Office)

A 23746

VII

I. Party Information

Plaintiffs: Las Vegas Metropolitan Police Department

Defendants: U.S. CURRENCY \$281,656.73

Attorney: RANDALL F. WEED
Chief Deputy District Attorney
Nevada Bar #000082

Attorney:

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases

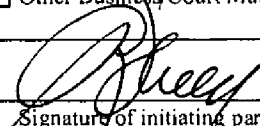
Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<p>Negligence</p> <input type="checkbox"/> Negligence - Auto <input type="checkbox"/> Negligence - Medical/Dental <input type="checkbox"/> Negligence - Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence - Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful Termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Probate Trust/Conservatorship <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Employer's Insurance of Nevada	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment - Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input checked="" type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only).

<input type="checkbox"/> NRS Chapters 78-88	<input type="checkbox"/> Investments (NRS 104B)	<input type="checkbox"/> Enhanced Case Mgmt/Business
<input type="checkbox"/> Commodities (NRS 90)	<input type="checkbox"/> Deceptive Trade Practices (NRS 598)	<input type="checkbox"/> Other Business Court Matters
<input type="checkbox"/> Securities (NRS 90)	<input type="checkbox"/> Trademarks (NRS 600A)	

8 March 07

Date



Signature of initiating party or representative

Original

CLERK OF THE COURT

MARQUIS AURBACH COFFING

Micah S. Echols, Esq.
Nevada Bar No. 8437
Adele V. Karoum, Esq.
Nevada Bar No. 11172
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
mechols@maclaw.com
akaroum@maclaw.com

CLARK COUNTY DISTRICT ATTORNEY

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 1565
Thomas J. Moreo
Chief Deputy District Attorney
Nevada Bar No. 2415
200 Lewis Avenue
Las Vegas, NV 89155
Telephone: (702) 671-2501
Facsimile: (702) 455-2294
thomas.moreo@clarkcountyda.com

Attorneys for Plaintiff, LVMPD

DISTRICT COURT

CLARK COUNTY, NEVADA

**LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,**

Plaintiff,

vs.

U.S. CURRENCY \$281,656.73,

Defendant.

Case No.: 07A537416
Dept. No.: VIII

Hearing Date: January 9, 2017
Hearing Time: *In Chambers*

**ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES AND COSTS
AND JUDGMENT AGAINST ROBERT HOLMES, III**

This Court having considered Plaintiff Las Vegas Police Metropolitan Police Department's Motion for Fees and Costs, as well as Claimant Robert Holmes, III's Opposition and Motion to Strike on its January 9, 2017 Chambers Calendar, and there being no Motion to Retax, therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

1. LVMPD's Motion for Fees and Costs is GRANTED;

2. LVMPD is hereby awarded its costs of \$5,250.64 against Claimant Robert Holmes, III.

3. After considering the factors in Beattie v. Thomas, 99 Nev. 579, 588, 668 P.2d 268, 274 (1983) and the factor in Yamaha Motor Co., U.S.A. v. Arnoult, 114 Nev. 233, 252, 955 P.2d 661, 673 (2001) (since LVMPD issued the offer of judgment), the Court concludes that (1) Holmes' defenses to the forfeiture claim were not brought in good faith; (2) LVMPD's \$10,500 offer of judgment to Holmes was made in good faith and reasonable in both timing and amount; (3) Holmes' decision to reject LVMPD's offer of judgment was grossly unreasonable; and (4) LVMPD's requested attorney fees of \$1,318 are reasonable according to the factors enumerated in Brunzell v. Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969) which are: (a) the advocate's professional qualities; (b) the nature of the litigation; (c) the work performed; and (d) the result.

4. LVMPD is hereby awarded attorney fees of \$1,318 against Claimant Robert Holmes, III.

5. Defendant's Motion to Strike is DENIED.

6. Judgment in the total amount of \$6,568.64 is hereby entered in favor of Las Vegas Metropolitan Police Department and against Robert Holmes, III, with post-judgment interest accruing at the legal rate of 5.75% until fully satisfied.

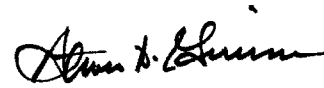
Dated this 30 day of January, 2017.


DISTRICT COURT JUDGE

Respectfully Submitted:

MARQUIS AURBACH COFFING

By Adele Karoum
Micah S. Echols, Esq.
Adele V. Karoum, Esq.
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Plaintiff, LVMPD



CLERK OF THE COURT

MARQUIS AURBACH COFFING

Micah S. Echols, Esq.
Nevada Bar No. 8437
Adele V. Karoum, Esq.
Nevada Bar No. 11172
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
mechols@maclaw.com
akaroum@maclaw.com

CLARK COUNTY DISTRICT ATTORNEY

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 1565
Thomas J. Moreo
Chief Deputy District Attorney
Nevada Bar No. 2415
200 Lewis Avenue
Las Vegas, NV 89155
Telephone: (702) 671-2501
Facsimile: (702) 455-2294
thomas.moreo@clarkcountynyda.com

Attorneys for Plaintiff, LVMPD

DISTRICT COURT

CLARK COUNTY, NEVADA

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff,

vs.

U.S. CURRENCY \$281,656.73,

Defendant.

Case No.: 07A537416
Dept. No.: VIII

NOTICE OF ENTRY OF ORDER

MARQUIS AURBACH COFFING

10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

NOTICE OF ENTRY OF ORDER

Please take notice that an Order Granting Plaintiff's Motion for Attorneys Fees and Costs and Judgment Against Robert Holmes, III, was entered in the above-captioned matter on the 31st day of January, 2017, a copy of which is attached hereto.

Dated this 1st day of February, 2017.

MARQUIS AURBACH COFFING

By /s/ Adele V. Karoum

Micah S. Echols, Esq.
Nevada Bar No. 8437
Adele V. Karoum, Esq.
Nevada Bar No. 11172
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorney(s) for Plaintiff, LVMPD

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF ENTRY OF ORDER** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 1st day of February, 2017. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

DA's Office**Contact**

PD MOTIONS

EmailMotions@clarkcountynyda.com**Dept 8****Contact**

Law Clerk Dept 8

EmailDept08LC@clarkcountnycourts.us**Office of General Counsel Las Vegas Metropolitan Police Department****Contact**Jessica Anaya
Matthew J. Christian, Esq.**Email**j16092a@lvmpd.com
m16091c@lvmpd.com**PD Sex****Contact**

ANITA Harrold

Emailharrolah@ClarkCountyNV.gov

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

Robert Holmes, III
4657 Swaying Ferns Drive
Las Vegas, Nevada 89147

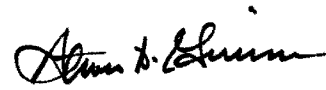
Via certified mail/return receipt requested to:

Bryan Ferguson, (BAC #96803)
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650Daimon Monroe (BAC #38299)
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650/s/ Cally Hatfield

An employee of Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

Original



CLERK OF THE COURT

MARQUIS AURBACH COFFING

Micah S. Echols, Esq.
Nevada Bar No. 8437
Adele V. Karoum, Esq.
Nevada Bar No. 11172
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
mechols@maclaw.com
akaroum@maclaw.com

CLARK COUNTY DISTRICT ATTORNEY

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 1565
Thomas J. Moreo
Chief Deputy District Attorney
Nevada Bar No. 2415
200 Lewis Avenue
Las Vegas, NV 89155
Telephone: (702) 671-2501
Facsimile: (702) 455-2294
thomas.moreo@clarkcountyda.com

Attorneys for Plaintiff, LVMPD

DISTRICT COURT

CLARK COUNTY, NEVADA

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff,

vs.

U.S. CURRENCY \$281,656.73,

Defendant.

Case No.: 07A537416
Dept. No.: VIII

Hearing Date: January 9, 2017
Hearing Time: *In Chambers*

**ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES AND COSTS
AND JUDGMENT AGAINST ROBERT HOLMES, III**

This Court having considered Plaintiff Las Vegas Police Metropolitan Police Department's Motion for Fees and Costs, as well as Claimant Robert Holmes, III's Opposition and Motion to Strike on its January 9, 2017 Chambers Calendar, and there being no Motion to Retax, therefore,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

2 1. LVMPD's Motion for Fees and Costs is GRANTED;

3 2. LVMPD is hereby awarded its costs of \$5,250.64 against Claimant Robert
4 Holmes, III.

5 3. After considering the factors in Beattie v. Thomas, 99 Nev. 579, 588, 668 P.2d
6 268, 274 (1983) and the factor in Yamaha Motor Co., U.S.A. v. Arnoult, 114 Nev. 233, 252, 955
7 P.2d 661, 673 (2001) (since LVMPD issued the offer of judgment), the Court concludes that
8 (1) Holmes' defenses to the forfeiture claim were not brought in good faith; (2) LVMPD's
9 \$10,500 offer of judgment to Holmes was made in good faith and reasonable in both timing and
10 amount; (3) Holmes' decision to reject LVMPD's offer of judgment was grossly unreasonable;
11 and (4) LVMPD's requested attorney fees of \$1,318 are reasonable according to the factors
12 enumerated in Brunzell v. Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969)
13 which are: (a) the advocate's professional qualities; (b) the nature of the litigation; (c) the work
14 performed; and (d) the result.

15 4. LVMPD is hereby awarded attorney fees of \$1,318 against Claimant Robert
16 Holmes, III.

17 5. Defendant's Motion to Strike is DENIED.

18 6. Judgment in the total amount of \$6,568.64 is hereby entered in favor of Las Vegas
19 Metropolitan Police Department and against Robert Holmes, III, with post-judgment interest
20 accruing at the legal rate of 5.75% until fully satisfied.

21 Dated this 30 day of January, 2017.

22 
23 DISTRICT COURT JUDGE

24 Respectfully Submitted:

25 MARQUIS AURBACH COFFING

26 By Adele Karoum
27 Micah S. Echols, Esq.
28 Adele V. Karoum, Esq.
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Plaintiff, LVMPD

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing**COURT MINUTES****May 16, 2007**

07A537416 Las Vegas Metropolitan Police Dept
 vs
 U S Currency \$281,656.73

May 16, 2007**8:30 AM****Motion****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT: Weed, Randall F. Attorney

JOURNAL ENTRIES

- Court noted that Claimants Monroe and Furgason have filed motions to stay these proceedings, which is mandated by statute. COURT ORDERED, motions GRANTED, PROCEEDINGS STAYED until such time Claimants' criminal case is tried or they enter pleas, Mr. Weed to prepare and submit appropriate order. COURT FURTHER ORDERED, th 5/21/07 and 5/30/07 dates VACATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

September 22, 2008

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

September 22, 2008 3:00 AM Motion to Withdraw as Counsel

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK:

RECORDED:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, motion GRANTED; moving party to submit the order.

CLERK'S NOTE: The above minute order has been Distributed to: Sean P. Sullivan (Kelly & Sullivan LTD.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

June 11, 2010

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

June 11, 2010	8:33 AM	Motion	Deft. Robert Holmes III's Motion For Return of Illegally Seized Preoperty and Money
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to EDCR 2.20, no points and authorities being filed and the motion not being served on interested parties, COURT ORDERED, motion DENIED.

CLERK'S NOTE: The above minute order has been distributed to: Robert Holmes III #1034184, c/o Southern Department Correctional Center, P.O. Box 208, Indian Springs, NV 89070. 06/11/10 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 09, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

January 09, 2012	3:00 AM	Motion to Reconsider	Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Having considered the moving papers, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: The above minute order has been distributed to: Thomas J. Moreo, Chief Deputy District Attorney. 01/10/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing**COURT MINUTES****February 06, 2012**

07A537416 Las Vegas Metropolitan Police Dept
 vs
 U S Currency \$281,656.73

February 06, 2012	3:00 AM	Motion	Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.**COURTROOM:** RJC Courtroom 16D**COURT CLERK:** Katherine Streuber**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED to hearing calendar.

02-21-12 8:00 AM Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case

CLERK'S NOTE: The above minute order has been distributed to: Robert Holmes III #1034184 c/o Southern Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89018 and Thomas J. Moreo, Chief Deputy District Attorney - Civil Division. 02/08/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 21, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

February 21, 2012	8:00 AM	Motion	Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no parties present, COURT ORDERED, matter CONTINUED. Law Clerk to notify parties.

02-28-12 8:00 AM DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S MOTION TO RECONSIDER COURT STATISTICALLY CLOSING CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 28, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

February 28, 2012	8:00 AM	All Pending Motions	Deft's Motion to Dismiss Plaintiff's Motion to Reconsider Court Statistically Closing Case; Defendant's Motion for Enlargement of time to Respond to Plaintiff's Motion to Reconsider Court Statistically Closing Case
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT: Moreo, Thomas Joseph Attorney

JOURNAL ENTRIES

- Court advised case had been closed in error. Counsel gave a history of this case and Defendant Holmes. Counsel advised they are filing a Motion to Lift Stay and will be requesting a trial setting. Court stated its findings and ORDERED, Defendant's Motion for Enlargement of Time is OFF CALENDAR as Moot and Defendant's Motion to Dismiss, originally set for March 13, 2012 is DENIED. Mr. Moreo to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

April 09, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

April 09, 2012	3:00 AM	Motion	Plaintiff's Motion to Lift Stay
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having reviewed the moving papers, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: The above minute order has been distributed to: Thomas J. Moreo Deputy District Attorney, Civil Division. 04/13/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

June 05, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

June 05, 2012	8:00 AM	Motion for Summary Judgment	Plaintiff's Motion for Summary Judgment
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HEARD BY: Smith, Douglas E. COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT: Moreo, Thomas Joseph Attorney

JOURNAL ENTRIES

- Colloquy regarding opposition being filed by Defendant who is incarcerated. Counsel advised Mr. Holmes is incarcerated in Southern Desert Correctional Center and Mr. Monroe is incarcerated in High Desert State Prison. COURT ORDERED, matter CONTINUED. Mr. Moreo to prepare the order.

08-07-12 8:00 AM Plaintiff's Motion for Summary Judgment

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

July 23, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

July 23, 2012	3:00 AM	Motion to Withdraw as Counsel	Cynthia L. Dustin, Esq's Motion to Withdraw as Counsel
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: The above minute order has been distributed to: Cynthia Dustin Esq. 08/09/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

August 07, 2012

07A537416 Las Vegas Metropolitan Police Dept
 vs
 U S Currency \$281,656.73

August 07, 2012	8:00 AM	All Pending Motions	Plaintiff's Motion for Summary Judgment; Defendant Daimon Monroe's Pro Per Motion to Strike Summary Judgment by Plaintiff
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HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Ferguson, Bryan M	Other Defendant
	Holmes III, Robert	Other Defendant
	Monroe, Daimon	Other Defendant
	Moreo, Thomas Joseph	Attorney

JOURNAL ENTRIES

- Colloquy regarding Defendant Trevarthen's service and whether summary judgment should be granted as to her at this time. Mr. Moreo advised Defendant had moved to Texas and all documents came back, noted all parties had been served. Defendant Ferguson believed his attorney was handling the case and now understands she is not. Mr. Moreo advised all Defendants have no attorneys and all were served. Court advised in all fairness to Defendant Ferguson, it will allow time for Defendant to file a response to the Motion for Summary Judgment. Mr. Moreo advised he had nothing further to add and would not like to hear this matter twice. Statement by the Court. Arguments by Defendants. Court stated its findings and ORDERED, Defendant Monroe's Motion to Strike is DENIED. FURTHER, Motion for Summary Judgment is CONTINUED. State to prepare

07A537416

Order to transport for all three Defendants.

11-13-12 8:00 AM PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 08, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

October 08, 2012	3:00 AM	Motion	Defendant, Daimon Monroe's Pro Per Motion For Return of Seized Property and Suppresion of Evidence
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having reviewed all the moving papers, FINDS that all of the issues brought by the Claimant in his motion s have been resolved in prior proceedings, THEREFORE, COURT ORDERED, motion is DENIED as motion is improperly before the Court.

CLERK'S NOTE: The above minute order has been distributed to: D.D.A. Thomas J. Moreo, Civil Division. 10/19/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 22, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

October 22, 2012	3:00 AM	Motion	Defendant, U.S. Currency \$281,656.73 Motion for Material Evidence
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having reviewed all the moving papers and the State's Opposition FINDS that Defendant's motion has been resolved by way of trial or at the Nevada Supreme Court level. Therefore, COURT ORDERED, motion DENIED. Mr. Moreo to prepare the order.

CLERK'S NOTE: The above minute order has been distributed to: Thomas J. Moreo D.D.A., Civil Division. 10/25/12 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

November 13, 2012

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

November 13, 2012	8:00 AM	All Pending Motions	Defendant's Motion for Summary Judgment and to Strike Plaintiff's Motion for Summary Judgment; Plaintiff's Motion for Summary Judgment
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Ferguson, Bryan M	Other Defendant
	Holmes III, Robert	Other Defendant
	Monroe, Daimon	Other Defendant
	Moreo, Thomas Joseph	Attorney

JOURNAL ENTRIES

- Court advised it had read both motions and inquired if any of the Defendants wished to add anything. Defendant Monroe advised matter being on appeal regarding denial of motion in this case. Court advised it did not have jurisdiction. Argument by Defendant Monroe regarding lack of search warrant when items were taken. Defendant Monroe's Motion to Proceed in Forma Pauperis FILED IN OPEN COURT and Order SIGNED by the Court. Defendant Holmes argued closure/dismissal of instant case in October of 2009. Court advised case was closed administratively due to no movement. Further argument by Defendant Holmes. Court advised it would look into the timing. Further argument by Defendant Holmes. Defendant Ferguson advised it did not receive response to his

PRINT DATE: 02/10/2017

Page 15 of 34

Minutes Date: May 16, 2007

motion. Argument by Mr. Moreo regarding search warrant having been resolved at trial and noted monies were never in possession of Defendants. Further arguments by Defendants. Court advised it would review the criminal case and noted it would have to RESERVE its ruling pending the appeal. Further arguments by Defendants. COURT SO NOTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

April 19, 2016

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

April 19, 2016	8:00 AM	Motion for Summary Judgment	Renewed Motion for Summary Judgment Against Defendant, Bryan Fergason
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Tena Jolley

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Echols, Micah S.	Attorney
	Ferguson, Bryan M	Other Defendant
	Karoum, Adele V., ESQ	Attorney
	Moreo, Thomas Joseph	Attorney

JOURNAL ENTRIES

- Defendant Bryan present and in custody. Court noting the case was once decided and Defendant was remanded, it is back on calendar because there was no hearing held. Mr. Ferguson requested additional time stating that he never received a copy of the motion for default; however he had received their Opposition to his motion. Colloquy regarding service of the motion upon Defendant. Court Staff copied and provided Defendant with the Plaintiff's Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson (without appendices). COURT ORDERED, matter CONTINUED; Defendant has until May 31, 2016, to respond to Plaintiff Renewed Motion. COURT FURTHER ORDERED, matter SET for Status Check for Plaintiff to provide proof of service upon Defendant; Defendant need not appear at the Status Check date.

5/17/16 8:00 AM STATUS CHECK: PLAINTIFF TO PROVIDE DOCUMENTATION
REGARDING SERVICE OF PROCESS UPON DEFENDANT REGARDING RENEWED MOTION

PRINT DATE: 02/10/2017

Page 18 of 34

Minutes Date: May 16, 2007

07A537416

FOR SUMMARY JUDGMENT

5/31/16 8:00 AM RENEWED MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT,
BRYAN FERGASON

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

May 17, 2016

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

May 17, 2016

8:00 AM

Status Check

**Status Check:
Plaintiff to Provide
Documentation
Regarding Service of
Process Upon
Defendant Regarding
Renewed Motion for
Summary Judgment**

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Tena Jolley

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT: Karoum, Adele V., ESQ Attorney

JOURNAL ENTRIES

- Ms. Karoum provided the Court with proof of service upon Defendants of the Renewed Motion for Summary Judgment Against Defendant, Bryan Ferguson and requested that the pending motions be consolidated for purposes briefing and the hearing. COURT ORDERED Defendants' Oppositions are DUE June 2, 2016, and ALL PENDING MATTERS SET for hearing June 28, 2016.

6/28/16 8:00 AM RENEWED MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT,
BRYAN FERGASON...DEFENDANT'S PRO PER MOTION TO COMPEL...DEFENDANT'S PRO PER
MOTION AND NOTIFICATION OF AN INABILITY TO GET PROPER COPIES...RENEWED
MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANTS DAIMON MONROE AND
ROBERT HOLMES, III

CLERK'S NOTE: The above minute order has been distributed VIA MAIL to:

Bryan Fergason #96803

High Desert State Prison

P.O. Box 650

Indian Springs, NV 89070-0650

Daimon Monroe aka Daimon Holt #00715429

Clark County Detention Center

330 S. Casino Center Blvd.

Las Vegas, NV 89101

Robert Holmes, III

4657 Swaying Ferns Drive

Las Vegas, NV 89147

June 27, 2016

Minutes Date: May 16, 2007

June 28, 2016

Minutes Date: May 16, 2007

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

July 12, 2016

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

July 12, 2016 8:00 AM All Pending Motions

HEARD BY: Smith, Douglas E. **COURTROOM:** RJC Courtroom 11B

COURT CLERK: Natalie Ortega

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Ferguson, Bryan M	Other Defendant
	Holmes III, Robert	Other Defendant
	Holmes, Bobby	Also Known As
	Holmes, Robert	Also Known As
	Karoum, Adele V., ESQ	Attorney
	Monroe, Daimon	Other Defendant

JOURNAL ENTRIES

- Deft's Pro Se Motion to Personally Give Evidence Proving the Fraudulent Warrant and Request for Discovery...Renewed Motion for Summary Judgment Against Defendants Daimon Monroe and Robert Holmes, III...Defendant's Pro Per Motion and Notification of an Inability to get Proper Copies...Defendant's Pro Per Motion to Compel...Opposition to Plaintiff's Renewed Request for Summary Judgment, and Request for Immediate Return of Monies to Defendants

Court noted there was evidence the box was sent and received at the prisons. Court allowed Mr. Ferguson requested to file in open court and IN FORMA PAUPERIS. Ms. Karoum argued the \$124,000.00 was received during an execution of a warrant on Bank of America. Evidence was submitted that Mr. Ferguson did not have legitimate employment between 2001 and 2006. There was regular large sum deposits of cash during the time period. There was evidence of sale of stolen property occurring weekly on the weekends. There was over \$28,000.00 in cash deposited in less two

months during the time the seizure occurred. There was evidence of no employment in form of pressure washing. Upon Mr. Fergason's request, Court ORDERED, Mr. Fergason's request to continue the hearing DENIED, and noted the Court would refer to Mr. Ferguson's opposition. Exhibits presented (see worksheet). Mr. Monroe argued without the original arrest the money would not be before the Court. He just received the evidence after nine years. The arrest was illegal, therefore the money could not be taken. Court noted although the provided documents was marked as Court's exhibit #1, the original would be provided to the Defendant, and a copy of Court's Exhibit #1 would be admitted to the vault. Upon Court's inquiry, the Defendant waived any defect. Court directed the parties to provide the pleadings to the Court for its consideration. Court further directed Mr. Monroe and Mr. Fergason to write the reasons they believe the Court should rule in their favor, and provide it to the Court within the next sixty days for consideration. Court confirmed all the motions related to Mr. Monroe and Mr. Fergason's are being stayed. Court further noted a new IN FORMA PAUPERIS did not need to be filed, as it was granted. COURT ORDERED, in perpetuity, Mr. Fergason, Mr. Monroe, and Mr. Holmes, in this particular case, in forma pauperis WILL NOT EXPIRE. COURT FURTHER ORDERED, Mr. Monroe and Mr. Fergason must file their pleadings by September 13, 2016. COURT ADDITIONALLY ORDERED, hearing SET for October 18th at 8:30 AM. Mr. Holmes requested the summary judgment be stricken. Argument that in 2012 the issues could have been addressed. Court noted the Supreme Court advised there was not enough evidence that criminal activity was involved, therefore, the process has recommenced. Court further advised the matters need to be fully briefed, and the Court would fully review the pleadings, and make a decision.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

August 22, 2016

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

August 22, 2016 3:00 AM All Pending Motions

HEARD BY: Smith, Douglas E. **COURTROOM:** Chambers

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Deft's Motion to Supplement my Opposition to Plaintiffs Summery Judgment Motion on
Cover up Done by R-O-P and Sandra Digiacomo

Motion, evidence submitted into record on illegal arrests and seizure and illegal conviction's and State obstructing, and illegal seizure of money

Motion on some more fact's on illegal warrant's and illegal taking of these monies..... Motion on monies taken illegally, due to original arrest lacking legal warrant

Court previously approved Order for Motion and Hearing Schedule. Hearing on Renewed Motion for Summary Judgment and all associated motions, oppositions, and filings set for October 18, 2016.

10/18/16 8:00 a.m. same as above

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) and mailed to:

Micah S. Echols Marquis Aurbach Coffing

Steven B. Wolfson - CCDA

Thomas J. Moreo

Daimon Monroe (BAC #38299)

High Desert State Prison

P.O. Box 650

Indian Springs NV 89070-0650

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 18, 2016

07A537416 Las Vegas Metropolitan Police Dept
 vs
 U S Currency \$281,656.73

October 18, 2016 8:00 AM All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Echols, Micah S.	Attorney
	Ferguson, Bryan M	Other Defendant
	Holmes, Robert	Also Known As
	Karoum, Adele V., ESQ	Attorney
	Monroe, Daimon	Other Defendant

JOURNAL ENTRIES

- Court noted that the following matters on Calendar today: Hearing . . . Notice of Motion . . . Defendant's Opposition to the State's Motion for Summary Judgment . . . Defendant's Motion to Supplement my Opposition to Plaintiff's Summary Judgment . . . Motion on Cover-up done by R-O-P and Sandra DiGiacomo . . . Motion, Evidence Submitted into Record on Illegal Arrests and Seizure . . . Motion on Some More Facts on Illegal Warrants and Illegal taking of these Monies . . . Motion on Monies Taken Illegally due to Original Arrest Lacking Legal Warrant. Defendant Monroe has filed the above-named motions pro se.

Court inquired as to whether the said motions were included in the Plaintiff's Renewed Motion for Summary Judgment; Defendant Monroe responded they were and he was just trying to explain things.

Defendant Monroe advised that he spoke to Jennifer Schwartz, Dep PD, yesterday and she does not believe the search warrant was good and has filed under newly discovered evidence with regard to

the search warrant; her investigator has checked the warrant and has confirmed Defendant's statements. Defendant Monroe has a related case before Judge Eric Johnson (C228752); he has filed with Supreme Court.

Colloquy; the Court does not believe it has jurisdiction. Ms. Karoum advised that the newly discovered evidence issue has already been brought before Judge Eric Johnson and order was entered; the issue is not going to be reviewed. With regard whether or not this issue is before the Supreme Court, Ms. Karoum advised she did not receive notice of any Supreme Court filing. Mr. Echols advised that just because Defendants filed an appeal in a separate case, does not mean this Court does not have jurisdiction; he discussed divestiture and believes this Court can proceed.

Defendant Monroe advised that the ruling by the Supreme Court and in C228752 affects the instant case; this case was originally STAYED pending the outcome in C228752. The search warrant was the direct cause of the money in this case being seized; if there is no search warrant, that means the money was seized illegally. Defendant Monroe requested this matter be status checked in thirty (30) to sixty (60) days, perhaps there will be an answer from the Supreme Court by then. COURT ORDERED, matter STAYED as to Defendants Monroe and Ferguson and set for status check. A Transport Order will need to be prepared.

Ms. Karoum advised that Defendant Holmes is present today and perhaps the Court would be willing to go forward with his issues. Defendant Holmes advised that his is a different situation. COURT ORDERED, the Renewed Motion for Summary Judgment as to Defendant Holmes is SEVERED from the other Defendants.

Defendant Holmes filed a First Supplement to Opposition to Summary Judgment and Motion to Strike the Plaintiff's Renewed Summary Judgment on June 3, 2016, and a Second Supplement to his Opposition on June 24, 2016. Defendant Holmes believes Summary Judgment cannot stand because there is still a dispute as to the material facts in this case; argument. Argument by Ms. Karoum. COURT FURTHER ORDERED, decision DEFERRED. The Court would like to review this matter further; specifically, the Court did not receive a copy of Defendant Holmes' Second Supplement. Mr. Echols would like the Court to review Edwards v. Ghandour.

CUSTODY (MONROE/FERGASON)

01/10/17 8:00 AM STATUS CHECK: STAY PENDING SUPREME COURT FILING IN C228752

LATER: After further review of this matter, COURT ORDERED, Plaintiff's Renewed Motion for Summary Judgment as to Defendant Holmes is GRANTED.

Ms. Karoum to prepare Findings of Fact and Conclusions of Law.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 09, 2017

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

January 09, 2017	3:00 AM	Motion for Attorney Fees and Costs	Las Vegas Metropolitan Police Department's Motion for Attorney's Fees and Costs Against Robert Holmes, III
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HEARD BY: Smith, Douglas E.

COURTROOM: Chambers

COURT CLERK: Carol Donahoo

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Las Vegas Metropolitan Police Department's Motion for Fees and Costs came before this Court on the January 9, 2017, Chamber Calendar. Having reviewed the Motion as well as Defendant Holmes' Opposition and Motion to Strike, and there being no Motion to Retax, COURT ORDERED, the Motion for Fees and Costs is GRANTED in the amount of \$6,568.64. COURT FURTHER ORDERED, Defendant's Motion to Strike is DENIED.

Counsel for Las Vegas Metropolitan Police Department to prepare and submit a proposed Order reflecting the Court's decision.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of Adele V. Karoum, Esq., (Marquis Aurbach Coffing).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 10, 2017

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

January 10, 2017	8:00 AM	Status Check	Stay Pending Supreme Court Filing in C228752
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Christian, Matthew J., ESQ	Attorney
	Ferguson, Bryan M	Other Defendant
	Karoum, Adele V., ESQ	Attorney
	Monroe, Daimon	Other Defendant

JOURNAL ENTRIES

- This is the time set for the Status Check on the Stay Pending Supreme Court filing in C228752.

Ms. Karoum advised that at the last hearing, the matter was continued as to Defendant Monroe and Defendant Ferguson because C228752, the related case, is at the Supreme Court. However, the matter as to Defendant Holmes went forward, the Renewed Motion for Summary Judgment as to Defendant Holmes was GRANTED and he has filed an appeal.

With regard to Defendant Monroe and Defendant Ferguson, Monroe filed an appeal at the Supreme Court but Ferguson did not. Therefore, Ms. Karoum is requesting to move forward with Ferguson; she is requesting to bifurcate or sever Monroe and Ferguson. Colloquy regarding *Edwards v. Ghandoure*, which Ms. Karoum provided to the Court for consideration; perhaps the Court could move forward on Monroe based on claim preclusion or the judgment that is already in effect. Court trailed matter

MATTER RECALLED: All present as before. Colloquy regarding Defendant Monroe's appeal to the Supreme Court in his other case; Monroe advised that he filed a Writ in Department XX and that case is related to the instant case. Therefore, he requested that this matter be status checked in sixty (60) to ninety (90) days.

Ms. Karoum advised that this is the time set for Status Check so there will be no argument today; she requested that Defendant Monroe and Defendant Ferguson be severed because Ferguson has not appealed anything in his criminal case and in her view, this matter involves two separate amounts of money. In Ferguson's case, a bank account was seized and in Monroe's case, it was money that was paid to some bail bond companies and to some attorneys for him and for his defense. Since the cases involve separate sums of money and separate evidence, Ms. Karoum believes the cases could be considered separately and, therefore, would like to move forward with Ferguson so as not to delay his case any longer.

Additionally, with regard to Defendant Monroe, Ms. Karoum discussed *Edwards v. Ghandoure*; while his case is in the pendency of an appeal, the conviction still stands for claim preclusion purposes. Although Monroe does not want to move forward right now, the opening brief on the appeal was submitted to the Supreme Court in December so Ms. Karoum would suggest that the parties move forward in sixty (60) days and at least argue the Renewed Motion for Summary Judgment and then this Court could defer the decision. Then, if nothing changes with the conviction in the Supreme Court case the parties could go ahead and have a decision thereafter.

Defendant Monroe responded and represented that he believes that Defendant Ferguson would like to have his case STAYED as well because he attached to his argument in the Supreme Court; colloquy. COURT ORDERED, that it would go forward on Defendant Ferguson's case in thirty (30) days and on Defendant Monroe's case in ninety (90) days.

Defendant Ferguson represented that submitted an Offer of Settlement to counsel. Mr. Christian advised that Metro does not have any authority to settle his case at this time and it is not proper to discuss settlement issues in front of the Court.

02/07/17 8:00 AM ARGUMENT: RENEWED MOTION FOR SUMMARY JUDGMENT (FERGASON)

04/11/17 8:00 AM STATUS CHECK: STAY PENDING SUPREME COURT FILING IN C228752 (MONROE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 07, 2017

07A537416	Las Vegas Metropolitan Police Dept
	vs
	U S Currency \$281,656.73

February 07, 2017	8:00 AM	Hearing	Renewed Motion for Summary Judgment
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HEARD BY: Smith, Douglas E. COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:	Christian, Matthew J., ESQ	Attorney
	Ferguson, Bryan M	Other Defendant
	Karoum, Adele V., ESQ	Attorney

JOURNAL ENTRIES

- This is the time set for hearing on the Renewed Motion for Summary Judgment. For the record, Court advised that it granted Summary Judgment previously in this case; however, the Nevada Supreme Court remanded the matter for further proceedings.

Defendant Ferguson advised that this matter is on appeal before the Nevada Supreme Court, the forfeitures are not final, so he believes these proceedings are premature. Although his case has been severed from Defendant Monroe's, the issues are the same; if the search warrant was not valid for Defendant Monroe, then it is not valid in his case either. Defendant Ferguson filed a Motion for Joinder; the Motion was denied because he has an attorney of record. Defendant Ferguson talked to his attorney and the matter was then continued for thirty (30) days; the brief is due on February 9, 2017. Argument by Defendant Ferguson with regard to the Renewed Motion for Summary Judgment; for the reasons stated on the record, he does not believe Plaintiff has met their burden.

Mr. Karamu advised that she was unaware that Defendant Ferguson was part of Defendant Monroe's appeal in the Supreme Court; she did not receive any notice. In any event, assuming that the warrants

and convictions are valid, the parties need to move forward; this happened in 2006 and has been appealed several times. The Supreme Court sent this matter back down because there was not sufficient evidence to establish that the funds in the bank account were related to the commission of a felony. There are felony convictions; twenty-five (25) Counts of Possession of Stolen Property and two (2) Counts of Grand Larceny and Burglary; \$124,216.00 was seized during the execution of a warrant at the Bank of America. Defendant Ferguson did not show any legitimate employment in 2006. Although Defendant Ferguson claims there was no evidence that the money was from the sale of stolen property, there was circumstantial evidence and testimony from witnesses. There was a series of cash depositions every Monday for a period of about two (2) months and during this time there is no evidence that Defendant Ferguson had a job. COURT ORDERED, decision DEFERRED.

02/27/17 CHAMBER CALENDAR - DECISION

EXHIBIT(S) LIST

Case No.: 07A537416

Hearing Date: 7-12-16

Dept. No.: 8

Judge: Smith

Plaintiff: LAS VEGAS METROPOLITAN
POLICE DEPT.

Court Clerk: Natalie Ortega

Recorder: Patti Slattery

Counsel for Plaintiff: Adele Karoum

Thomas J. Moreo

vs.

Defendant: US CURRENCY \$281,656.73

Counsel for Defendant: N/A Pro Se

Damion Monroe, Bryan M.

Ferguson & Robert Holmes III

HEARING BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
#1	Various documents *Copy of exhibit #1. Court gave the original copy to Daimon Monroe*	7-12-16	NO	7-12-16
#2	Book - Repeat Offender	7-12-16	NO	7-12-16
#3	Monroe - Appendix of Exhibits Motion for Summary Judgment Ferguson	7-12-16	NO	7-12-16
#4	Appendix of Exhibits Renewed Motion for Summary Judgment	7-12-16	NO	7-12-16
	Vol. II Bates 0251-0500			
#5	" "against Ferguson Vol. III	7-12-16	NO	7-12-16
	Bates 0501-0750			
#6	" "Vol. IV Bates 0751-1000	7-12-16	NO	7-12-16
#7	" "Vol. V Bates 1001-1250	7-12-16	NO	7-12-16
#8	" "Vol. VI Bates 1251-1500	7-12-16	NO	7-12-16
#9	" "Vol. VII Bates 1501-1750	7-12-16	NO	7-12-16
#10	" "Vol. VIII Bates 1751-2000	7-12-16	NO	7-12-16
#11	" "Vol. IX Bates 2001-2250	7-12-16	NO	7-12-16
#12	" "Vol. X Bates 2251-2500	7-12-16	NO	7-12-16
#13	" "Vol. XI Bates 2501-2742	7-12-16	NO	7-12-16

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; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES AND COSTS AND JUDGMENT AGAINST ROBERT HOLMES, III; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Plaintiff(s),

vs.

U.S. CURRENCY \$281,656.73,

Defendant(s),

Case No: 07A537416

Dept No: VIII

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 10 day of February 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk