

*Elizabeth A. Brown*

CLERK OF THE COURT

THE STATE OF NEVADA

CASE NO. C-15-308371-1

PLAINTIFF

Electronically Filed  
Apr 18 2017 11:57 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

-VS-

Ronny D. Powe

NOTICE OF APPEAL

COMES - NOW - DEFENDANT Ronny D. Powe, MOVES  
FOR ORDER APPEALING DISTRICT COURT ORDER  
GRANTING OR DENYING MOTION FOR HOUSE  
ARREST, WHERE DEFENDANT Ronny D. Powe  
APPEALS IN DISTRICT COURT DEPT-NO. 12 ON  
6/30/15 DEFENDANT Ronny D. Powe CONTENTS  
HE NEVER RECEIVED NOTICE OF, IN WHICH  
DEFENDANT RONNY D. Powe SUBJECTS SUCH  
ORDER IS VOID FOR LACK OF JURISDICTION  
DUE TO THE EXPIRATION OF STATUTORY  
TIME LIMIT. DEFENDANT Ronny D. Powe  
SEEKS SUCH REVIEW FROM THE APPELATE  
COMPOTENT JURISDICTION

Ronny D. Powe  
SUBMITTED 4/9/17

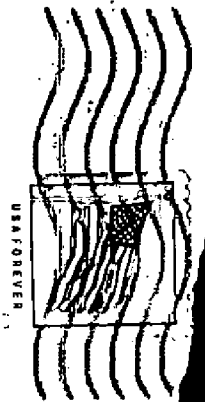
RECEIVED

APR 13 2017 #24

CLERK OF THE COURT

Ronny Powe 1173457-  
High Desert State Prison  
P.O. Box 650  
Indian Springs, Nv. 89070-0650

LAS VEGAS NV 890  
11 APR 2017 PM 5 L



Clerk of the Court  
200 LEWIS AVE.  
Las Vegas, NV. 89155

89101-630000



HIGH DESERT STATE PRISON  
APR 16  
TRAIT 2 CID

1 ASTA

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5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 RONNY POWE aka RONNY DARROW POWE,

13 Defendant(s),  
14

Case No: C-15-308371-1

Dept No: XII

15  
16 **CASE APPEAL STATEMENT**  
17

18 1. Appellant(s): Ronny D. Powe

19 2. Judge: Michelle Leavitt

20 3. Appellant(s): Ronny D. Powe

21 Counsel:

22 Ronny D. Powe #1173457  
23 P.O. Box 650  
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89101

(702) 671-2700

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: N/A

9. Date Commenced in District Court: July 29, 2015

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

Type of Judgment or Order Being Appealed: Unknown

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 14 day of April 2017.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Ronny D. Powe

DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-15-308371-1**

State of Nevada  
vs  
**RONNY POWE**

§ Location: **Department 12**  
§ Judicial Officer: **Leavitt, Michelle**  
§ Filed on: **07/29/2015**  
§ Cross-Reference Case **C308371**  
§ Number:  
§ Defendant's Scope ID #: **1415128**  
§ ITAG Booking Number: **0**  
§ ITAG Case ID: **1699814**  
§ Lower Court Case # Root: **15F08992**  
§ Lower Court Case Number: **15F08992A**  
§ Metro Event Number: **1506172303**

**CASE INFORMATION**

| Offense   | Deg | Date       | Case Type:  | Felony/Gross Misdemeanor   |
|---|-----|------------|-------------|--|
| Jurisdiction: <b>District Court</b>   |     |            |             |  |
| 1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON<br>PCN: 0029599020 ACN: 1506172303<br><i>Filed As:</i> FIRST DEGREE KIDNAPPING WITH USE OF SUBSTANTIAL BODILY HARM<br>RESULTING IN SUBSTANTIAL BODILY HARM<br>Arrest: 07/09/2015 MET - Metro | F   | 06/16/2015 | Case Flags: | <b>Appealed to Supreme Court<br/>Custody Status - Nevada<br/>Department of Corrections<br/>Charge Description Updated<br/>JC Custody Status at Time of<br/>B/O<br/>JUL 31 2015 10:00AM: IN<br/>CUSTODY<br/>Bail Setting<br/>\$95,000 Cash or \$95,000<br/>Surety</b> |
| 2. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON   | F   | 06/16/2015 |             |  |
| 3. BATTERY WITH USE OF A DEADLY WEAPON<br>RESULTING IN SUBSTANTIAL BODILY HARM<br>CONSTITUTING DOMESTIC...  | F   | 06/16/2015 |             |  |
| 4. BATTERY WITH USE OF A DEADLY WEAPON<br>RESULTING IN SUBSTANTIAL BODILY HARM<br>CONSTITUTING DOMESTIC ...   | F   | 06/16/2015 |             |  |
| 5. BATTERY WITH USE OF A DEADLY WEAPON<br>RESULTING IN SUBSTANTIAL BODILY HARM<br>CONSTITUTING DOMESTIC...  | F   | 06/16/2015 |             |  |
| 6. BATTERY CONSTITUTING DOMESTIC<br>VIOLENCE - STRANGULATION  | F   | 06/16/2015 |             |  |
| 7. BATTERY WITH USE OF A DEADLY WEAPON<br>RESULTING IN SUBSTANTIAL BODILY HARM<br>CONSTITUTING DOMESTIC...  | F   | 06/16/2015 |             |  |

**Related Cases**

C-15-308371-2 (Multi-Defendant Case)

**Statistical Closures**

02/24/2017 Guilty Plea with Sentence (before trial)

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number C-15-308371-1  
Court Department 12  
Date Assigned 07/29/2015  
Judicial Officer Leavitt, Michelle

**PARTY INFORMATION**

**Defendant**

**POWE, RONNY**

*Lead Attorneys*














**Drummond, Craig**  
*Retained*  
702-366-9966(W)

DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-15-308371-1**

**Plaintiff**

**State of Nevada**



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

| DATE       | EVENTS & ORDERS OF THE COURT   | INDEX |
|------------|--|-------|
| 07/29/2015 |  Criminal Bindover Packet Las Vegas Justice Court   |       |
| 07/30/2015 |  Information<br><i>Information</i>  |       |
| 07/31/2015 |  <b>Initial Arraignment</b> (10:00 AM) (Judicial Officer: Williams, Telia U.)   |       |
| 08/10/2015 |  Reporters Transcript<br><i>Reporter's Transcript of Waiver of Preliminary Hearing 07-29-15</i>                               |       |
| 08/11/2015 |  <b>Status Check</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)<br><i>STATUS CHECK: SETTING OF TRIAL (DEFT. INVOKED)</i> |       |
| 09/02/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Expert Witnesses (NRS 174.234(2))</i>                            |       |
| 09/02/2015 |  Notice of Witnesses and/or Expert Witnesses<br><i>Notice of Witnesses</i>  |       |
| 09/22/2015 |  Supplemental Witness List<br><i>Supplemental Notice of Expert Witnesses</i>  |       |
| 10/06/2015 |  <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)   |       |
| 10/13/2015 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br><i>Vacated - per Judge</i>   |       |
| 11/03/2015 |  Media Request and Order<br><i>Media Request And Order Allowing Camera Access To Court Proceedings</i>                      |       |
| 12/11/2015 |  Notice<br><i>Defendant Ronny Powe's Notice and Request for Joinder</i>   |       |
| 12/14/2015 |  Motion<br><i>Defendant Ronny Powe's Motion for Discovery</i>   |       |
| 12/17/2015 | <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)   |       |
| 12/17/2015 | <b>Joinder</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)<br><i>Defendant Ronny Powe's Notice and Request for Joinder</i>   |       |
| 12/17/2015 | <b>Motion for Discovery</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)<br><i>Defendant Ronny Powe's Motion for Discovery</i>  |       |
| 12/17/2015 |  <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)   |       |
| 01/05/2016 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br><i>Vacated - per Judge</i>   |       |

DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-15-308371-1**




|            |   |
|------------|---|
| 03/14/2016 |  Motion to Continue<br>Filed By: Plaintiff State of Nevada<br><i>Notice of Motion and Motion to Continue</i>                                   |
| 03/15/2016 | <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 03/15/2016 | <b>Motion</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)<br><i>Plaintiff's Notice of Motion and Motion to Continue</i>   |
| 03/15/2016 |  <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 03/16/2016 |  Notice<br><i>Defendant Rommy Powe's Notice of Expert Witness</i>  |
| 03/22/2016 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br><i>Vacated - per Judge</i>  |
| 05/31/2016 |  <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 06/07/2016 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br><i>Vacated - per Judge</i>  |
| 10/04/2016 |  <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 10/11/2016 | <b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br><i>Vacated - per Judge</i>  |
| 11/17/2016 |  Motion<br><i>Motion To Dismiss Counsel And Appoint Alternate Counsel</i>  |
| 12/08/2016 |  <b>Motion</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)<br><i>Defendant's Motion to Dismiss Counsel and Appoint Alternate Counsel</i> |
| 12/20/2016 |  Supplemental Witness List<br><i>Second Supplemental Notice Of Witnesses</i>   |
| 12/20/2016 |  Notice<br><i>Notice of Intent to Introduce Records Made in the Course of a Regularly Conducted Activity [NRS 52.260]</i>                    |
| 12/20/2016 |  <b>Calendar Call</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 12/20/2016 |  Supplemental Witness List<br><i>Supplemental Notice of Witnesses</i>  |
| 12/22/2016 |  <b>Entry of Plea</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)  |
| 12/22/2016 |  Amended Information<br><i>Amended Information</i>   |
| 12/22/2016 |  Guilty Plea Agreement   |
| 12/22/2016 | <b>Disposition</b> (Judicial Officer: Leavitt, Michelle)  |

DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-15-308371-1**

|            |  |
|------------|--|
|            | <p>2. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> <p>3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> <p>4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC ...<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> <p>5. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> <p>6. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> <p>7. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...<br/>Amended Information Filed/Charges Not Addressed<br/>PCN: Sequence:</p> |
| 12/22/2016 | <p><b>Plea</b> (Judicial Officer: Leavitt, Michelle)</p> <p>1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON<br/>Guilty<br/>PCN: 0029599020 Sequence:</p>  |
| 01/03/2017 | <p><b>CANCELED Jury Trial</b> (10:30 AM) (Judicial Officer: Leavitt, Michelle)<br/><i>Vacated - per Judge</i></p>  |
| 01/03/2017 | <p><b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Leavitt, Michelle)<br/><i>Vacated - per Judge</i></p>   |
| 01/30/2017 | <p> <b>PSI</b></p>  |
| 02/14/2017 | <p> <b>Sentencing</b> (8:30 AM) (Judicial Officer: Leavitt, Michelle)</p>   |
| 02/14/2017 | <p><b>Disposition</b> (Judicial Officer: Leavitt, Michelle)</p> <p>1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON<br/>Guilty<br/>PCN: 0029599020 Sequence:</p>   |
| 02/14/2017 | <p><b>Sentence</b> (Judicial Officer: Leavitt, Michelle)</p> <p>1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON<br/>Adult Adjudication<br/>Sentenced to Nevada Dept. of Corrections<br/>Term: Life with the possibility of parole after: 5 Years<br/>Consecutive Enhancement: Use of Deadly Weapon, Minimum: 60 Months, Maximum: 150 Months<br/>Credit for Time Served: 609 Days<br/>Fee Totals:<br/><br/>Administrative</p>  |



DEPARTMENT 12  
**CASE SUMMARY**  
**CASE NO. C-15-308371-1**

|            | Assessment Fee  | 25.00         |
|------------|---|---------------|
|            | \$25  |               |
|            | DNA Analysis Fee  | 150.00        |
|            | \$150   |               |
|            | Genetic Marker  |               |
|            | Analysis AA Fee   | 3.00          |
|            | \$3   |               |
|            | Fee Totals \$   | 178.00        |
| 02/17/2017 |  Judgment of Conviction<br><i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>                        |               |
| 02/24/2017 |  Criminal Order to Statistically Close Case<br><i>Criminal Order To Statistically Close Case</i> |               |
| 04/13/2017 |  Notice of Appeal (criminal)<br><i>Notice of Appeal</i>  |               |
| DATE       | FINANCIAL INFORMATION   |               |
|            | <b>Defendant</b> POWE, RONNY  |               |
|            | Total Charges   | 178.00        |
|            | Total Payments and Credits  | 0.00          |
|            | <b>Balance Due as of 4/14/2017</b>  | <b>178.00</b> |

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 31, 2015**

C-15-308371-1      State of Nevada  
vs  
RONNY POWE

**July 31, 2015      10:00 AM      Initial Arraignment**

**HEARD BY:** Williams, Telia U.

**COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Roshonda Mayfield

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

**PRESENT:**      Percival, Brent D.      Attorney  
POWE, RONNY      Defendant

**JOURNAL ENTRIES**

- DEFT. POWE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for status check regarding the setting of trial.

CUSTODY

8/11/15 8:30 A.M. STATUS CHECK: TRIAL SETTING (DEPT. 12)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 11, 2015**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**August 11, 2015      8:30 AM      Status Check**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig W. | Attorney  |
|                 | POWE, RONNY        | Defendant |
|                 | Smith, Tyler       | Attorney  |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- Discussions as to status of testing to be done by Metro lab, on the bullet fragments from the alleged incident. Mr. Drummond advised the lab results may be exculpatory evidence as to his client.  
COURT ORDERED, trial date SET.

**CUSTODY**

10/06/15 8:30 A.M. CALENDAR CALL

10/13/15 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 06, 2015**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**October 06, 2015      8:30 AM      Calendar Call**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich  
                                 Natalie Ortega

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                        |           |
|-----------------|------------------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig W.     | Attorney  |
|                 | Laurent, Christopher J | Attorney  |
|                 | POWE, RONNY            | Defendant |
|                 | State of Nevada        | Plaintiff |

**JOURNAL ENTRIES**

- Attorney Nadine Morton, Esq., present on behalf of co-defendant.

At the request of parties, COURT ORDERED trial date VACATED and RESET. Upon Court's inquiry, Deft. agreed to waive the 60 day rule.

**CUSTODY**

12/17/15 8:30 AM CALENDAR CALL

1/5/16 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 17, 2015**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**December 17, 2015      8:30 AM      All Pending Motions**

**HEARD BY:** Leavitt, Michelle

**COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig W. | Attorney  |
|                 | POWE, RONNY        | Defendant |
|                 | Smith, Tyler       | Attorney  |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- APPEARANCES: Deputy District Attorney Tyler Smith, Esq., is present on behalf of State of Nevada. Attorney Nadine Morton, Esq., is present on behalf of Deft. Thaironya Breienne Powe, who is present in custody from Case C308371-2. Attorney Craig Drummond, Esq., is present on behalf of Deft. Ronny Powe who is also present in custody from Case C308371-1.

Court advised it does not believe Deft. Ronny Powe can join in on the Motion to Sever, Mr. Drummond would have to make his own arguments, and it does not make sense to the Court the way the Motion was presented; however, Deft. can join on the other issue. Mr. Drummond advised the main issue he has, is within 30 days of this event happening, State requested the Court to determine competency on the named victim; State has not looked at the file on this, State has not produced the file, defense requested the file, and the Motion on the competency request has been set after the trial date. Additionally, defense for Deft. Ronny Powe will not be ready, and will be requesting the competency case information be provided to Court for in-camera review at a

PRINT DATE: 04/14/2017

Page 4 of 17

Minutes Date: July 31, 2015

minimum, as defense may need a psychiatric expert retained, if records are released. Additionally, defense is not ready, until this Court can provide guidance. Discussions as to mental health case record information of alleged victim and civil procedures by District Attorney. Mr. Smith objected regarding relevancy. Mr. Smith argued he has not had time to answer Deft's other Motion due to when he received the pleadings; and State is ready for trial. Mr. Drummond argued he is alleging a discovery problem, and not impropriety. Additionally, defense had requested the information three months ago, State had indicated no case information is available, and defense has received documents regarding the victim and competency information. Further, State has a duty to inspect the files and evidence to determine if there is exculpatory evidence; defense believes every record available on this issue needs to be provided to Court at a minimum, and the alleged victim's mental health has to be determined, so defense may be able to properly impeach the victim witness. Mr. Drummond further argued State had this information in their possession, no one has looked at it, and defense does not see how further representations can be made. Mr. Smith argued as to legal 2000 procedure, and allegations. Discussions.

Mr. Smith advised he will check again to see if there is a file on the legal 2000. Court stated Family Court may have the records. Court reviewed documents provided by Mr. Drummond in open Court. Mr. Drummond advised no additional court documents defense received were attached, due to the information being protected. Further discussions. Mr. Drummond advised the related documents are not from public proceedings, he has no access to the information either; however, defense can supplement if the Court needs more. Court stated the documents provided by defense counsel today does not show anything regarding competency status and it appears no further action may have been taken at Family Court. Mr. Smith argued these are mental health records, and defense counsel needs to show relevancy to their defense here, which State believes has not been done. Thereafter, Mr. Smith suggested a Court order be submitted. Defense agreed. COURT ORDERED, Mr. Drummond to submit an order granting his Motion for discovery, and to have the Family Court case information and records turned over to this Court for in-camera review.

#### DEFT. THAIRONYA POWE'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EVIDENCE

Court stated this is a motion for failure to gather. Ms. Morton argued as to photo of a firearm found at scene, and State's failure to preserve the firearm. Ms. Morton also argued there was a duty to have the firearm tested. Mr. Smith opposed the Motion; and argued the firearm is different than the description given by the alleged victim, there is nothing to test the firearm against, and there were no bullet fragments collected including no fragments taken from the victim's leg. Mr. Smith additionally argued State is saying there is no issue with this weapon, and State does not believe it was the firearm used. Further arguments by Ms. Morton regarding defense not conceding to what type of gun was allegedly used to shoot the victim. COURT ORDERED, Motion DENIED.

#### DEFT. THAIRONYA POWE'S MOTION TO SEVER

Ms. Morton argued in support of severing the case between Deft. and her father being Co-Deft. Ronny Powe. Counsel added State's opposition indicated Co-Deft. Ronny Powe did not make a statement about her client's whereabouts, which is inaccurate. Ms. Morton added in the voluntary statement, Co-Deft. had said her client did live at residence, which is significant; because if Thaironya Powe is saying she did not live there and was never there, this is mutually exclusive. Court stated defense has another witness who can testify to that, being the grandmother. Mr. Smith opposed the Motion; and argued there being no antagonistic defenses here, no Bruton issues, or no reason to sever this case. Ms. Morton argued Co-Deft. inculcates her client by saying she lived there. Court stated it does not mean her client carried out these set of events. Further arguments by Ms. Morton. Upon Court's inquiry, Mr. Drummond advised he will not add anything to this, further noting he may be making a Motion later, as he has not listened to all the recorded jail calls due to being in a three week trial in another case. Additionally, defense may have issues if State is going to introduce some of these calls; however, the issues will be addressed at a later time with exhibits. SO NOTED. COURT ORDERED, Motion to sever DENIED at this time.

#### CALENDAR CALL

Mr. Drummond confirmed to Court defense is not ready for trial; and requested a status check hearing be set in thirty days for records to be provided by Family Court Clerk's office to Court, and to see if Court will be releasing these records. Further, if the Court does release the records, defense may need more time to retain an expert. Court noted, State can submit the order on this and have the records provided for in-camera review. COURT ORDERED, Motion to continue trial date GRANTED; trial date VACATED AND RESET.

Mr. Smith requested defense counsel to provide a copy of any mental health records they had received, to the State. Mr. Drummond agreed to do so, and to also include Co-Deft's counsel on receiving copies.

#### DEFT. RONNY POWE'S MOTION FOR DISCOVERY

At request of Mr. Drummond, COURT ADDITIONALLY ORDERED, the pending Motion filed in Case C308371-1 being the discovery motion is VACATED, as the Court handled this Motion today.

#### CUSTODY (BOTH)

3/15/16 8:30 A.M. CALENDAR CALL (BOTH)

3/22/16 1:30 P.M. TRIAL BY JURY (BOTH)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 15, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**March 15, 2016      8:30 AM      All Pending Motions**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig W. | Attorney  |
|                 | POWE, RONNY        | Defendant |
|                 | Smith, Tyler       | Attorney  |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- CALENDAR CALL...PLAINTIFF'S NOTICE OF MOTION AND MOTION TO CONTINUE

Court provided courtesy copies of records to all parties in open Court. Court's Exhibits ADMITTED and ORDERED SEALED. Mr. Smith noted defense also needed time to go through records. COURT ORDERED, State's motion to continue trial date GRANTED; trial date VACATED AND RESET. Discussions as to Court's general trial start time during the week.

CUSTODY

5/31/16 8:30 A.M. CALENDAR CALL

6/07/16 1:30 P.M. TRIAL BY JURY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 31, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

---

**May 31, 2016      8:30 AM      Calendar Call**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig | Attorney  |
|                 | POWE, RONNY     | Defendant |
|                 | Smith, Tyler    | Attorney  |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- Attorney Nadine Morton, Esq. is present on behalf of Co-Def. Thaironya Powe; and advised defense's gun expert is unable to travel in June, 2016, due to medical issues; and requested trial be reset in October, 2016. Mr. Drummond joined on the Motion, due to the expert being a joint expert for both Defts. Mr. Smith made no objection; and requested a firm setting. COURT ORDERED, Motion to continue trial date GRANTED; the June 9, 2016 hearing on the Motion is VACATED; trial date VACATED AND RESET. Court provided the weekly trial start times to parties.

**CUSTODY**

10/04/16 8:30 A.M. CALENDAR CALL

10/11/16 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 04, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**October 04, 2016      8:30 AM      Calendar Call**

**HEARD BY:** Leavitt, Michelle

**COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig | Attorney  |
|                 | POWE, RONNY     | Defendant |
|                 | Smith, Tyler    | Attorney  |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- Court TRAILED and RECALLED matter for Mr. Drummond to appear. Mr. Smith advised State will be objecting to defense asking for a trial continuance, further noting discovery and evidence were turned over to defense, and State is ready to go to trial. Additionally, an offer was made to Deft, and it was rejected. Mr. Drummond advised the offer was made, which was different than what parties had originally, Deft. declined, and now he is requesting a continuance. Discussions as to previous posture of the case, joint expert having communicated more with Co-Deft's attorney Nadine Morton, Esq. about both matters, Co-Deft. having accepted a plea deal, the Guilty Plea Agreement in Co-Deft's case, and current change of posture having occurred in this case. Mr. Drummond added he is going to speak with the expert, and defense will request a trial continuance due to change of posture in this matter, further adding defense needs more time to prepare for trial. Court asked how much time is needed. Mr. Drummond advised he can be ready in thirty days, but he has other trials set, including a federal matter. Counsel added the expert may be testifying on some of the issues in this case, however, Co-Deft. has now pled this morning, Ms. Morton and himself had split the duties while

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preparing on this case, and now he will be meeting and speaking with the expert more about this case. Mr. Smith argued the underlying facts of this case have not changed, the offer was lower for the Co-Deft, and State is ready. Further objections were made regarding delay. COURT ORDERED, it will grant a short continuance. Court NOTED for the record this is the fifth continuance, and this matter either needs to get resolved, or go forward with trial. FURTHER, trial date VACATED AND RESET. Mr. Drummond advised defense will be ready to go on this new trial setting.

CUSTODY

12/20/16 8:30 A.M. CALENDAR CALL

1/03/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 08, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**December 08, 2016      8:30 AM      Motion**

**HEARD BY:**   Leavitt, Michelle

**COURTROOM:**   RJC Courtroom 14D

**COURT CLERK:**   Susan Jovanovich

**RECORDER:**   Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig | Attorney  |
|                 | POWE, RONNY     | Defendant |
|                 | Smith, Tyler    | Attorney  |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- Court advised Deft. it reviewed the pleadings; and asked if he believes his attorney will not file a motion to set him free. Deft. read a letter to the Court; and Court advised Deft. he is not able to tell the Court what the motion is. Deft. stated the Court keeps interrupting him every time he can speak. Court told Deft. to go ahead, and stated he cannot answer the Court's question. Deft. stated he asked for a Brady motion. Mr. Drummond advised he litigated a Brady issue back in December, 2015, and records were ordered to Chambers for inspection. Court confirmed this was done. Mr. Drummond stated if Deft. wants to fire him, he does not care, and everything was provided to Deft. as to discovery. Deft. claimed after the fact. Upon Court's inquiry, Mr. Drummond confirmed he also did a file review with State, and he has no issues with discovery here. Deft. stated he did not get everything, and he needs all materials and evidence to help him do his homework to beat the case, further noting he filed his motion in November, and just received a piece of information last Saturday. Court reminded Deft. his attorney is giving him copies of the discovery. Deft. interrupted the Court; and stated he was not finished speaking. Court stated it is finished; and told Deft. he can

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stop talking. Mr. Drummond provided history of the case including Mr. Tomsheck and Department 3 proceedings. Deft. stated his attorney just explained to him about his case five minutes ago, and he has lack of trust for him. Court advised Deft. things can be explained to him if he just asks. Deft. argued his life is at stake, Mr. Drummond is ineffective, and he would not be here if there are concerns. Mr. Smith advised he has had two file reviews with defense, and State has made sure Mr. Drummond received everything State had, further noting additional copies were made, and defense has every single of piece of everything. Deft. stated he does not have it and he needs every document or evidence. Mr. Drummond clarified he has been providing everything to Deft, and Deft. did receive an entire copy of discovery of everything that there is. Additionally, the case file is not that big. Court advised Deft. it does not know what else he wants his attorney to do. Deft. stated there has been a complete collapse of the attorney client relationship. COURT ORDERED, Motion DENIED. State to prepare order.

#### CUSTODY

12/20/16 8:30 A.M. CALENDAR CALL

1/03/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 20, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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

**HEARD BY:** Leavitt, Michelle

**COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Jovanovich

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Drummond, Craig | Attorney  |
|                 | POWE, RONNY     | Defendant |
|                 | Smith, Tyler    | Attorney  |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- Parties announced ready. Mr. Smith estimated 4-5 days for trial. Court TRAILED case to handle remaining Calendar Calls. MATTER RECALLED. COURT ORDERED, trial date SET. Mr. Drummond advised an offer was extended, and against his recommendation, Deft. is not inclined to take it, further noting defense made a counter offer, and State will not accept it. Upon Court's inquiry, Mr. Smith confirmed State will leave the offer open for 24 hours. Court canvassed Deft. on State's decision to leave the offer open for 24 hours; and advised Deft. if he decides to take the offer within 24 hours, Court will set this matter on calendar, and if he does not accept the offer, State will revoke it. Deft. acknowledged that he understood.

**CUSTODY**

1/03/17 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 22, 2016**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

---

**December 22, 2016      8:30 AM      Entry of Plea**

**HEARD BY:**   Leavitt, Michelle

**COURTROOM:**   RJC Courtroom 14D

**COURT CLERK:**   Susan Jovanovich

**RECORDER:**   Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                    |           |
|-----------------|--------------------|-----------|
| <b>PRESENT:</b> | Holper, Scott      | Attorney  |
|                 | Luong, Vivian      | Attorney  |
|                 | Nelson III, Roy L. | Attorney  |
|                 | POWE, RONNY        | Defendant |
|                 | Rogan, Jeffrey     | Attorney  |
|                 | Smith, Tyler       | Attorney  |
|                 | State of Nevada    | Plaintiff |

**JOURNAL ENTRIES**

- Mr. Nelson not present. Mr. Holper appeared for Mr. Drummond on behalf of Deft; and requested Court to trail the case. Court TRAILED and RECALLED matter. Mr. Holper not present. Mr. Nelson advised Mr. Drummond is out of the jurisdiction, further noting this matter has resolved, and he went over the agreement with Deft, and is not attorney of record. SO NOTED. Amended Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. RONNY POWE ARRAIGNED AND PLED GUILTY TO FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P); and SET for sentencing; trial date VACATED.

**C-15-308371-1**

CUSTODY

2/14/17 8:30 A.M. SENTENCING



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 14, 2017**

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C-15-308371-1      State of Nevada  
                                 vs  
                                 RONNY POWE

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**February 14, 2017      8:30 AM      Sentencing**

**HEARD BY:**   Leavitt, Michelle

**COURTROOM:**   RJC Courtroom 14D

**COURT CLERK:**   Susan Jovanovich

**RECORDER:**   Kristine Santi

**REPORTER:**

**PARTIES**

|                 |                 |           |
|-----------------|-----------------|-----------|
| <b>PRESENT:</b> | Clowers, Shanon | Attorney  |
|                 | Drummond, Craig | Attorney  |
|                 | POWE, RONNY     | Defendant |
|                 | State of Nevada | Plaintiff |

**JOURNAL ENTRIES**

- DEFT. RONNY POWE ADJUDGED GUILTY of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Matter submitted. Statements by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to LIFE WITH A POSSIBILITY OF PAROLE after a MINIMUM of FIVE (5) YEARS is served in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE TERM of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS in the Nevada Department of Corrections (NDC), for use of deadly weapon, with SIX HUNDRED NINE (609) DAYS CREDIT FOR TIME SERVED. TOTAL AGGREGATE SENTENCE is a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC). BOND, if any, EXONERATED.

NDC

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Calendar call

| Date Offered | Objection | Date Admitted |
|--------------|-----------|---------------|
|--------------|-----------|---------------|

Court's Exhibit

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

RONNY D. POWE #1173457  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

DATE: April 14, 2017  
CASE: C-15-308371-1

RE CASE: STATE OF NEVADA vs. RONNY POWE aka RONNY DARROW POWE

NOTICE OF APPEAL FILED: April 13, 2017

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement  
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBIT LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

RONNY POWE aka RONNY DARROW  
POWE,

Defendant(s).

Case No: C-15-308371-1

Dept No: XII

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 14 day of April 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk