

CLERK OF THE COURT

MICHAEL H. SCHWARZ, ESQ.
Nevada Bar No. 5126
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Las Vegas, NV 89101
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Electronically Filed
Apr 20 2017 03:19 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA)	CASE NO: C-13-293296-2
Plaintiff,)	
)	
vs.)	DEPT. NO.: 11
)	
DARION MUHAMMAD-COLEMAN)	
1144228)	
Defendant.)	

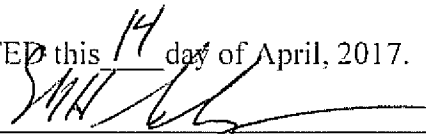
NOTICE OF APPEAL

TO: THE STATE OF NEVADA, Plaintiff,

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff; and

DARION MUHAMMAD- COLEMAN by and through his attorney, MICHAEL H. SCHWARZ, ESQ., hereby appeals to the Supreme Court of Nevada from the Judgment of Conviction (Jury Trial) entered in this action on the 29th day of March, 2017.

DATED this 14 day of April, 2017.



MICHAEL H. SCHWARZ, ESQ.
Nevada Bar No. 5126
630 South 7th Street
Las Vegas, Nevada 89101
702-598-3909
Attorney for Defendant
Darion Muhammad-Coleman

1
2 CERTIFICATE OF MAILING

3 I, the undersigned, hereby acknowledge that on the 14 day of April, 2017
4 that I personally deposited the above and foregoing NOTICE OF APPEAL in a postage prepaid
5 envelope, in the United States Mail and by electronic service.

6 Steven B. Wolfson
7 Clark County District Attorney
8 200 E. Lewis, 3rd Floor
9 Las Vegas, Nevada 89101
10 motions@clarkcountynvda.com

Darion Muhammad-Coleman #1144228
HDSP
P.O. Box 650
Indian Springs, Nevada 89070

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Michael H. Schwarz
Michael H. Schwarz, Esq.

DEPARTMENT 3
CASE SUMMARY
CASE NO. C-13-293296-2

State of Nevada
vs
Darion Muhammad-Coleman

§
§
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§

Location: **Department 3**
Judicial Officer: **Herndon, Douglas W.**
Filed on: **10/11/2013**
Case Number History:
Cross-Reference Case Number: **C293296**
Defendant's Scope ID #: **2880725**
Grand Jury Case Number: **12BGJ159**
ITAG Case ID: **1843246**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT ROBBERY	F	04/19/2013		
2. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON	F	04/19/2013	Case Flags:	Appealed to Supreme Court Custody Status - Nevada Department of Corrections Charge Description Updated
3. MURDER WITH USE OF A DEADLY WEAPON	F	04/19/2013		
4. BATTERY WITH USE OF A DEADLY WEAPON	F	04/19/2013		
5. ASSAULT WITH A DEADLY WEAPON	F	04/19/2013		
6. CONSPIRACY TO VIOLATE UNIFORM CONTROLLED SUBSTANCES ACT	F	04/19/2013		
7. ATTEMPT TO POSSESS CONTROLLED SUBSTANCE	F-GM	04/19/2013		

Related Cases

C-13-293296-1 (Multi-Defendant Case)

Statistical Closures

03/29/2017 Jury Trial - Conviction - Criminal

Warrants

Indictment Warrant - Muhammad-Coleman, Darion (Judicial Officer: Bell, Linda Marie)
11/04/2013 9:00 AM Returned - Served
10/11/2013 11:45 AM Active
Hold Without Bond

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-13-293296-2
Court	Department 3
Date Assigned	01/04/2017
Judicial Officer	Herndon, Douglas W.

PARTY INFORMATION

Defendant **Muhammad-Coleman, Darion**

Lead Attorneys
Schwarz, Michael H
Retained
702-598-3909(W)


Plaintiff **State of Nevada**

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

DATE

EVENTS & ORDERS OF THE COURT
















INDEX

10/11/2013  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Bell, Linda Marie)

10/11/2013  Indictment

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Indictment

10/11/2013	 Warrant <i>Indictment Warrant</i>
10/15/2013	 Indictment Warrant Return
10/17/2013	 Media Request and Order <i>Media Request And Order Allowing Camera To Court Proceedings</i>
10/18/2013	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Smith, Douglas E.)
10/24/2013	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings Volume 1 September 19, 2013</i>
10/24/2013	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings- Volume 2 - September 26, 2013</i>
10/24/2013	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings - Volume 3 -October 10, 2013</i>
11/04/2013	 Consent <i>Consent to Service by Electronic Means</i>
11/04/2013	CANCELED Initial Arraignment (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
11/04/2013	 Indictment Warrant Return (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/08/2013	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Sturman, Gloria)
11/18/2013	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Initial Arraignment</i>
11/26/2013	 Petition <i>Petition for Pre-Trial Writ of Habeas Corpus</i>
12/09/2013	 Order <i>Order</i>
01/08/2014	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Petition for Pre-Trial Writ of Habeas Corpus</i>
02/05/2014	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 02/05/2014, 02/19/2014, 04/02/2014 <i>Defendant's Petition for Pre-Trial Writ of Habeas Corpus [cont'd fr. 1/8/14]</i>
02/19/2014	 Order <i>Order for Transportation to Court</i>
03/03/2014	CANCELED Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>












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Status Check: Trial Readiness















03/05/2014	 Order <i>Order for Transcript</i>
03/05/2014	 Motion for Discovery <i>Motion for Disclosure of Evidence</i>
03/05/2014	 Motion in Limine <i>Motion in Limine to Admit Prior Bad Acts and Prison Records of Co-Defendant Bleak and Deceased at the Time of Trial</i>
03/06/2014	 Notice <i>Notice of Hearing of Motion for Disclosure of Evidence</i>
03/11/2014	 Opposition <i>State's Opposition to Defendant Muhammad-Coleman's "Motion to Admit Prior Bad Acts and Prison Records of Co-Defendant Bleak and Deceased at the Time of Trial"</i>
03/11/2014	 Response <i>State's Response to Defendant's Motion for Disclosure of Evidence and Countermotion for Production of Material Discoverable Pursuant to NRS 174.245</i>
03/13/2014	 Reporters Transcript <i>Transcript of Proceedings: Sentencing as to Defendant Dustin Bleak; Trial Setting as to Defendant Darion Muhammad-Coleman</i>
03/18/2014	 Return <i>Return to Writ of Habeas Corpus</i>
03/24/2014	 Reply to Opposition <i>Reply to State's Response to Defendant's Motion for Disclosure of Evidence and Countermotion for Production of Material Discoverable Pursuant to NRS 174.245</i>
04/02/2014	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
04/02/2014	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion in Limine to Admit Prior Bad Acts and Prison Records of Co-Defendant Bleak and Deceased at the Time of Trial</i>
04/02/2014	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion for Disclosure of Evidence</i>
04/02/2014	Countermotion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Reply to State's Response to Defendant's Motion for Disclosure of Evidence and Countermotion for Production of Material Discoverable Pursuant to NRS 174.245</i>
04/02/2014	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
04/07/2014	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
04/17/2014	 Motion <i>Motion Seeking Dismissal of Court-Appointed Attorney due to Irreconcilable Conflict Between</i>

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Petitioner and Attorney Resulting in Denial of Counsel: NRS 7.055 and 7.40 Etseq.

04/22/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
04/22/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
04/22/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
04/23/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
05/06/2014	 Order Granting <i>Order Granting Motion for Juvenile Guardianship Records of Defendant</i>
05/12/2014	Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i>
05/12/2014	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion Seeking Dismissal of Court-Appointed Attorney due to Irreconcilable Conflict Between Petitioner and Attorney Resulting in Denial of Counsel: NRS 7.055 and 7.40 Etseq.</i>
05/12/2014	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
06/11/2014	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
06/16/2014	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
08/28/2014	 Motion to Dismiss <i>Motion to Dismiss Counsel Appoint Alternative Counsel</i>
08/29/2014	 Order <i>Order Granting Motion for Delinquency and Juvenile Guardianship Records of Defendant</i>
09/22/2014	 Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Pro Per Motion to Dismiss Counsel Appoint Alternative Counsel</i>
09/26/2014	 Motion to Admit Evidence <i>Motion to Admit Evidence of the Deceased's Violent Propensity</i>
09/26/2014	 Motion in Limine <i>Motion in Limine to Bar Improper Prosecutorial Argument</i>
09/26/2014	 Motion in Limine <i>Motion in Limine to Preclude References to the Deceased as the "Victim"</i>
09/26/2014	 Motion to Exclude <i>Motion to Exclude Other Bad Acts, Character Evidence, and Irrelevant Prior Criminal Activity</i>









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09/26/2014	 Motion <i>Motion to Federalize All Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Case</i>
09/26/2014	 Motion in Limine <i>Motion in Limine to Preclude Admission of Photographs</i>
09/26/2014	 Motion <i>Motion to Allow Jury Questionnaire</i>
09/30/2014	 Notice <i>Notice of Change of Hearings</i>
10/06/2014	 Status Check (9:00 AM) (Judicial Officer: Togliatti, Jennifer) 10/06/2014, 10/20/2014 <i>Status Check: Trial Readiness</i>
10/17/2014	 Minute Order (8:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Minute Order: In Camera Review of DCFS Records Related to Deft</i>
10/20/2014	Motion (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Defendant's Motion to Allow Jury Questionnaire</i>
10/20/2014	 All Pending Motions (9:00 AM) (Judicial Officer: Togliatti, Jennifer)
10/23/2014	 Motion <i>Motion Seeking Dismissal</i>
10/23/2014	 Minute Order (4:30 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Minute Order: In Camera Review of LVMPD Records</i>
10/30/2014	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
11/05/2014	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Vacated - per Judge</i>
11/10/2014	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
11/17/2014	 Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Pro Per Motion Seeking Dismissal</i>
11/19/2014	 Motion <i>Motion to Withdraw as Counsel and Motion to Appoint New Counsel</i>
12/01/2014	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Special Public Defender's Motion to Withdraw as Counsel and Motion to Appoint New Counsel</i>
12/08/2014	 Receipt of Copy <i>Receipt of Copy</i>











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01/02/2015	 Response <i>State's Response to Defendant's Motion In Limine to Bar Improper Prosecutorial Argument</i>
01/02/2015	 Opposition <i>State's Opposition to Defendant's Motion In Limine to Preclude Admission of Photographs</i>
01/02/2015	 Opposition <i>State's Opposition to Defendant's Motion to Admit Evidence of the Deceased's Violent Propensity</i>
01/02/2015	 Response <i>State's Response to Defendant's Motion to Exclude Other Bad Acts, Character Evidence, and Irrelevant Prior Criminal Activity</i>
01/02/2015	 Opposition <i>State's Opposition to Defendant's Motion to Federalize All Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Case</i>
01/02/2015	 Opposition <i>State's Opposition to Defendant's Motion In Limine to Preclude References to the Deceased as the "Victim"</i>
01/05/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion in Limine to Bar Improper Prosecutorial Argument</i>
01/05/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion in Limine to Preclude References to the Deceased as the "Victim"</i>
01/05/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion in Limine to Preclude Admission of Photographs</i>
01/05/2015	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion to Admit Evidence of the Deceased's Violent Propensity</i>
01/05/2015	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion to Exclude Other Bad Acts, Character Evidence, and Irrelevant Prior Criminal Activity</i>
01/05/2015	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015 <i>Defendant's Motion to Federalize All Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Case</i>
01/05/2015	Status Check: Reset Trial Date (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 01/05/2015, 01/21/2015, 02/18/2015
01/05/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
01/21/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
01/23/2015	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.)















DEPARTMENT 3
CASE SUMMARY
CASE NO. C-13-293296-2

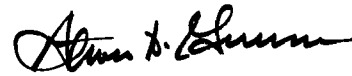
01/23/2015	CANCELED Further Proceedings: Competency (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated - On in Error</i>
02/13/2015	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Barker, David)
02/18/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
02/27/2015	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Barker, David)
03/20/2015	 Challenge Hearing (Competency Court) (9:00 AM) (Judicial Officer: Becker, Nancy) 03/20/2015, 03/27/2015
04/06/2015	 Further Proceedings (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 04/06/2015, 04/13/2015 <i>Further Proceedings: Return From Competency Court</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion in Limine to Preclude Admission of Photographs</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion in Limine to Bar Improper Prosecutorial Argument</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion in Limine to Preclude References to the Deceased as the "Victim"</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion to Admit Evidence of the Deceased's Violent Propensity</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion to Exclude Other Bad Acts, Character Evidence, and Irrelevant Prior Criminal Activity</i>
07/20/2015	Motion in Limine (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 07/20/2015, 07/27/2015 <i>Defendant's Motion to Federalize All Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Case</i>
07/20/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
07/27/2015	Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i>
07/27/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
08/11/2015	 Order for Production of Inmate <i>Order for Production of Inmates</i>
08/26/2015	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>

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CASE SUMMARY
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08/31/2015	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
11/05/2015	 Minute Order (3:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Minute Order Resetting Status Check on Trial Readiness</i>
12/09/2015	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i>
01/06/2016	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
01/11/2016	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
02/09/2016	 Motion <i>Defendant's Pro Per Motion to Withdraw Counsel and for a Faretta Canvass</i>
03/02/2016	Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 03/02/2016, 03/09/2016 <i>Status Check: Trial Readiness</i>
03/02/2016	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 03/02/2016, 03/09/2016 <i>Defendant's Pro Per Motion to Withdraw Counsel and for a Faretta Canvass</i>
03/02/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/09/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/30/2016	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
04/04/2016	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
11/28/2016	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i>
12/19/2016	 Motion to Continue <i>Motion to Continue Trial</i>
12/19/2016	 Ex Parte Motion <i>Ex Parte Motion for An Order Shortening Time</i>
12/28/2016	Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
12/28/2016	Motion to Continue Trial (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion to Continue Trial Date</i>
12/28/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
12/29/2016	 Supplemental Witness List <i>State's Supplemental Notice of Witnesses(NRS 174.234(1)(a))</i>

DEPARTMENT 3
CASE SUMMARY
CASE NO. C-13-293296-2

01/02/2017	Case Reassigned to Department 1 <i>Case reassigned from Judge Elizabeth Gonzalez Dept 11</i>
01/03/2017	 Order for Production of Inmate <i>Order for Production of Inmate</i>
01/03/2017	 Order for Production of Inmate <i>Order for Production of Inmate</i>
01/03/2017	 Jury Trial (1:30 PM) (Judicial Officer: Herndon, Douglas W.) 01/03/2017-01/06/2017, 01/09/2017-01/11/2017
01/03/2017	 Amended Indictment <i>Amended Indictment</i>
01/04/2017	 Minute Order (3:00 AM) (Judicial Officer: Herndon, Douglas W.)
01/04/2017	 Stipulation and Order
01/05/2017	 Jury List
01/10/2017	 Amended Jury List
01/10/2017	 Instructions to the Jury
01/11/2017	 Verdict
01/11/2017	Disposition (Judicial Officer: Herndon, Douglas W.) 1. CONSPIRACY TO COMMIT ROBBERY Not Guilty PCN: Sequence: 2. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 5. ASSAULT WITH A DEADLY WEAPON Not Guilty PCN: Sequence:
02/14/2017	 PSI
03/02/2017	 Sentencing (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 03/02/2017, 03/28/2017 <i>Sentencing</i>
03/29/2017	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
04/14/2017	 Notice of Appeal (criminal) <i>Notice of Appeal</i>



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARION MUHAMMAD-COLEMAN,
#2880725
Aka Darion Muhammadcoleman

Defendant.

CASE NO. C293296-2

DEPT. NO. III

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony – NRS 200.380, 199.480); COUNT 2 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony – NRS 200.380, 193.330, 193.165); COUNT 3 – MURDER WITH USE OF A DEADLY WEAPON (Category A Felony – NRS 200.010, 200.030, 193.165); COUNT 4 – BATTERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.481); COUNT 5 – ASSAULT WITH A DEADLY WEAPON (Category B Felony – NRS 200.471); COUNT 6 – CONSPIRACY TO VIOLATE UNIFORM CONTROLLED SUBSTANCES ACT (Category C Felony – NRS 453.401) and COUNT 7 – ATTEMPT TO POSSESS CONTROLLED SUBSTANCE (Category E Felony/Gross Misdemeanor - NRS 453.336, 193.330); and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT 3 – MURDER WITH USE

Jury Trial
☐ Dismissed (during trial)
☐ Acquittal
☐ Guilty Plea with Sent. (during trial)
☒ Conviction

1 OF A DEADLY WEAPON (Category A Felony – NRS 200.010, 200.030, 193.165);
2 COUNT 4 – BATTERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS
3 200.481); COUNT 6 – CONSPIRACY TO VIOLATE UNIFORM CONTROLLED
4 SUBSTANCES ACT (Category C Felony – NRS 453.401) and COUNT 7 – ATTEMPT
5 TO POSSESS CONTROLLED SUBSTANCE (Category E Felony/Gross Misdemeanor -
6 - NRS 453.336, 193.330); thereafter, on the 28th day of March, 2017, the Defendant was
7 present in court for sentencing with his counsel MICHAEL H. SCHWARZ, Esq., and
8 good cause appearing,

9 THE DEFENDANT IS HEREBY ADJUDGED guilty of said crime as set forth in
10 the jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee, \$150.00
11 DNA Analysis Fee; \$750.00 Indigent Defense Civil Assessment Fee, and a \$250.00
12 Fine, the Defendant is SENTENCED as follows:

13 COUNT 3 - TO LIFE with a MINIMUM parole eligibility of TWO HUNDRED
14 FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a
15 CONSECUTIVE sentence of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of
16 TWO HUNDRED AND FORTY (240) MONTHS for the Deadly Weapon Enhancement,
17 for a total AGGREGATE sentence of LIFE with the possibility of parole after a
18 MINIMUM of THREE HUNDRED (300) MONTHS has been served;

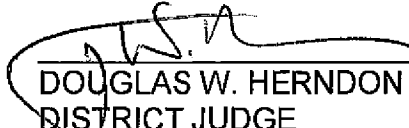
19 COUNT 4 – a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of
20 ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections
21 (NDC), CONCURRENT with COUNT 3;

22 COUNT 6 – a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of
23 SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT
24 with COUNT 3; and

25 COUNT 7 – Defendant is adjudicated guilty of the **Felony** and is sentence to a
26 MINIMUM of NINETEEN (19) MONTHS and a MAXIMUM of FORTY-EIGHT (48)
27 MONTHS in the Nevada Department of Corrections (NDC) to run CONCURRENT with
28 COUNT 3, and CONSECUTIVE to Case C299066.

1 IT IS FURTHER ORDERED that the Defendant shall receive SEVEN HUNDRED
2 TWENTY (720) DAYS credit for time served.

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4 DATED this 29th day of March, 2017.

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8 DOUGLAS W. HERNDON
9 DISTRICT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2013

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

October 11, 2013 11:45 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Clowers, Shanon Attorney
 Song, Caroline Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Edward Golec, Deputy Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 12BGJ159B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-13-293296-2, Department 11. Ms. Bateman requested and argued for a no bail bench warrant. COURT SO ORDERED; Exhibits 1-38 lodged with the Clerk of District Court. COURT FURTHER ORDERED, Justice Court case 13F06746X DISMISSED; matter SET for Arraignment.

WARRANT (CUSTODY)

11-4-13 9:00 AM INITIAL ARRAIGNMENT (DEPT. 11)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 18, 2013

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**October 18, 2013 9:30 AM Further Proceedings:
Competency**

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Muhammad-Coleman, Darion	Defendant
	Pace, Barter G	Attorney
	Pike, Randall H.	Attorney
	State of Nevada	Plaintiff
	Storms, William J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Mr. Pike advised the Deft. had been referred for a third evaluation and the parties had agreed on a return date for November 18th. Further advised he had filed a written objection to a media request noting HIPAA protections and confidential information. COURT NOTED it would allow Judge Bell to decide whether to approve the media request noting media requests had been previously signed by two different judges and ORDERED, matter CONTINUED.

CUSTODY (COC)

CONTINUED TO: 11-8-13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 04, 2013

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

November 04, 2013 9:00 AM Indictment Warrant Return

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Pike, Randall H. Attorney
 Song, Caroline Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Co-Deft Dusin Bleak, present in custody, represented by Lizzie Hatcher, Esq.

Ms. Hatcher advised she is substituting in as counsel for co-Deft Bleak. COURT SO ORDERED. Mr. Pike advised his client is currently in Competency Court with a hearing set for Friday, November 8th, and requested the instant matter be continued to the following Wednesday. Ms. Hatcher joined in the request for a continuance. COURT ORDERED, matters CONTINUED to Monday, November 18th. At Mr. Pike's request, COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs. State reserves their right. Court stated it will deal with any procedural issues raised. Upon inquiry of Ms. Hatcher, Mr. Pike confirmed the Grand Jury Transcript is available on Odyssey.

CUSTODY (COC)

11-18-13 9:00 AM STATUS CHECK: INITIAL ARRAIGNMENT

11/18/2013 9:00 am STATUS CHECK: Initial Arraignment (Dept. 11)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 18, 2013

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

November 18, 2013 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
 Melissa Murphy

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Muhammad-Coleman, Darion	Defendant
	Song, Caroline	Attorney
	State of Nevada	Plaintiff
	Storms, William J.	Attorney

JOURNAL ENTRIES

- Co-Deft Bleak, present with counsel, Lizzie Hatcher, Esq.

Mr. Storms noted Deft. Muhammad-Coleman is ready to move forward and enter a plea of not guilty. Ms. Hatcher also noted Deft. Bleak is ready to proceed. DEFT. BLEAK ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Colloquy regarding filing of writ. COURT ORDERED, counsel has 21 days from November 8, 2013; matter set for trial.

CUSTODY (COC)

03/03/14 9:00 A.M. STATUS CHECK: TRIAL READINESS

04/02/14 9:00 A.M. CALENDAR CALL

04/07/14 1:00 P.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 08, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**January 08, 2014 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Song, Caroline Attorney
 State of Nevada Plaintiff
 Storms, William J. Attorney

JOURNAL ENTRIES

- Mr. Storms advised they are waiting for State's reply; however, no reply will be done as parties are negotiating; the first week of February is requested. Ms. Bateman concurred. COURT ORDERED, matter CONTINUED.

CUSTODY (COC)

...CONTINUED TO: 2-5-14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**February 05, 2014 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Pike, Randall H. Attorney
 Song, Caroline Attorney
 State of Nevada Plaintiff
 Storms, William J. Attorney

JOURNAL ENTRIES

- Also present: Co-Deft Dustin Bleak, represented by Lizzie Hatcher, Esq.

In response to Ms. Hatcher's request for a two-week continuance, Mr. Storms advised the offer conveyed to co-Deft Bleak is wired to both parties and requested the same continuance for his client. COURT SO ORDERED. Writ will be addressed at that time if matter is not negotiated.

NIC (COC-NDC)

2-19-14 9:00 AM DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS
3-3-14 9:00 AM STATUS CHECK: TRIAL READINESS
4-2-14 9:00 AM CALENDAR CALL

4-7-14 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**February 19, 2014 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Tia Everett

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Burns, J Patrick	Attorney
	Muhammad-Coleman, Darion	Defendant
	Pike, Randall H.	Attorney
	Song, Caroline	Attorney
	State of Nevada	Plaintiff
	Storms, William J.	Attorney

JOURNAL ENTRIES

- Deputy District Attorney Brett Keeler, Co-Deft Bleak represented by Attorney Lizzie Hatcher, and Deputy Special Public Defender Randall Pike, present for the 9:00 AM session.

Deft Muhammad-Coleman not present. The Corrections Officer advised Mr. Muhammad-Coleman refused transport. At counsel's request, COURT ORDERED, matter TRAILED to 1:00 PM for Deft's presence. ORDER FOR TRANSPORTATION TO COURT FILED IN OPEN COURT.

Proceedings resumed, with both Defts. Deputy District Attorneys J. Patrick Burns and Caroline Bateman, Co-Deft Bleak represented by Attorney Lizzie Hatcher, Deputy Special Public Defenders Randall Pike and Jeremy Storms, present for the 1:00 PM session.

Co-Deft Bleak entered a plea. As to Deft Muhammad-Coleman, Mr. Pike advised the State made an offer and today was the drop-dead date; however, Deft does not wish to accept the offer and they are prepared to go to trial. Upon inquiry of the Court, Deft stated he had no questions to ask of counsel. Mr. Burns noted for the record the offer was for Deft to plead guilty to a second degree murder with use of a deadly weapon; parties would agree to an aggregate sentence of 11 to 35 years in NDOC, and State would agree not to file under Event Nos. 130314 - 4076 and 130314 - 4402; discovery has been provided and Deft understands the State is now free to pursue those event numbers as well as go forward in the instant case. Court inquired as to any motion practice prior to trial. Mr. Pike requested a status check in two weeks. Mr. Burns advised the State needs to file a return to the writ. COURT ORDERED, writ filed on November 26, 2013 RESET for hearing on April 2, 2014. Mr. Pike requested a continuance of trial. Mr. Burns advised there will be fingerprinting and DNA. There being no objection by the Defense, COURT ORDERED, trial VACATED and RESET on June 16, 2014.

CUSTODY

4-2-14	9:00 AM	DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS
5-12-14	9:00 AM	STATUS CHECK: TRIAL READINESS
6-11-14	9:00 AM	CALENDAR CALL
6-16-14	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 02, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

April 02, 2014 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
 Andrea Natali

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Burns, J Patrick Attorney
 Muhammad-Coleman, Darion Defendant
 Pike, Randall H. Attorney
 State of Nevada Plaintiff
 Storms, William J. Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION IN LIMINE TO ADMIT PRIOR BAD ACTS AND PRISON RECORDS OF CO-DEFENDANT BLEAK AND DECEASED AT THE TIME OF TRIAL...
...DEFENDANT'S MOTION FOR DISCLOSURE OF EVIDENCE...
...DEFENDANT'S REPLY TO STATE'S RESPONSE TO DEFENDANT'S MOTION FOR DISCLOSURE OF EVIDENCE AND COUNTERMOTION FOR PRODUCTION OF MATERIAL DISCOVERABLE PURSUANT TO NRS 174.245...
...DEFENDANT'S PETITION FOR PRE-TRIAL WRIT OF HABEAS CORPUS

DEFENDANT'S PETITION FOR PRE-TRIAL WRIT OF HABEAS CORPUS: Arguments by counsel regarding the video surveillance. COURT ORDERED, petition DENIED; the video surveillance satisfies the corroboration necessary and more than satisfies the standard of slightly marginal evidence.

DEFENDANT'S MOTION IN LIMINE TO ADMIT PRIOR BAD ACTS AND PRISON RECORDS OF CO-DEFENDANT BLEAK AND DECEASED AT THE TIME OF TRIAL: Arguments by counsel regarding establishing the relationship between deceased and co-Deft. COURT ORDERED, motion GRANTED.

DEFENDANT'S MOTION FOR DISCLOSURE OF EVIDENCE: Mr. Storms advised State agrees to most of the requests and only disagrees as to specifics under Roberts v. State; argued request no. 4 - confidential informant - and no. 5 - Family Services information as relevant to the penalty phase. Court notes an in camera review will have to be done. As for the jail calls, Mr. Burns advised he does not know yet whether they are planning to use these. Court DIRECTED State notify everyone ahead of time. Additionally, counsel for Deft to SUBMIT an order on the CPS records. Court advised if there is an issue as to personnel files at Metro an in camera review will be done to determine whether the information is relevant. Mr. Burns stated he will be happy to run NCIC for people the Defense is talking about. Court stated Defense cannot see the NCIC but it is important for them to be informed by the State. As for State's countermotion for discovery, there is a reciprocal duty and Deft is ORDERED to comply.

CUSTODY

5-12-14	9:00 AM	STATUS CHECK: TRIAL READINESS
6-11-14	9:00 AM	CALENDAR CALL
6-16-14	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

May 12, 2014 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Pike, Randall H. Attorney
 Song, Caroline Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS...DEFENDANT'S MOTION SEEKING DISMISSAL OF COURT-APPOINTED ATTORNEY DUE TO IRRECONCILABLE CONFLICT BETWEEN PETITIONER AND ATTORNEY RESULTING IN DENIAL OF COUNSEL: NRS 7.055 AND 7.40 ETSEQ

DEFENDANT'S MOTION SEEKING DISMISSAL OF COURT-APPOINTED ATTORNEY DUE TO IRRECONCILABLE CONFLICT BETWEEN PETITIONER AND ATTORNEY RESULTING IN DENIAL OF COUNSEL: NRS 7.055 AND 7.40 ETSEQ: Court addressing Deft noted he is entitled to an attorney who is effective. COURT finds at this time it does not appear the Special Public Defender is ineffective, and ORDERED, motion DENIED.

STATUS CHECK: TRIAL READINESS: Mr. Pike advised they have been in contact with experts and with the State, and exchanging information as they receive it. At counsel's request, COURT ORDERED, trial VACATED and RESET on the second week of November. Counsel to submit orders for records if needed.

CUSTODY

10-6-14	9:00 AM	STATUS CHECK: TRIAL READINESS
11-5-14	9:00 AM	CALENDAR CALL
11-10-14	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 22, 2014**

C-13-293296-2

State of Nevada

vs

Darion Muhammad-Coleman

September 22, 2014**9:00 AM****Motion to Dismiss**

**Defendant's Pro Per
Motion to Dismiss
Counsel Appoint
Alternative Counsel**

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Andrea Natali

RECORDER: Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Benedict, Susan M	Attorney
	Muhammad-Coleman, Darion	Defendant
	Pike, Randall H.	Attorney
	Schieck, David Michael	Attorney
	State of Nevada	Plaintiff
	Storms, William J.	Attorney

JOURNAL ENTRIES

- Deft. present in custody. Mr. Schieck advised he had discussed the issues with the Deft. and the Deft. would be withdrawing his motion at this time. Upon Court's inquiry, Statement by Deft. regarding his legal representation; however, agreed to wait an additional month to see if he can work out his issues with his counsel. COURT ORDERED, motion OFF CALENDAR.

CUSTODY (CO)

10/6/14 9:00 AM - STATUS CHECK: TRIAL READINESS

11/5/14 9:00 AM - CALENDAR CALL

11/10/14 1:00 PM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

October 06, 2014 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Brett Keeler, Deputy District Attorney, present for the State of Nevada.
Defendant Muhammad - Coleman, present in custody, with Jeremy Storms and Randall Pike, Deputy
Public Defenders.

Mr. Storms requested the matter be continued to 10/20/14. COURT ORDERED, matter
CONTINUED.

CUSTODY (COC)

CONTINUED TO: 10/20/14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 17, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

October 17, 2014 8:00 AM Minute Order

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court has completed the review of the Division of Child and Family Services (DCFS) records related to Defendant. Those records are marked as Court's Exhibit 1 and SEALED due to the confidential nature of the documents. (See worksheet.) Two pages including certain apparently unrelated information to Defendant are ORDERED REDACTED. The version with the redacted pages to be provided to State and Defendant subject to a protective order limiting disclosure.

CUSTODY

10-20-14 9:00 AM DEFENDANT'S MOTION TO ALLOW JURY
QUESTIONNAIRE...STATUS CHECK: TRIAL READINESS

11-5-14 9:00 AM DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER
PROSECUTORIAL ARGUMENT...
...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE DECEASED AS
THE "VICTIM"...
... DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS...
...DEFENDANT'S MOTION TO ADMIT EVIDENCE OF THE DECEASED'S VIOLENT
PROPENSITY...

...DEFENDANT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND IRRELEVANT PRIOR CRIMINAL ACTIVITY...

...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE...

...CALENDAR CALL

11-10-14 1:00 PM JURY TRIAL

CLERK'S NOTE: A copy of the above minute order was distributed to the parties via electronic mail.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 20, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

October 20, 2014 9:00 AM All Pending Motions

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Caroline Bateman, Deputy District Attorney, present for the State of Nevada.
Defendant Muhammad - Coleman, present in custody, with Randall Pike and Jeremy Storms, Deputy
Public Defenders.

STATUS CHECK: TRIAL READINESS ... DEFENDANT'S MOTION TO ALLOW JURY
QUESTIONNAIRE

DEFENDANT'S MOTION TO ALLOW JURY QUESTIONNAIRE

COURT noted a questionnaire is not necessary and ORDERED, motion DENIED.

STATUS CHECK: TRIAL READINESS

COURT ORDERED, motion dates STAND. Mr. Pike advised there has been a change in prosecution
and requested the trial date be vacated. COURT ORDERED, oral motion to continue GRANTED;
trial date VACATED by stipulation and matter SET for Status Check.

CUSTODY (COC)

11/05/14 9:00 AM STATUS CHECK: RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 23, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

October 23, 2014 4:30 PM Minute Order

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court reviewed the information contained in the LVMPD records MARKED collectively as Court's Exhibit 1 (Sealed). All documents are to be produced to counsel in an unredacted form. Counsel will pick up a copy of Exhibit 1 from the Law Clerk and also sign an Acknowledgment upon receipt of the documents.

CUSTODY (COC)

11-5-14 9:00 AM DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER
PROSECUTORIAL ARGUMENT...
...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE DECEASED AS
THE "VICTIM"..
...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS..
...DEFENDANT'S MOTION TO ADMIT EVIDENCE OF THE DECEASED'S VIOLENT
PROPENSITY..
...DEFENDANT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND
IRRELEVANT PRIOR CRIMINAL ACTIVITY..
...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND
OTHER APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE...

...STATUS CHECK: RESET TRIAL DATE

11-17-14 9:00 AM MOTION SEEKING DISMISSAL

CLERK'S NOTE: A copy of the above minute order was distributed to the parties via electronic mail.
Exhibit 1 LODGED with the Vault. (See worksheet.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 17, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

November 17, 2014 9:00 AM Motion

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER: Robert Cangemi

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Hagar Trippiedi, Deputy District Attorney, present for the State of Nevada.
Defendant Muhammad - Coleman, present in custody, with Randall Pike and Jeremy Storms, Deputy
Public Defenders.

Mr. Pike requested a continuance, noting the District Attorney assigned to the case is not available
and that there were global negotiations at one point. Colloquy regarding the motions. COURT
ORDERED, matter CONTINUED. COURT FURTHER ORDERED, motion set for 11/19/14
VACATED and RESET. Statement by Defendant.

CUSTODY (COC)

CONTINUED TO: 12/17/14 9:00 AM

CLERK'S NOTE: After Court, this clerk was advised by the Dept. 11 law clerk that the motions set for
11/19/14 were reset to 01/05/15. -amt 11/18/14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2014

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**December 01, 2014 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Billie Jo Craig

RECORDER:

REPORTER: Robert Cangemi

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Schwarz, Michael H Attorney

JOURNAL ENTRIES

- Deputy District Attorney Caroline Bateman present. Special Public Defenders David Schieck and Randall Pike present.

Mr. Schwarz advised he was contacted by Mr. Christensen. Arguments by the State regarding previous Motions and a complaint with the State Bar. Court stated its findings, and ORDERED, the Special Public Defender's Motion to Withdraw as Counsel and Motion to Appoint New Counsel is GRANTED. Court noted this was a unique situation in a Murder Trial. Mr. Schwarz is APPOINTED to represent the indigent defendant. Mr. Schieck advised he would provide the file to Mr. Schwarz. Upon inquiry of the Court, Mr. Schwarz advised he would be ready for Trial. The Defendant's Pro Per Motion Seeking Dismissal scheduled on 12/17/14 is VACATED.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 05, 2015 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Marwanda Knight

RECORDER: Patti Slattery

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- DEFENDANT S MOTION IN LIMINE TO BAR IMPROPER
PROSECUTORIAL ARGUMENT

DEFENDANT S MOTION IN LIMINE TO
PRECLUDE REFERENCES TO THE DECEASED AS THE VICTIM

DEFENDANT S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS

DEFENDANT S MOTION TO ADMIT EVIDENCE OF THE
DECEASED S VIOLENT PROPENSITY

DEFENDANT S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND
IRRELEVANT PRIOR CRIMINAL ACTIVITY

DEFENDANT S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND
OTHER APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE

STATUS CHECK: RESET TRIAL DATE

- Mr. Burton advised Mr. Bateman would be appearing on this case and requested the matter be trailed for his appearance. COURT SO ORDERED.

MATTER RECALLED. All parties present as before. Mr. Bateman now present.

Mr. Schwarz advised the Deft. was sent to Competency Court, and has a hearing set for January 12, 2015, in his case pending in Dept. 8. Mr. Bateman advised of being unaware of the Deft. being sent to competency and requested today's proceedings be continued until that matter is resolved. COURT ORDERED, all of the motions on today's calendar and the Status Check: Reset Trial Date CONTINUED.

CUSTODY (COC)

CONTINUED TO: 01/21/2015 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 21, 2015 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
 Shelley Boyle
 Treva Palmer
 Adrienne Theeck
 Anntoinette Naumec-Miller

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Schwarz, Michael H Attorney
 Song, Caroline Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL ARGUMENT...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE DECEASED AS THE "VICTIM" ...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS...DEFENDANT'S MOTION TO ADMIT EVIDENCE OF THE DECEASED'S VIOLENT PROPENSITY...DEFENDANT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND IRRELEVANT PRIOR CRIMINAL ACTIVITY...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE.

Deft. not present. Mr. Schwarz requested matter continued to determine Deft's. competency status. COURT ORDERED, matter CONTINUED.

CUSTODY (COC)

02/02/15 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**January 23, 2015 9:00 AM Further Proceedings:
Competency**

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Sylvia Perez

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant

JOURNAL ENTRIES

- Appearances Continued: Bart Pace, Deputy District Attorney, Mr. Judd present on behalf of the Defendant with Christina Greene of the Specialty Courts.

Mr. Judd requested matter continued pending evaluation reports. There being no opposition by the State, COURT ORDERED, matter CONTINUED.

CUSTODY (COC)

2/13/15 9:00 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

February 13, 2015 9:00 AM

**Further Proceedings:
Competency**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 03F

COURT CLERK: Sylvia Perez

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant

JOURNAL ENTRIES

- Appearances Continued: Bart Pace, Deputy District Attorney, Mr. Schwartz present on behalf of the Defendant with Christina Greene of the Specialty Courts.

Court NOTED, Drs Sussman and Bradley's reports are split and ORDERED, this matter CONTINUED for a third Dr.'s report.

CUSTODY

2/27/15 9:00 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 18, 2015

C-13-293296-2 State of Nevada
vs
Darion Muhammad-Coleman

February 18, 2015 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Shelley Boyle

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Laurent, Christopher J Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL ARGUMENT
DEFENDANT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE DECEASED AS THE
VICTIM DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS
DEFENDANT'S MOTION TO ADMIT EVIDENCE OF THE DECEASED'S VIOLENT PROPENSITY
DEFENDANT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND
IRRELEVANT PRIOR CRIMINAL ACTIVITY DEFENDANT'S MOTION TO FEDERALIZE ALL
MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS FOR THE PROCEEDINGS IN
THE ABOVE ENTITLED CASE STATUS CHECK: RESET TRIAL DATE

Deft. refused transportation. Deft's Counsel Mr. Schwarz, not present.

COURT ORDERED, motions VACATED pending Competency Proceedings. Mr. Schwarz will be notified by minute order.

CUSTODY (COC)

CLERK'S NOTE: A copy of this minute order was e-mailed to Mr. Schwarz on 02/20/15. / sb
02/20/15

CLERK'S NOTE : A copy of this minute order was place in Mr. Schwarz's folder. / sb 02/23/15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**February 27, 2015 9:00 AM Further Proceedings:
Competency**

HEARD BY: Barker, David **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Sylvia Perez
Andrea Natali

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Muhammad-Coleman, Darion	Defendant
	Pace, Barter G	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Appearances Continued: Bart Pace, Deputy District Attorney; Belinda Harris and Claudia Romney, Deputy Public Defenders with C.J. Yao of the Specialty Courts. Spencer Judd, Esq. present on behalf of Defendant on Case C299066-1.

Court NOTED, after the third evaluation, Drs. Bradley and Krelstein indicate competent; however, Dr. Sussman finds the Defendant incompetent. Mr. Judd stated he would like to review both doctor's findings of competence; therefore, requested the court consider sending the Deft. to Lakes Crossing. Mr. Schwarz joined in with Mr. Judd's representations. COURT ORDERED, matters SET for Challenge Hearing.

CUSTODY (COC)

3/20/15 10:00 AM (DEPT. 9.) - CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 20, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

**March 20, 2015 9:00 AM Challenge Hearing
(Competency Court)**

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Tia Everett

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Pace, Barter G Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Mr. Schwarz advised he was evaluated based on the referral in his other case with Mr. Judd; however, he is not challenging the finding of competency. Court advised Defendant was referred to competency in case number C299066 and it appears Mr. Judd may be challenging the findings of competency. Court stated should the matter be continued or a hearing set Mr. Schwarz's presence shall be waived as he is not challenging the findings and should a return date for department 11 be given Mr. Schwarz will be notified. MATTER TRAILED for Mr. Judd. RECALLED. Court noted Mr. Judd's absence and ORDERED, matters COTINUED one (1) week.

CUSTODY (COC)

CONTINUED TO: 3/27/2015 9:00 AM

March 27, 2015

C-13-293296-2 State of Nevada
vs
Darion Muhammad-Coleman

PRESENT:	Muhammad-Coleman, Darion	Defendant
	Pace, Barter G	Attorney
	State of Nevada	Plaintiff

Minutes Date: October 11, 2013

CLERK'S NOTE: Mr. Schwarz advised of next date via email. te

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 06, 2015**

C-13-293296-2

State of Nevada

vs

Darion Muhammad-Coleman

April 06, 2015**9:00 AM****Further Proceedings**

**Further Proceedings:
Return From
Competency Court**

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**

Laurent, Christopher J
Muhammad-Coleman, Darion
State of Nevada

Attorney
Defendant
Plaintiff

JOURNAL ENTRIES

- Michael Schwarz, Esq., counsel for Deft, not present.

COURT noted counsel was not aware of today's hearing, and ORDERED, matter CONTINUED one week for his appearance.

CUSTODY (COC)

4-13-15

9:00 AM

FURTHER PROCEEDINGS: RETURN FROM COMPETENCY**COURT**

CLERK'S NOTE: A copy of the above minute order was distributed via electronic mail to Michael Schwarz, counsel for Deft, and Deputy Public Defender Christopher Laurent. / dr 4-6-15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 13, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

April 13, 2015 9:00 AM Further Proceedings

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Tia Everett

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Killer, Sarah J. Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted Defendant refused to be transported today. Mr. Schwarz advised Defendant found competent and there is no challenge to those findings. COURT ORDERED, motions previously set for 2/18/2015 shall be RESET and matter SET for trial.

CUSTODY (COC)

6/15/2015 9:00 AM DEFENDANT'S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS ... DEFENDANT'S MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL ARGUMENT ... DEFENDANT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE DECEASED AS THE "VICTIM" ... DEFENDANT'S MOTION TO ADMIT EVIDENCE OF THE DECEASED'S VIOLENT PROPENSITY ... DEFENDANT'S MOTION TO EXCLUDE OTHER BAD ACTS, CHARACTER EVIDENCE, AND IRRELEVANT PRIOR CRIMINAL ACTIVITY ... DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE

7/27/2015 9:00 AM STATUS CHECK: TRIAL READINESS

8/26/2015 9:00 AM CALENDAR CALL

8/31/2015 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

July 20, 2015 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Tena Jolley

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Schwartzer, Michael J. Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT S MOTION IN LIMINE TO PRECLUDE ADMISSION OF PHOTOGRAPHS
DEFENDANT S MOTION IN LIMINE TO BAR IMPROPER PROSECUTORIAL
ARGUMENT DEFENDANT S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE
DECEASED AS THE VICTIM DEFENDANT S MOTION TO ADMIT EVIDENCE OF THE
DECEASED S VIOLENT PROPENSITY DEFENDANT S MOTION TO EXCLUDE OTHER BAD
ACTS, CHARACTER EVIDENCE, AND IRRELEVANT PRIOR CRIMINAL ACTIVITY DEFENDANT
S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER
APPLICATIONS FOR THE PROCEEDINGS IN THE ABOVE ENTITLED CASE

Mr. Schwarz advised the matter may be resolved and requested the matter be continued. COURT ORDERED, matters CONTINUED. Court directed Mr. Schwartzer to provide a Guilty Plea Agreement to counsel for review with his client.

CUSTODY (COC)

CONTINUED TO: 7/27/15 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2015

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

July 27, 2015 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Alice Jacobson

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Schwartzer, Michael J. Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Matter submitted on the briefs. COURT ORDERED as followed:

Deft's Motion in Limine to Preclude Admission of Photographs, DENIED WITHOUT PREJUDICE.

Deft's Motion in Limine to Bar Improper Prosecutorial Argument, GRANTED.

Defts Motion in Limine to Preclude References to the Deceased as the Victim, DENIED.

Deft's Motion in Limine to Admit Evidence of Deceases Violent Propensity, RESERVED FOR
CALENDAR CALL.

Deft's Motion to Exclude Other Bad Acts Character Evidence and Irrelevant Prior Criminal Activity,
DENIED WITHOUT PREJUDICE.

Deft motion to Federalize All Motions Objections Requests and Other Application for the
Proceedings in the Above Entitled Case, DENIED.

Mr. Schwarz indicated that negotiations had fallen through and the matter was not resolved and
would go to trial. State indicated they were not available on this trial stack and was in another trial.
Trial was not Invoked. There being no objections, COURT ORDERED, trial dates VACATED/RESET.

CUSTODY (COC)

12/7/15 9:00 AM SC-TRIAL READINESS

1/6/16 9:00 AM CC

1/11/16 1:00 PM JT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 05, 2015**

C-13-293296-2

State of Nevada

vs

Darion Muhammad-Coleman

November 05, 2015**3:00 PM****Minute Order**

**Minute Order
Resetting Status
Check on Trial
Readiness**

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Due to the Court's schedule, the status check on trial readiness in this Matter has been rescheduled from Monday, December 7, to Wednesday, December 9, 2015.

CUSTODY (COC)

12-9-15

9:00 AM

STATUS CHECK: TRIAL READINESS

CLERK'S NOTE: Parties notified by distributing via electronic mail a copy of the above minute order to Deputy District Attorney Michael Schwartz for the State and Attorney Michael Schwarz for the Defendant. / dr 11-5-15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-13-293296-2 State of Nevada
vs
Darion Muhammad-Coleman

December 09, 2015 9:00 AM Status Check Status Check: Trial Readiness

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Schwartz, Michael J. Attorney
Schwarz, Michael H Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Deft not present, in custody at the Nevada Department of Corrections.

Mr. Schwarz requested a continuance; Deft is in NDC doing 8 to 20 years on another case; he discussed the continuance with Deft and he is fine with it. Mr. Schwartz advised the State has no objection; trial is anticipated to go into the second week; this is not a death penalty case. COURT ORDERED, trial VACATED and RESET on April 4, 2016.

CUSTODY (COC-NDC)

3-2-16	9:00 AM	STATUS CHECK: TRIAL READINESS
3-30-16	9:00 AM	CALENDAR CALL
4-4-16	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 02, 2016

C-13-293296-2 State of Nevada
vs
Darion Muhammad-Coleman

March 02, 2016 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Schwartz, Michael J. Attorney
Schwarz, Michael H Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS...DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL AND FOR A FARETTA CANVASS

Deft not present.

COURT ORDERED, State to do a transport request. Mr. Schwarz advised about a week ago he had sent Deft a box; Deft has most of his discovery but may not be prepared for trial assuming he will be allowed to represent himself. With regards to the transport order, Mr. Schwartz advised he can try a week. COURT SO ORDERED; matter CONTINUED for one week. Upon inquiry by the Court, Mr. Schwarz confirmed he can be standby counsel if for some reason the Deft's request to represent himself is granted.

CUSTODY (COC-NDC)

3-9-16 9:00 AM STATUS CHECK: TRIAL READINESS...DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL AND FOR A FARETTA CANVASS

3-30-16	9:00 AM	CALENDAR CALL
4-4-16	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2016

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

March 09, 2016 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
 Olivia Black
 Anntoinette Naumec-Miller

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS...DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL AND FOR A FARETTA CANVASS

Upon Court's inquiry, Defendant advised he wishes to represent himself. Colloquy regarding discovery. Court conducted Faretta Canvass. Defendant advised he is going to remain with his attorney. Mr. Schwarz advised he would like to move the trial given the concerns of Defendant. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Colloquy regarding trial date. Upon Court's inquiry, Mr. Schwartz advised two weeks for trial. Mr. Schwarz concurred. CONFERENCE AT BENCH. COURT ORDERED, trial dates VACATED and RESET.

CUSTODY (COC-NDC)

11/28/2016 9:00 AM STATUS CHECK: TRIAL READINESS

12/28/2016 9:00 AM CALENDAR CALL

01/03/2017 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 28, 2016

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

November 28, 2016 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Katrina Hernandez

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT: Muhammad-Coleman, Darion Defendant
 Schwartzer, Michael J. Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Mr. Schwarz advised he is requesting a continuance of the trial. Court directed Counsel to file a motion. Mr. Schwartzer announced ready and advised 7 days for trial.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 28, 2016

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

December 28, 2016 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Kory Schlitz

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT: Hamner, Christopher Attorney
 Muhammad-Coleman, Darion Defendant
 Schwartz, Michael J. Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- CALENDAR CALL... DEFENDANT'S MOTION TO CONTINUE TRIAL DATE...

Mr. Schwartz stated based upon the Order Shortening time, he requested to respond orally to the Motion. Mr. Schwarz stated he would submit on his motion. Argument by Mr. Schwartz, who stated Defendant has been evaluated by five different doctors and they all agree upon one thing that Defendant malingers, not that he has PSTD. Arguments by Mr. Schwartz. Mr. Schwartz provided copies of Defendants Competency evaluations. MATTER TRAILED.

MATTER RECALLED. Court advised they reviewed the copies of the Competency evaluations and they have been MARKED as Court's Exhibit 1 (See Worksheet). COURT STATED ITS FINDINGS and ORDERED, Motion to Continued Trial DENIED, and FURTHER ORDERED Court's Exhibit's presented today SEALED. Mr. Schwartz requested Defendant be remanded to Clark County Detention Center awaiting trial. COURT ORDERED, Request GRANTED.

CUSTODY (COC-NDC)

1/3/17 1:30 P.M. JURY TRIAL (DEPT 1)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 03, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 03, 2017 1:30 PM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant Muhammad-Coleman PRESENT in custody.

OUTSIDE THE PRESENCE OF PRESPECTIVE JURY PANEL:
COURT ORDERED, Trial CONTINUED. Mr. Schwartz advised an Amended Indictment had been filed. Mr. Schwarz advised he and the defendant had received the Amended Indictment.

CUSTODY

CONTINUED TO 1/4/17 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 04, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 04, 2017 3:00 AM Minute Order

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The instant case is assigned to District Court Department 1 and is currently set for trial to commence today, January 4, 2017. The parties are ready to proceed to trial. Due to an illness, Department 1 is unable to preside over the trial in this case at this time.

EDCR 1.30 (15) gives the Chief Judge of the Eighth Judicial District Court the authority to reassign cases between departments as convenience or necessity requires. EDCR 1.30 (11) also states that the Chief Judge must appoint a Judge to preside over the Criminal Division of the Court. EDCR 1.31 gives the Criminal Presiding Judge the authority to reassign pending criminal cases from one department to another. As with EDCR 1.30(15), the Presiding Criminal Judge's decision on reassigning pending criminal cases should be done as convenience and necessity require.

This court finds that convenience and necessity justify the reassignment of the instant matter for trial since Department 1 is unable to hear the trial. District Court Department 3 is available to preside over the trial. Therefore, based on the totality of circumstances present, this Court, as Criminal Presiding Judge, ORDERS, pursuant to EDCR 1.31, the reassignment of the instant case for trial to Department 3. The matter will proceed to trial as scheduled today, January 4, 2017, at 1:00 pm.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 04, 2017

C-13-293296-2 State of Nevada
vs
Darion Muhammad-Coleman

January 04, 2017 1:00 PM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Stipulation and Order SIGNED IN OPEN COURT.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Mr. Schwartz noted parties have agreed that the Judgment of Convictions of the victim relating to firearm charges come in if defendant testifies as to self-defense and testifies that he was aware the victim was known to carry firearms. Mr. Schwarz concurred. Discussion regarding Judgment of Convictions. Mr. Schwartz advised the defendant will be waiving the penalty hearing should he get convicted of First Degree Murder. Upon Court's inquiry, defendant WAIVED the penalty hearing. Court noted a stipulation and order will need to be prepared and filed. Mr. Schwartz stated an offer of Second Degree Murder with Use of a Deadly Weapon with right to argue was relayed to the defendant over a year ago, however, offer was rejected by the defendant. Mr. Schwarz concurred. State noted offer is no longer pending.

PROSPECTIVE JURY PANEL PRESENT: Introductions by the Court and counsel. Clerk called roll. Voir dire commenced.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Court stated the jurors who have been excused thus far were agreed upon by all parties.

PROSPECTIVE JURY PANEL PRESENT: Voir dire continued. Court recessed.

CONTINUED TO: 1/05/17 12:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 05, 2017 12:00 AM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- PROSPECTIVE JURY PANEL PRESENT: Voir dire continued.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Peremptory challenges exercised. Mr. Schwartz advised parties stipulated to admit exhibits 4-112.

PROSPECTIVE JURY PANEL PRESENT: Jury selected and sworn. Court instructed the jury. Opening statements by Mr. Schwartz. Defense waived opening statements. Testimony and exhibits presented. (See worksheets). Evening recess.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Mr. Schwarz made a record as to cross-examination and request to impeach witness. Court noted question should have been objected to and stated for the record his findings as impeach request irrelevant.

CONTINUED TO: 1/06/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 06, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 06, 2017 10:00 AM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY PRESENT: Testimony and exhibits presented. (See worksheet). Evening recess.

OUTSIDE THE PRESENCE OF THE JURY: Court made a record of questions asked by the jury. Court requested parties e-mail jury instructions to the Court prior to Monday.

CONTINUED TO: 1/09/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 09, 2017 10:00 AM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY PRESENT: Testimony and exhibits presented.

OUTSIDE THE PRESENCE OF THE JURY: Court advised defendant of his right not to testify.

JURY PRESENT: Testimony and exhibits presented. Mr. Schwartz advised parties stipulated to the admission of 123, as well as, parties stipulate to the victim's identity. State withdrew proposed exhibit 121. State rested. Opening statements by Mr. Schwarz. Testimony and exhibits presented. Mr. Schwarz advised parties stipulated to the admission of the victim's prior Judgment of Convictions to be marked as court exhibits. State concurred. Ms. Schwarz noted convictions on the record. Judgment of Convictions marked and admitted as Court exhibits. (See worksheet). Defense rested. Rebuttal testimony and exhibits presented. (See worksheet).

OUTSIDE THE PRESENCE OF THE JURY: Discussion regarding officer testifying as to defendant being uncooperative at the time he was shot in a previous incident. Arguments by counsel. Court

DENIED request.

JURY PRESENT: Rebuttal testimony and exhibits continued. Jury admonished and excused for the evening.

OUTSIDE THE PRESENCE OF THE JURY: Court made a record as to objection made during testimony regarding defendant's most recent photo. Discussion regarding jury instructions. Jury Instructions and verdict settled on the record.

CONTINUED TO: 1/10/17 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 10, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 10, 2017 11:00 AM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY PRESENT: Court read Jury Instructions to the jury. Court added 50a as an additional jury instruction. Closing arguments.

OUTSIDE THE PRESENCE OF THE JURY: Court made a record of instruction 50a. Parties had no objection. Mr. Schwartz noted State's proposed exhibit #2 was returned to Detective Terri Miler as it was not used. COURT SO NOTED.

JURY PRESENT: Closing arguments continued. Jury retired to deliberate at the hour of 1:45 p.m.

CONTINUED TO: 1/11/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

January 11, 2017 10:00 AM Jury Trial

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- 10:00 A.M. - Jury continued deliberating.

OUTSIDE THE PRESENCE OF THE JURY: Court noted for the record that a request was submitted to hear back testimony of the defendant, however, the Jury returned with a verdict shortly after as Court was making arrangements to play testimony.

JURY PRESENT: At the hour of 2:08 p.m., the Jury returned with the following VERDICTS:

Count 1 - NOT GUILTY of CONSPIRACY TO COMMIT ROBBERY

Count 2 - NOT GUILTY of ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

Count 3 - GUILTY of FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON

Count 4 - GUILTY of BATTERY WITH USE OF A DEADLY WEAPON

Count 5 - NOT GUILTY of ASSAULT WITH A DEADLY WEAPON

Count 6 - GUILTY of CONSPIRACY TO VIOLATE UNIFORM CONTROLLED SUBSTANCES ACT

Count 7 - GUILTY of ATTEMPT TO POSSESS CONTROLLED SUBSTANCE

Jury Polled and excused.

OUTSIDE THE PRESENCE: Mr. Schwarz indicated defendant was remanded to County, however, is serving a prison sentence on another matter. Upon Court's inquiry, defendant wishes to return to the prison. COURT SO NOTED. State to prepare an order for transport to allow defendant to return for sentencing. COURT ORDERED, defendant REMANDED on this case, referred to the Division of Parole and Probation (P&P) and SET for Sentencing.

MATTER RECALLED. Court noted for the record documents that were received by the defendant's Grandmother, noting they were not relevant to this case. Mr. Schwarz advised he received copies as well.

CUSTODY (COC-NDC)

3/02/17 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 02, 2017

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

March 02, 2017 9:00 AM Sentencing

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller
 Brynn Griffiths

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Pandukht, Taleen R Attorney
 Schwarz, Michael H Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Deft. not present.

Court noted Deft. was not transported to today s hearing. COURT ORDERED, matter CONTINUED, State to prepare a transport order.

CUSTODY (COC-NDC)

CONTINUED TO: 03/28/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 28, 2017**

C-13-293296-2 State of Nevada
 vs
 Darion Muhammad-Coleman

March 28, 2017 9:00 AM Sentencing

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Hamner, Christopher	Attorney
	Muhammad-Coleman, Darion	Defendant
	Schwartz, Michael J.	Attorney
	Schwarz, Michael H	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT MUHAMMAD-COLEMAN ADJUDGED GUILTY of COUNT 3 -MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 4- BATTERY WITH USE OF A DEADLY WEAPON (F), COUNT 6 - CONSPIRACY TO VIOLATE UNIFORM CONTROLLED SUBSTANCES ACT (F) and COUNT 7 - ATTEMPT TO POSSESS CONTROLLED SUBSTANCE (F). Arguments by counsel. Statement by Defendant. Sworn Victim Impact Statements. COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee including testing to determine genetic markers, \$750.00 Indigent Defense Civil Assessment Fee, and a \$250.00 Fine, Defendant SENTENCED on COUNT 3 to a term of LIFE with a MINIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE sentence of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of TWO HUNDRED AND FORTY (240) MONTHS for the Deadly Weapon Enhancement, for a total AGGREGATE sentence of LIFE with the possibility of parole and probation after a MINIMUM of THREE HUNDRED (300) MONTHS has been served in the Nevada Department of Corrections (NDC), COUNT 4 - to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of

Corrections (NDC), CONCURRENT with COUNT 3; COUNT 6 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with COUNT 3, and COUNT 7 to a MINIMUM of NINETEEN (19) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with COUNT 3, and CONSECUTIVE to Case C299066, with SEVEN HUNDRED TWENTY (720) DAYS credit for time served. Statement by Defendant.

NDC

CLERK'S NOTE: Following court hearing, Court state that in the event the fines and fees were not stated on the record, the following fees were ordered: \$25.00 Administrative Assessment, \$150.00 DNA Analysis Fee, \$750.00 Indigent Defense Fee, and \$250.00 Fine.

Def. Counsel(s): DEF. BLEAK – SUSAN BUSH, ESQ.
DEF. MUHAMMAD-COLEMAN – SPECIAL PUBLIC DEFENDER

WARRANTS:

- DEF. BLEAK – IN-CUSTODY @ HIGH DESERT STATE PRISON
SET FELONY ARRAIGNMENT (THREE WEEKS FOR TEAM TO
PROCESS ORDER TO TRANSPORT).
- DEF. MUHAMMAD-COLEMAN, IN-CUSTODY AT CCDC
(13F06746X, OFF CALENDAR PENDING MENTAL HEALTH
COURT OUTCOME IN C292331 ON 10/18/13)

LVJC CASES TO BE DISMISSED: 13F06746X (DEF. MUHAMMAD-COLEMAN), HAS NO PENDING FUTURE DATE DUE TO MENTAL HEALTH COURT REFERRAL; CASE #13F06471X (DEF. BLEAK) WAS DISMISSED 8/29/13.

Exhibits:	1. Proposed Indictment	21. Line up
	2. Photo	22. Surveillance
	3. Photo	23. Screen shot
	4. Photo	24. Photo
	5. Photo	25. Photo
	6. Photo	26. Photo
	7. Photo	27. Photo
	8. Photo	28. Photo
	9. Photo	29. Photo
	10. Photo	30. Photo
	11. Aerial photo	31. Photo
	12. Photo	32. Photo
	13. Photo	33. Photo
	14. Screen shot	34. Photo
	15. Screen shot	35. Lab report
	16. Screen shot	36. Transcript – 9/19/13
	17. Line up	37. Transcript – 9/26/13
	18. Line up	38. Instructions
	19. Line up	
	20. Line up	

Exhibits 1-38, to be lodged with the Clerk of the Court.

VAULT EXHIBIT FORM

CASE NO: C293296-2	HEARING DATE: OCT 17 2014
DEPT. NO: XI	JUDGE: HON. ELIZABETH GONZALEZ
	CLERK: DULCE ROMEA
	RECORDER: N/A JTE
PLAINTIFF: STATE OF NEVADA	JURY FEES: N/A
	COUNSEL FOR PLAINTIFF: DEPUTY DISTRICT
DEFENDANT: DARION MUHAMMAD- COLEMAN	ATTORNEY CAROLINE BATEMAN
	COUNSEL FOR DEFENDANT:

COURT'S EXHIBIT

Date Offered	Objection	Date Admitted
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[illegible]

VAULT EXHIBIT FORM

CASE NO: C293296-2	HEARING DATE: 10/23/14 – MINUTE ORDER ONLY
DEPT. NO: XI	JUDGE: HON. ELIZABETH GONZALEZ
	CLERK: DULCE ROMEA
	RECORDER: N/A
PLAINTIFF: STATE OF NEVADA	JURY FEES: N/A
	COUNSEL FOR PLAINTIFF: DEPUTY DISTRICT ATTORNEY CAROLINE BATEMAN
DEFENDANT: DARION MUHAMMAD-COLEMAN	
	COUNSEL FOR DEFENDANT: DEPUTY SPECIAL PUBLIC DEFENDERS RANDALL PIKE & JEREMY STORMS

COURT'S EXHIBIT *** SEALED ***

[illegible]

EXHIBIT(S) LIST

Case No.: C-293296-2
Dept. No.: XI

Hearing / Trial Date: DEC 28 2016

Judge: ELIZABETH GOFF GONZALEZ

Court Clerk: KORY SCHLITZ

Plaintiff: State of Nevada

Recorder / Reporter: Sandra Pruchnic

Counsel for Plaintiff: C. Hamner +

vs.

M. Schwartzer

Defendant: Darion
Muhammad-Coleman

Counsel for Defendant: M. Schwarz

HEARING / TRIAL BEFORE THE COURT

[illegible]

January 4, 2017
Judge Douglas Herndon

State of Nevada v. Darion Muhammad-Coleman -C-293296				
#	Exhibit	Offered	OBJ	Admitted
1	Ruger, Model LC 9mm ^{gun} 1A-Envelope 1D-Envelope + 9mm cat BOX 1B- Gun Ruger E-7 FD cat 1C- magazine incl env	1-9-17	N	1-9-17
2	Car Molding	Returned to LVMPD 1-10-17		
3	Assorted Papers found at 1712 Fairfield Ave including envelope	1-9-17	N	1-9-17
4	Map Philadelphia, Charleston and Fremont Location	1-5-17	Stop	1-5-17
5	Map Philadelphia/Fairfield			
6	Map 2855 Fremont			
7	Video Surveillance Travelers Inn Motel			
8	Photograph Motel Structure			
9	Photograph Motel Sign			
10	Photograph 2855 Fremont Crime Scene			
11	Photograph 2855 Fremont Crime Scene			
12	Photograph 2855 Fremont Crime Scene			
13	Photograph 2855 Fremont Crime Scene			
14	Photograph 2855 Fremont Crime Scene			
15	Photograph 2855 Fremont Crime Scene			
16	Photograph 2855 Fremont Crime Scene			
17	Photograph 2855 Fremont Crime Scene			
18	Photograph 2855 Fremont Crime Scene			
19	Photograph 2855 Fremont Crime Scene			
20	Photograph 2855 Fremont Crime Scene- close up of gun			
21	Photograph 2855 Fremont Crime Scene			
22	Photograph 2855 Fremont Crime Scene			
23	Photograph 2855 Fremont Crime Scene - casings			
24	Photograph 2855 Fremont Crime Scene- gun/narcotics			
25	Photograph 2855 Fremont Crime Scene- second floor view			
26	Photograph 2855 Fremont Crime Scene- second floor view			
27	Photograph 2855 Fremont Crime Scene- second floor view			
28	Photograph 2855 Fremont Crime Scene- second floor			
29	Photograph 2855 Fremont Crime Scene- second floor			
30	Photograph 2855 Fremont Crime Scene- structure			
31	Photograph 2855 Fremont Crime Scene- cones			
32	Photograph 2855 Fremont Crime Scene- cones			
33	Photograph 2855 Fremont Crime Scene- cones			

Det. Miller
not used

DA: Michael Schwartzer + Christopher Hamner
Def. Counsel: Michael Schwarz
Recorder: Sara Richardson
Clerk: Debbie Miller

34	Photograph 2855 Fremont Crime Scene- narcotics	1-5-17	Step	1-5-17
35	Photograph 2855 Fremont Crime Scene- narcotics			
36	Photograph 2855 Fremont Crime Scene- firearm			
37	Photograph 2855 Fremont Crime Scene- firearm			
38	Photograph 2855 Fremont Crime Scene- firearm			
39	Photograph – Shakuana Davis			
40	Photograph 2855 Fremont Crime Scene- DT 10045			
41	Photograph 2855 Fremont Crime Scene- money			
42	Photograph 2855 Fremont Crime Scene- money			
43	Photograph 2855 Fremont Crime Scene- numbers			
44	Photograph 2855 Fremont Crime Scene- numbers			
45	Photograph 2855 Fremont Crime Scene- firearm			
46	Photograph 2855 Fremont Crime Scene- casings			
47	Photograph 2855 Fremont Crime Scene- numbers			
48	Photograph 2855 Fremont Crime Scene- narcotics			
49	Photograph 2855 Fremont Crime Scene- camera			
50	Photograph 2855 Fremont Crime Scene- camera			
51	Photograph 2855 Fremont Crime Scene- camera			
52	Photograph 2855 Fremont Crime Scene- car molding			
53	Photograph 2855 Fremont Crime Scene- car molding			
54	CSA Photograph at Autopsy			
55	CSA Photograph at Autopsy			
56	CSA Photograph at Autopsy			
57	CSA Photograph at Autopsy			
58	CSA Photograph at Autopsy			
59	CSA Photograph at Autopsy- X-Ray			
60	CSA Photograph at Autopsy- X Ray			
61	CSA Photograph at Autopsy- recovered bullet			
62	CSA Photograph at Autopsy- recovered bullet			
63	CSA Photograph at Autopsy- recovered bullet			
64	Photograph Blue Cadillac			
65	Photograph Blue Cadillac			
66	Photograph Blue Cadillac			
67	Photograph Blue Cadillac			
68	Photograph Blue Cadillac			
69	Photograph Blue Cadillac- interior			
70	Photograph Blue Cadillac- interior			
71	Photograph Blue Cadillac- interior			
72	Photograph Blue Cadillac- interior			
73	Photograph Blue Cadillac- interior			
74	Photograph Blue Cadillac- interior			
75	Photograph Blue Cadillac- interior			
76	Photograph Richard McCampbell			
77	Photograph Dustin Bleak			
78	Photograph Dustin Bleak			

79	Photograph Travis Costa	1-5-17	Stop	1-5-17
80	Photograph Travis Costa			
81	Photograph Car Molding and fingerprint			
82	Photograph Car Molding and fingerprint			
83	Photograph Car Molding and fingerprint			
84	Photograph Car Molding and fingerprint			
85	Photograph Car Molding and fingerprint			
86	Photograph Car Molding and fingerprint			
87	Photograph Consent to Search Fairfield Ave			
88	Photograph 1712 Fairfield Ave			
89	Photograph 1712 Fairfield Ave			
90	Photograph Fairfield Ave- toaster oven			
91	Photograph Fairfield Ave- toaster oven			
92	Photograph Fairfield Ave- toaster oven			
93	Photograph Fairfield Ave- toaster oven/firearm			
94	Photograph Fairfield Ave- toaster oven/firearm			
95	Documents found inside Fairfield Ave			
96	Documents found inside Fairfield Ave			
97	Documents found inside Fairfield Ave			
98	Documents found inside Fairfield Ave			
99	Documents found inside Fairfield Ave			
100	Autopsy Photograph			
101	Autopsy Photograph			
102	Autopsy Photograph			
103	Autopsy Photograph			
104	Autopsy Photograph			
105	Autopsy Photograph			
106	Autopsy Photograph			
107	Autopsy Photograph			
108	Autopsy Photograph			
109	Autopsy Photograph			
110	Autopsy Photograph			
111	Autopsy Photograph- bullet			
112	Autopsy Photograph- bullet			
113	Photo Line-Up McCampbell - Coleman 113A	1-5-17	N	1-5-17
114	Photo Line-Up McCampbell - Bleak 114A	1-5-17	N	1-5-17
115	Photo Line-Up McCampbell - Costa 115A	1-5-17	N	1-5-17
116	Photo Line-Up L Grace - Coleman 116A	1-6-17	N	1-6-17
117	Photo Line-Up L Grace- Bleak 117A	1-6-17	N	1-6-17
118	Key Coleman			
119	Key Bleak			
120	Fingerprint Comparison - Coleman	1-9-17	N	1-9-17

[illegible]

EXHIBIT(S) LIST

Case No.: **C293296-2**

Dept. No.: 3

Plaintiff: **State of Nevada**

vs.

Defendant: **Darion Muhammad-Coleman**

Trial Date:

Judge:

Court Clerk:

Recorder:

Counsel for Plaintiff:

Counsel for Defendant:

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: C293296-2

Trial Date: January 4, 2017

Dept. No.: 3

Judge: Douglas Herndon

Court Clerk: Debbie Miller

Recorder: Sara Richardson

Plaintiff: State of Nevada

Counsel for Plaintiff: Michael Schwartzer

vs.

& Christopher Hanner

Defendant: Darion Muhammad-Coleman

Counsel for Defendant: Michael

Schwartz

TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Juron # 10 question	1-6-17	No #1 #2 not asked	1-6-17
2	Juron # 10 question	1-6-17	N	1-6-17
3	Juron # 1 question	1-6-17	Not asked	1-6-17
4	JOC- Dale Borero 7-16-01 violation date	1-9-17	N	1-9-17
5	JOC- Dale Borero 12-2-08 violation date	1-9-17	N	1-9-17
6	JOC- Dale Borero 4-29-09 violation date	1-9-17	N	1-9-17
7	Juron # 10 question	1-9-17	N	1-9-17
8	Juron # 8 question	1-9-17	#2 not asked	1-9-17
9	Juron # 10 question	1-9-17	N	1-9-17
10	Juron # 7 question	1-9-17	N	1-9-17
11	Juron # 1 question	1-9-17	N	1-9-17
12	Juron # 10 question	1-9-17	N	1-9-17
13	Juron # 5 question	1-9-17	N	1-9-17
14	Juron # 1 question	1-9-17	N	1-9-17
15	Jury Questions during deliberations	1-11-17	N	1-11-17
16	Defense Closing Power Point	1-11-17	N	1-11-17
17	Letter from def's grandmother	1-11-17	N	1-11-17

C293296-2

State of Nevada

VS.

Darion Muhammad-Coleman

COURT'S EXHIBITS

[illegible]



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

MICHAEL H. SCHWARZ, ESQ.
630 S. 7TH ST.
LAS VEGAS, NV 89101

DATE: April 18, 2017
CASE: C-13-293296-2

RE CASE: STATE OF NEVADA vs. DARION MUHAMMAD-COLEMAN aka DARION MUHAMMADCOLEMAN

NOTICE OF APPEAL FILED: April 14, 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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

DARION MUHAMMAD-COLEMAN aka
DARION MUHAMMADCOLEMAN,

Defendant(s).

Case No: C-13-293296-2

Dept No: III

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 18 day of April 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk