

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH FRANKS,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Dec 22 2017 03:33 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 72988

RESPONDENT'S APPENDIX

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Counsel for Respondent

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 22nd day of December, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

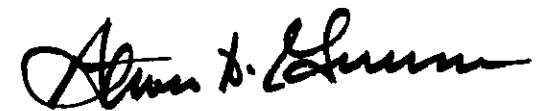
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Counsel for Appellant

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

/s/ J. Garcia

Employee, Clark County
District Attorney's Office



CLERK OF THE COURT

1 **INFM**
2 **STEVEN B. WOLFSON**
3 Clark County District Attorney
4 Nevada Bar #001565
5 **ROBERT STEPHENS**
6 Chief Deputy District Attorney
7 Nevada Bar #011286
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 **I.A. 12/28/2015**
8 **10:00 AM**
9 **BECKER**

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 KENNETH FRANKS,
13 #7762538

14 Defendant.

CASE NO: **C-15-311519-1**

DEPT NO: **V**

I N F O R M A T I O N

15 STATE OF NEVADA)
16 COUNTY OF CLARK) ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That **KENNETH FRANKS**, the Defendant above named, having committed the crime
20 of **COERCION SEXUALLY MOTIVATED (Category B Felony - NRS 207.190, 175.547,**
21 **207.193 - NOC 55532)** in the manner following:

22 That the said Defendant, on or between June 1, 2015 and June 30, 2015, at and within
23 the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such
24 cases made and provided, and against the peace and dignity of the State of Nevada, did, then
25 and there, willfully, unlawfully and feloniously use physical force, or the immediate threat of
26 such force, against A.F., with intent to compel the said A.F. to do, or abstain from doing, an
27 act which the said A.F. had a right to do, or abstain from doing, to-wit:

28 //

1 by said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the
2 genital area of A.F., one of the purposes for which the Defendant committed the offense was
3 Defendant's sexual gratification.

4 STEVEN B. WOLFSON
5 Clark County District Attorney
6 Nevada Bar #001565

7 BY /s/ ROBERT STEPHENS
8 ROBERT STEPHENS
9 Chief Deputy District Attorney
10 Nevada Bar #011286
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27 DA#15FN1674X/hjc/SVU
28 NLVPD EV#15-14754

1 AINF
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 ROBERT STEPHENS
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11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JAN 12 2016

BY, Kristen Brown
KRISTEN BROWN, DEPUTY

7 I.A. 12/28/2015
8 10:00 AM
9 BECKER

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

CASE NO: C-15-311519-1

11 -vs-

DEPT NO: V

12 KENNETH FRANKS,
13 #7762538

14 Defendant.

AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That **KENNETH FRANKS**, the Defendant above named, having committed the crime
20 of **LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS**
21 **201.230 - NOC 50975)** in the manner following:

22 That the said Defendant, on or between June 1, 2015 and June 30, 2015, at and within
23 the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such
24 cases made and provided, and against the peace and dignity of the State of Nevada, did,
25 willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon or with the
26 body, or any part or member thereof, of a child, to-wit:

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C-15-311519-1
AINF
Amended Information
4515857



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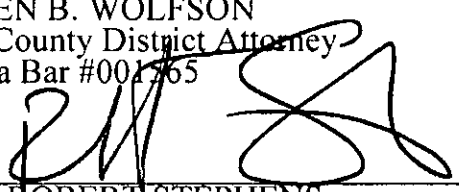
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✓

1 A.F., a child under the age of fourteen years, by said Defendant touching the genital area of the
2 said A.F., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
3 desires of defendant, or A.F..

4 STEVEN B. WOLFSON
5 Clark County District Attorney
6 Nevada Bar #001265

7 BY


8 ROBERT STEPHENS
9 Chief Deputy District Attorney
10 Nevada Bar #011286

11 Names of witnesses known to the District Attorney's Office at the time of filing this
12 Information are as follows:

13 A.F.; c/o CCDA-SVU/VWAC

14 A.F.; c/o CCDA-SVU/VWAC

15 A.F.; c/o CCDA-SVU/VWAC

16 DENINA, IAN; UNK

17 DENINA, MAY; 3615 EMERALD BEACH CT, NLV 89030

18 FRANKS, MICHAEL; 2812 NOBILITY AVE, NLV 89030

19 FREEMAN; NLVPD#1570

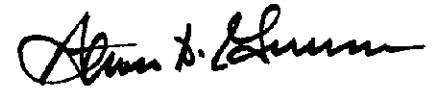
20 HARRIS; NLVPD#1524

21 HOYT; NLVPD#1334

22 J.F.; c/o CCDA-SVU/VWAC

23 SANTANA; NLVPD#2410

24
25
26
27 DA#15FN1674X/hjc/SVU
28 NLVPD EV#15-14754



CLERK OF THE COURT

1 JOC

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4 THE STATE OF NEVADA,

5 *Plaintiff,*

6 -vs-

7 KENNETH FRANKS
8 #7762538

9 *Defendant.*

CASE NO: C-15-311519-1

DEPT NO: V

10 JUDGMENT OF CONVICTION
11 (JURY TRIAL)

12 The defendant previously entered a plea of not guilty to the crime of LEWDNESS
13 WITH A CHILD UNDER THE AGE OF 14 (a Category A Felony) in violation of NRS
14 201.230; and the matter having been tried before a jury and the defendant having been found
15 guilty of the crime of LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (a Category
16 A Felony) in violation of NRS 201.230. Thereafter, on the 29th day of March, 2017, the
17 defendant was present in court for sentencing with counsel LISA RASMUSSEN, ESQ., and
18 good cause appearing,

19 THE DEFENDANT IS HEREBY ADJUDGED guilty of said crime as set forth in the
20 jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee, the \$150.00
21 DNA Analysis Fee including testing to determine genetic markers, and the \$3.00 DNA
22 Collection Fee, the defendant is SENTENCED to LIFE with the eligibility for parole after
23 serving a MINIMUM of TEN (10) YEARS in the Nevada Department of Corrections
24 (NDC), with ONE HUNDRED TWENTY THREE (123) DAYS credit for time served.

25 IT IS FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME
26 SUPERVISION is imposed to commence upon release from any term of imprisonment,
27 probation or parole. In addition, before the defendant is eligible for parole, a panel
28 consisting of the Administrator of the Mental Health and Development Services of the

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

1 Department of Human Resources or his designee; the Director of the Department of
2 corrections or his designee; and a psychologist licensed to practice in this state; or a
3 psychiatrist licensed to practice medicine in Nevada must certify that the Defendant does not
4 represent a high risk to re-offend based on current accepted standards of assessment.

5 ADDITIONALLY, the defendant is ORDERED to REGISTER as a sex offender in
6 accordance with NRS 179D.460 within FORTY EIGHT (48) HOURS after any release from
7 custody.

8 **FINDINGS AND CORRECTIONS TO THE PRESENTENCE**
9 **INVESTIGATION REPORT (PSI):** The COURT FINDS the PSI inaccurate as to page 3.
10 under Criminal Record, Arrest Date: 09-15-15. 2. Destroy Property of Another, \$5K+.
11 Enhancement/Criminal Gang (F). Said entry is inaccurate and ORDERED STRICKEN as
12 Defendant was never arrested on said charges nor were they ever charged in this case at any
13 time.

14 DATED this 31st day of March, 2017.

15 
16 CAROLYN ELLSWORTH
17 DISTRICT JUDGE
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