

Electronically Filed
Aug 25 2017 10:54 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS
RANDALL H. PIKE
ASST. SPECIAL PUBLIC DEFENDER
State Bar No. 1940
JONELL THOMAS
Chief Deputy Special Public Defender
State Bar No. 4771
330 South Third Street, 8th Floor
Las Vegas, NV 89155
(702) 455-6265
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thomasjn@clarkcountynv.gov

Attorneys for DEFENDANT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

THOMAS RANDOLPH , ID 2703406,
Defendant.

CASE NO. 09C250966-1

DEPT. NO. 23

NOTICE OF APPEAL

DATE: N/A
TIME: N/A

TO: THE STATE OF NEVADA, Plaintiff;

TO: STEVEN WOLFSON, DISTRICT ATTORNEY; and

TO: DEPARTMENT 23 OF THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

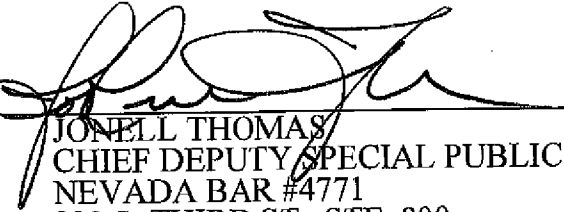
NOTICE is hereby given that Defendant Thomas Randolph appeals to the Supreme Court
of the State of Nevada from the conviction and sentence entered on the 23rd day of August, 2017,
against said Defendant, whereby Thomas Randolph having previously been adjudicated guilty

...

1 by reason of trial and verdict, the above-entitled Court did sentence Defendant, by virtue of the
2 jury's determination, to Death.

3 DATED this 23rd day of August, 2017.


4 RANDALL H. PIKE
CLARK COUNTY ASST. SPECIAL PUBLIC DEFENDER

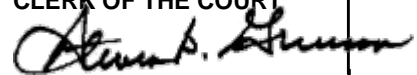
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6
7 BY 
8 JONELL THOMAS
9 CHIEF DEPUTY SPECIAL PUBLIC DEFENDER
10 NEVADA BAR #4771
11 330 S. THIRD ST., STE. 800
12 LAS VEGAS, NEVADA 89155-2316
13 (702) 455-6265

14 **CERTIFICATE OF MAILING**

15 The undersigned employee with the Clark County Special Public Defender's Office,
16 hereby certifies that on 8/23/2017, a copy of the Notice of Appeal was deposited in the United
17 States mail at Las Vegas, Nevada, enclosed in a sealed envelope upon which first class postage
18 was fully prepaid, addressed to Thomas Randolph, ID 2703406, Clark County Detention Center
19 330 S. Casino Center Blvd., Las Vegas NV 89101; District Attorney's Office, 200 Lewis Ave.,
20 3rd Floor, Las Vegas NV 89155; and the Nevada Attorney General's Office, 100 N. Carson,
21 Carson City, NV 89701; that there is a regular communication by mail between the place of
22 mailing and the place so addressed.

23 DATED: 8/23/2017

24 
25 KATHLEEN FITZGERALD
26 An employee of The Special Public Defender
27
28



1 ASTA
2 RANDALL H. PIKE
3 ASST. SPECIAL PUBLIC DEFENDER
4 State Bar No. 1940
5 JONELL THOMAS
6 Chief Deputy Special Public Defender
7 State Bar No. 4771
8 330 South Third Street, 8th Floor
9 Las Vegas, NV 89155
10 (702) 455-6265
11 Fax: 455-6273
12 thomasjn@clarkcountynv.gov

13 Attorneys for DEFENDANT

14 **DISTRICT COURT**
15 **CLARK COUNTY, NEVADA**

16 THE STATE OF NEVADA,	}	CASE NO. 09C250966-1
17 Plaintiff,		DEPT. NO. 23
18 vs.		
19 THOMAS RANDOLPH , ID 2703406,		
20 Defendant.		

21 CASE APPEAL STATEMENT

22 Date: N/A
23 Time: N/A

- 24 1. **Appellant filing this case appeal statement:** Thomas Randolph
- 25 2. **Judge issuing the decision, judgment, or order appealed from:** Stefany Miley
- 26 3. **All parties to the proceedings in the district court (the use of et al. To denote parties is prohibited):** The State of Nevada vs. Thomas Randolph
- 27 4. **All parties involved in this appeal (the use of et al. To denote parties is prohibited):** Thomas Randolph, Appellant; The State of Nevada, Respondent.
- 28 5. **Name, law firm, address, and telephone number of all counsel on appeal and**

1 party or parties whom they represent:

2 RANDALL H. PIKE
3 Asst. Special Public Defender
330 S. Third St., Ste. 800
Las Vegas, Nevada 89155

4 Attorney for Appellant

STEVEN WOLFSON
District Attorney
200 Lewis Ave., 3rd Floor
Las Vegas, Nevada 89155

ADAM LAXALT
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Counsel for Respondent

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

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

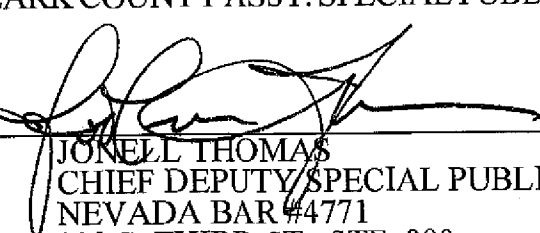
8. Whether appellant was granted leave to proceed in forma pauperis, and the
date of entry of the district court order granting such leave: 6/17/2009 (Public Defender
Office was appointed, previously Defendant had retained counsel)

9. Date proceedings commenced in the district court (e.g., date complaint,
indictment, information, or petition was filed): Indictment on 1/7/2009

DATED this 23rd day of August, 2017.

RANDALL H. PIKE
CLARK COUNTY ASST. SPECIAL PUBLIC DEFENDER

By


JONELL THOMAS
CHIEF DEPUTY SPECIAL PUBLIC DEFENDER
NEVADA BAR #4771
330 S. THIRD ST., STE. 800
LAS VEGAS, NEVADA 89155-2316
(702) 455-6265

CERTIFICATE OF MAILING

The undersigned employee with the Clark County Special Public Defender's Office,
hereby certifies that on 8/23/2017, a copy of the Case Appeal Statement was deposited in the

1 United States mail at Las Vegas, Nevada, enclosed in a sealed envelope upon which first class
2 postage was fully prepaid, addressed to Thomas Randolph, ID 2703406, Clark County Detention
3 Center 330 S. Casino Center Blvd., Las Vegas NV 89101; District Attorney's Office, 200 Lewis
4 Ave., 3rd Floor, Las Vegas NV 89155; and the Nevada Attorney General's Office, 100 N.
5 Carson, Carson City, NV 89701; that there is a regular communication by mail between the
6 place of mailing and the place so addressed.

7 DATED: 8/23/17

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11 KATHLEEN FITZGERALD
12 An employee of The Special Public Defender
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DEPARTMENT 23
CASE SUMMARY
CASE No. 09C250966

The State of Nevada vs Thomas W Randolph

§	Location:	Department 23
§	Judicial Officer:	Miley, Stefany
§	Filed on:	01/07/2009
§	Case Number History:	
§	Cross-Reference Case	C250966
§	Number:	
§	Defendant's Scope ID #:	2703406
§	ITAG Case ID:	1016264
§	Lower Court Case Number:	08GJ00085

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT MURDER	F	01/01/1900		
2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900	Case Flags:	Appealed to Supreme Court Custody Status - In Custody Death Penalty Case Charge Description Updated In Custody - CCDC
<i>Filed As:</i> MURDER USE OF A DEADLY WEAPON	F	1/7/2009		
3. MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900		
<i>Filed As:</i> BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON	F	1/7/2009		
4. MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900		

Warrants

Bench Warrant - Randolph, Thomas W (Judicial Officer: Miley, Stefany)
 10/20/2009 Quashed
 01/07/2009 Issued
 Fine: \$0
 Bond: \$0

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	09C250966
Court	Department 23
Date Assigned	07/05/2017
Judicial Officer	Miley, Stefany



PARTY INFORMATION

Defendant	Randolph, Thomas W	<i>Lead Attorneys</i> Schieck, David Michael <i>Retained</i> 7024556265(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)







DATE

EVENTS & ORDERS OF THE COURT

INDEX










01/07/2009	Grand Jury Indictment (11:30 AM) <i>GRAND JURY INDICTMENT Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Linda Bell</i>	
01/07/2009	 Indictment <i>(GRAND JURY) INDICTMENT Fee \$0.00</i>	09C2509660001.tif pages
01/07/2009	 Hearing <i>GRAND JURY INDICTMENT</i>	09C2509660002.tif pages

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CASE No. 09C250966






01/07/2009	Bench Warrant <i>NO BAIL BENCH WARRANT ISSUED</i>	09C2509660003.tif pages
01/07/2009	Order <i>ORDER OF INTENT TO FORFEIT</i>	09C2509660004.tif pages
01/07/2009	 Conversion Case Event Type <i>INDICTMENT WARRANT</i>	09C2509660007.tif pages
01/08/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1</i>	09C2509660005.tif pages
01/08/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 2</i>	09C2509660006.tif pages
01/16/2009	 Bench Warrant <i>BENCH WARRANT RETURN /04</i>	09C2509660009.tif pages
01/21/2009	Bench Warrant Return (1:30 PM) Events: 01/16/2009 Bench Warrant <i>BENCH WARRANT RETURN /04 Court Clerk: Nora Pena Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i>	
01/21/2009	Hearing <i>STATUS CHECK: ANY ISSUES</i>	09C2509660010.tif pages
01/21/2009	Plea (Judicial Officer: Miley, Stefany) 4. MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:	
01/27/2009	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	09C2509660015.tif pages
01/28/2009	Status Check (9:30 AM) Events: 01/21/2009 Hearing <i>STATUS CHECK: ANY ISSUES Court Clerk: Larry Snyder Reporter/Recorder: Debra Winn Heard By: Stefany Miley</i>	
02/02/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDING STATUS CHECK ANY ISSUES</i>	09C2509660016.tif pages
02/04/2009	 Notice of Intent to Seek Death Penalty <i>NOTICE OF INTENT TO SEEK DEATH PENALTY</i>	09C2509660017.tif pages
02/10/2009	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>EX PARTE ORDER</i>	09C2509660018.tif pages
02/11/2009	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>EX PARTE ORDER</i>	09C2509660019.tif pages
02/13/2009	 Reporters Transcript	09C2509660020.tif pages

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*RECORDER'S TRANSCRIPT OF HEARING RE ARRAIGNMENT BENCH RETURN
INDICTMENT*

03/13/2009	 Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>	09C2509660021.tif pages
03/13/2009	 Motion <i>DEFT'S MTN TO SET BAIL /11</i>	09C2509660022.tif pages
03/13/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660023.tif pages
03/13/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660024.tif pages
03/18/2009	<i>CANCELED Calendar Call (9:00 AM)</i> <i>Vacated</i>	
03/23/2009	<i>CANCELED Jury Trial (1:30 PM)</i> <i>Vacated</i>	
03/24/2009	 Writ <i>RETURN TO WRIT OF HABEAS CORPUS</i>	09C2509660025.tif pages
03/26/2009	 Order Filed By: Defendant Randolph, Thomas W <i>ORDER THAT A WRIT OF HABEAS CORPUS ISSUE</i>	09C2509660026.tif pages
03/26/2009	 Opposition <i>STATES OPPOSITION TO MOTION TO SET BAIL</i>	09C2509660027.tif pages
03/27/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660030.tif pages
03/27/2009	 Writ Filed by: Defendant Randolph, Thomas W <i>WRIT OF HABEAS CORPUS</i>	09C2509660034.tif pages
03/30/2009	Petition for Writ of Habeas Corpus (9:30 AM) Events: 03/13/2009 Petition <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Stefany Miley</i>	
03/30/2009	Motion to Set Bail (9:30 AM) Events: 03/13/2009 Motion <i>DEFT'S MTN TO SET BAIL /11 Heard By: Stefany Miley</i>	
03/30/2009	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (3/30/09) Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>	
03/30/2009	Motion <i>ALL PENDING MOTIONS (3/30/09)</i>	09C2509660028.tif pages






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CASE No. 09C250966

03/30/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660029.tif pages
03/30/2009	 Reply Filed by: Defendant Randolph, Thomas W <i>PETITIONER RANDOLPHS REPLY TO THE STATES RETURN TO HIS PETITION FOR WRIT OF HABEAS CORPUS HABEAS CORPUS</i>	09C2509660031.tif pages
04/01/2009	Petition for Writ of Habeas Corpus (9:30 AM) <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Stefany Miley</i>	
04/01/2009	Motion to Set Bail (9:30 AM) <i>DEFT'S MTN TO SET BAIL /11 Heard By: Stefany Miley</i>	
04/01/2009	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (4/1/09) Court Clerk: Larry Snyder Heard By: Stefany Miley</i>	
04/01/2009	Motion <i>ALL PENDING MOTIONS (4/1/09)</i>	09C2509660032.tif pages
04/01/2009	Hearing <i>HEARING: COURT'S RULING</i>	09C2509660033.tif pages
04/21/2009	Hearing <i>APPOINTMENT OF COUNSEL</i>	09C2509660035.tif pages
05/04/2009	 Memorandum Filed By: Defendant Randolph, Thomas W <i>MEMORANDUM OF LAW IN SUPPORT OF DEFTS PETITION FOR WRIT OF HABEAS CORPUS AND DISMISSAL OF BURGLARY CHARGE DISMISSAL OF BURGLARY CHARGE</i>	09C2509660036.tif pages
05/04/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660037.tif pages
05/11/2009	 Response <i>STATES RESPONSE TO DEFTS MEMORANDUM OF LAW IN SUPPORT OF DISMISSAL OF BURGLARY CHARGE CHARGE</i>	09C2509660038.tif pages
05/13/2009	Hearing (9:30 AM) Events: 04/01/2009 Hearing <i>HEARING: COURT'S RULING Heard By: Stefany Miley</i>	
05/13/2009	Motion for Confirmation of Counsel (9:30 AM) Events: 04/21/2009 Hearing <i>APPOINTMENT OF COUNSEL</i>	
05/13/2009	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (5/13/09) Court Clerk: Larry Snyder Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>	
05/13/2009	Motion <i>ALL PENDING MOTIONS (5/13/09)</i>	09C2509660039.tif pages
05/20/2009	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (5-20-09) Court Clerk: Larry Snyder Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>	


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CASE No. 09C250966

05/20/2009	Hearing (10:00 AM) <i>HEARING: COURT'S RULING Heard By: Stefany Miley</i>	
05/20/2009	Motion for Confirmation of Counsel (10:00 AM) <i>APPOINTMENT OF COUNSEL</i>	
05/20/2009	Hearing <i>HEARING: RETAINING COUNSEL</i>	09C2509660040.tif pages
05/22/2009	Motion <i>ALL PENDING MOTIONS (5-20-09)</i>	09C2509660041.tif pages
06/03/2009	Hearing (1:00 PM) Events: 05/20/2009 Hearing <i>HEARING: RETAINING COUNSEL Court Clerk: Larry Snyder Heard By: Miley, Stefany</i>	
06/04/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE APPOINTMENT OF COUNSEL - HEARING COURTS RULING - HEARD 05-20-09 HEARD 05-20-09</i>	09C2509660042.tif pages
06/11/2009	Hearing (10:00 AM) <i>HEARING: RETAINING COUNSEL Court Clerk: Larry Snyder Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>	
06/11/2009	Hearing <i>CONFIRMATION OF COUNSEL (PUBLIC DEFENDER)</i>	09C2509660043.tif pages
06/12/2009	 Receipt of Copy Filed by: Defendant Randolph, Thomas W <i>RECEIPT OF COPY</i>	09C2509660045.tif pages
06/17/2009	Motion for Confirmation of Counsel (11:30 AM) Events: 06/11/2009 Hearing <i>CONFIRMATION OF COUNSEL (PUBLIC DEFENDER) Court Clerk: Larry Snyder Reporter/Recorder: Dalyne Easley Heard By: Stefany Miley</i>	
06/17/2009	Hearing <i>STATUS CHECK: TRIAL SETTING</i>	09C2509660044.tif pages
06/18/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE CONFIRMATION OF COUNSEL PUBLIC DEFENDER - HEARD 06-17-09 06-17-09</i>	09C2509660046.tif pages
06/18/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE HEARING - RETAINING COUNSEL - HEARD 06-11-09</i>	09C2509660047.tif pages
06/18/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE PETITION FOR WRIT OF HABEAS CORPUS - DEFTS MTN TO SET BAIL SET BAIL</i>	09C2509660048.tif pages
07/15/2009	Status Check (9:30 AM) Events: 06/17/2009 Hearing <i>STATUS CHECK: TRIAL SETTING Court Clerk: Larry Snyder Reporter/Recorder: Debra Winn Heard By: Miley, Stefany</i>	
07/15/2009	Hearing	09C2509660049.tif pages








DEPARTMENT 23
CASE SUMMARY
CASE No. 09C250966

	<i>CONFIRMATION OF COUNSEL</i>	
07/24/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE STATUS CHECK - TRIAL SETTING - HEARD 07-15-09</i>	09C2509660050.tif pages
07/29/2009	Status Check (9:30 AM) <i>STATUS CHECK: TRIAL SETTING</i>	
07/29/2009	Motion for Confirmation of Counsel (9:30 AM) Events: 07/15/2009 Hearing <i>CONFIRMATION OF COUNSEL Heard By: Stefany Miley</i>	
08/05/2009	Status Check (9:30 AM) <i>STATUS CHECK: TRIAL SETTING Court Clerk: Larry Snyder Reporter/Recorder: Debra Winn</i>	
08/05/2009	Motion for Confirmation of Counsel (9:30 AM) <i>CONFIRMATION OF COUNSEL Heard By: Stefany Miley</i>	
08/05/2009	All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS (8-05-09) Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Dalayne Easley Heard By: Stefany Miley</i>	
08/05/2009	Hearing <i>STATUS CHECK: PRO HAC VACE CREDENTIALS</i>	09C2509660051.tif pages
08/05/2009	Hearing <i>HEARING: ARGUMENT/DECISION (VC 12/9/09)</i>	09C2509660052.tif pages
08/06/2009	Motion <i>ALL PENDING MOTIONS (8-05-09)</i>	09C2509660053.tif pages
08/14/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE STATUS CHECK - TRIAL SETTING - CONFIRMATION OF COUNSEL - HEARD 08-05-09 COUNSEL - HEARD 08-05-09</i>	09C2509660054.tif pages
08/18/2009	 Affidavit Filed By: Defendant Randolph, Thomas W <i>AFFIDAVIT</i>	09C2509660057.tif pages
08/19/2009	Status Check (10:30 AM) Events: 08/05/2009 Hearing <i>STATUS CHECK: PRO HAC VACE CREDENTIALS Court Clerk: Larry Snyder Relief Clerk: Maria Garibay/mg Reporter/Recorder: Dalayne Easley Heard By: Stefany Miley</i>	
08/19/2009	Hearing <i>HEARING PETROCELLI HEARING (VC 12/9/09)</i>	09C2509660055.tif pages
08/19/2009	Hearing <i>STATUS CHECK: TRIAL SETTING (VC 12/9/09)</i>	09C2509660056.tif pages
08/19/2009	 Request Filed by: Defendant Randolph, Thomas W <i>MOTION TO ASSOCIATE COUNSEL</i>	09C2509660058.tif pages
08/25/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE STATUS CHECK - PRO HAC VICE CREDENTIALS -</i>	09C2509660059.tif pages

DEPARTMENT 23
CASE SUMMARY
CASE No. 09C250966













	HEARD 08-19-09 HEARD 08-19-09	
09/03/2009	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>EX PARTE APPLICATION FOR COURT APPROVAL OF PAYMENT OF SPECIFIC CATEGORIES OF ANCILLARY DEFENSE COSTS ANCILLARY DEFENSE COSTS</i>	09C2509660060.tif pages
09/23/2009	 Motion <i>STATES MTN: ADMIT EVIDENCE OF OF PRIOR BAD ACTS/27 (VC 12/9/09)</i>	09C2509660061.tif pages
09/24/2009	 Motion <i>DEFT'S MTN FOR COURT APPROVAL OF PAYMENT OF</i>	09C2509660062.tif pages
09/28/2009	 Response <i>RESPONSE TO MOTION FOR COURT APPROVAL OF PAYMENT ANCILLARY DEFENSE COSTS</i>	09C2509660063.tif pages
09/28/2009	 Certificate Filed By: Defendant Randolph, Thomas W <i>CERTIFICATE OF MAILING</i>	09C2509660064.tif pages
10/05/2009	Motion (9:30 AM) Events: 09/24/2009 Motion <i>DEFT'S MTN FOR COURT APPROVAL OF PAYMENT OF Court Clerk: Larry Snyder Reporter/Recorder: Dalyn Easley Heard By: Stefany Miley</i>	
10/07/2009	CANCELED Calendar Call (9:30 AM) <i>Vacated</i>	
10/09/2009	 Notice <i>NOTICE OF RESCHEDULING HEARING</i>	09C2509660065.tif pages
10/12/2009	CANCELED Jury Trial (1:30 PM) <i>Vacated</i>	
10/16/2009	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE DEFTS MTN FOR COURT APPROVAL OF PAYMENT OF SPECIFIC CATEGORIES OF ANCILLARY DEFENSE COSTS - HEARD 10-05-09 SPECIFIC CATEGORIES OF ANCILLARY DEFENSE COSTS - HEARD 10-05-09</i>	09C2509660066.tif pages
11/04/2009	 Request <i>NOTICE OF MOTION AND MTN TO ADMIT EVIDENCE OF PRIOR BAD ACTS</i>	09C2509660067.tif pages
11/16/2009	 Opposition Filed By: Defendant Randolph, Thomas W <i>OPPOSITION TO MOTION TO ADMIT EVIDENCE OF PRIOR BAD ACTS</i>	09C2509660068.tif pages
11/18/2009	 Reply <i>REPLY TO DEFTS OPPOSITION TO MTN TO ADMIT EVIDENCE OF PRIOR BAD ACTS</i>	09C2509660069.tif pages
12/04/2009	Hearing (9:30 AM) Events: 08/05/2009 Hearing <i>HEARING: ARGUMENT/DECISION (VC 12/9/09)</i>	
12/04/2009	Hearing (9:30 AM)	

DEPARTMENT 23
CASE SUMMARY
CASE No. 09C250966

	Events: 08/19/2009 Hearing <i>HEARING PETROCELLI HEARING (VC 12/9/09)</i>	
12/04/2009	Status Check (9:30 AM) Events: 08/19/2009 Hearing <i>STATUS CHECK: TRIAL SETTING (VC 12/9/09)</i>	
12/04/2009	Motion to Admit Evidence (9:30 AM) Events: 09/23/2009 Motion <i>STATES MTN: ADMIT EVIDENCE OF OF PRIOR BAD ACTS/27 (VC 12/9/09)</i>	
12/09/2009	 Minute Order (0:00 AM) <i>MINUTE ORDER RE: MTN'S SET ON 12/11 Relief Clerk: Nicole McDevitt Heard By: Stefany Miley</i>	
12/09/2009	Hearing <i>MINUTE ORDER RE: MTN'S SET ON 12/11</i>	09C2509660070.tif pages
12/11/2009	Hearing (9:30 AM) <i>HEARING: ARGUMENT/DECISION (VC 12/9/09)</i>	
12/11/2009	Hearing (9:30 AM) <i>HEARING PETROCELLI HEARING (VC 12/9/09)</i>	
12/11/2009	Status Check (9:30 AM) <i>STATUS CHECK: TRIAL SETTING (VC 12/9/09)</i>	
12/11/2009	Motion to Admit Evidence (9:30 AM) <i>STATES MTN: ADMIT EVIDENCE OF OF PRIOR BAD ACTS/27 (VC 12/9/09)</i>	
12/17/2009	 Minute Order (9:30 AM) <i>MINUTE ORDER RE: COURT'S DECISION Court Clerk: Larry Snyder Heard By: Stefany Miley</i>	
12/17/2009	Hearing <i>MINUTE ORDER RE: COURT'S DECISION</i>	09C2509660071.tif pages
12/18/2009	 Decision <i>DECISION</i>	09C2509660072.tif pages
02/26/2010	 Motion <i>DEFT'S MTN TO SET BAIL /31</i>	09C2509660073.tif pages
03/03/2010	 Certificate Filed By: Defendant Randolph, Thomas W <i>CERTIFICATE OF MAILING</i>	09C2509660074.tif pages
03/09/2010	 Opposition <i>STATES OPPOSITION TO MOTION TO SET BAIL</i>	09C2509660075.tif pages
03/11/2010	 Reporters Transcript <i>RECORDER'S TRANSCRIPT RE DEFENDANTS MOTION TO SET BAIL - HEARD 03-17-10</i>	09C2509660077.tif pages
03/17/2010	Motion to Set Bail (9:30 AM) Events: 02/26/2010 Motion <i>DEFT'S MTN TO SET BAIL /31 Court Clerk: Larry Snyder Reporter/Recorder: Dalyne</i>	















DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

Easley Heard By: Stefany Miley

03/17/2010	Hearing <i>STATUS CHECK: CURRENT CASE STATUS (VY 4/20/10 PER ALL COUNSEL)</i>	09C2509660076.tif pages
04/26/2010	CANCELED Status Check (9:30 AM) Events: 03/17/2010 Hearing <i>Vacated</i>	
05/20/2010	Hearing <i>HEARING: PETROCELLI (ALL DAY)</i>	09C2509660078.tif pages
07/30/2010	Evidentiary Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) 07/30/2010, 08/16/2010 Events: 05/20/2010 Hearing <i>Hearing: Petrocelli (All Day)</i>	
07/30/2010	 Motion to Exclude Filed By: Defendant Randolph, Thomas W <i>Motion to Exclude: Testimony of State's Witness William McGuire</i>	
08/06/2010	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Hearing: Petrocelli - Heard 07-30-10</i>	
08/20/2010	 Recorders Transcript of Hearing <i>Re: Hearing Petrocelli - Heard 08-16-2010</i>	
09/20/2010	 Minute Order (9:30 AM) (Judicial Officer: Miley, Stefany)	
09/20/2010	 Motion <i>Motion to Place on Calendar to Address Medical Issues</i>	
09/22/2010	 Decision <i>Decision</i>	
10/01/2010	 Certificate of Mailing <i>Certificate of Mailing</i>	
10/04/2010	 Motion (9:30 AM) (Judicial Officer: Miley, Stefany) Events: 09/20/2010 Motion <i>Motion to Place on Calendar to Address Medical Issues</i>	
10/08/2010	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Defendant's Motion to Place on Calendar to Address Medical Issues October 4, 2010</i>	
01/15/2011	 Notice of Hearing <i>Notice Setting Date And Time Of Hearing</i>	
01/24/2011	 Status Check (9:30 AM) (Judicial Officer: Thompson, Charles) Events: 01/15/2011 Notice of Hearing <i>Trial</i>	
01/27/2011	 Reporters Transcript	

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Filed By: Plaintiff State of Nevada
Reporters Transcript Re: Status Check: Trial - Heard 01/24/2011

02/14/2011	 Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>STATUS CHECK: RESET TRIAL DATE</i>
02/28/2011	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge Trial to be reset.</i>
05/18/2011	 Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>STATUS CHECK: CASE STATUS - POSSIBLE AUGUST TRIAL DATE</i>
11/02/2011	 Notice of Rescheduling <i>Notice of Rescheduling of Hearing</i>
11/08/2011	 Notice of Hearing <i>Notice Setting Date and Time of Hearing</i>
11/16/2011	 Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Re: Readiness of Trial</i>
11/28/2011	 Motion in Limine <i>Motion in Limine to Preclude the State from Moving to Admi into Evidence Photographs Which are Unduly Prejudicial and/or Cumulative</i>
11/28/2011	 Motion <i>Motion for Disqualification from the Jury Venire of all Potential Jurors Who Would Automatically Vote for the Death Penalty if They Found Guilty of Capital Murder</i>
11/28/2011	 Motion in Limine <i>Motion in Limine to Prohibit any References to the Trial Phase as the "Guilt Phase"</i>
11/28/2011	 Motion <i>Motion for Lists of Names and Addresses of Persons Who May Have Evidence Favorable to Defendant and for Disclosure of Other Discovery Material</i>
11/28/2011	 Motion <i>Motion to Allow the Defense to Argue Last at the Penalty Phase</i>
11/28/2011	 Motion <i>Motion to Allow the Defense to Argue Last at the Penalty Phase</i>
11/28/2011	 Motion to Compel <i>Motion to Compel Disclosure of Information Relating to Aggravating and Mitigating Factors</i>
11/28/2011	 Motion <i>Defendant's Motion to Compel Production of Data Regarding Imposition of the Death Penalty</i>
11/28/2011	 Motion <i>Motion to Bar the Admission of Cumulative Victim Impact Evidence in Violation of the Due Process Clause</i>








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11/28/2011	 Motion <i>Motion to Assure that Mitigating Circumstances Receive Their Due Weight and Attention from the Jury</i>
11/28/2011	 Motion <i>Defendant's Motion to Compel Disclosure of Exculpatory Evidence</i>
11/28/2011	 Motion <i>Motion to Reveal NCIC Reports</i>
11/28/2011	 Motion <i>Motion for Discovery and Evidentiary Hearing Regarding the Manner and Method of Determining in Which Murder Cases the Death Penalty Will be sought</i>
11/28/2011	 Motion <i>Motion for Jury View of the Execution Process</i>
11/28/2011	 Motion <i>Motion to Prohibit the Use of Peremptory Challenges to Exclude Jurors who Express Concerns About Capital Punishment</i>
11/28/2011	 Motion <i>Motion to Declare Nevada's Chosen Manner of Execution in Violation of the Eight Amendment to the United States Constitution</i>
11/28/2011	 Motion <i>Motion to Extend Time to File Additional Pretrial Motions Upon Receipt of Substantive Evidence Pursuant to NRS 174.125</i>
11/28/2011	 Motion <i>Motion to Federalize all Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Matter</i>
11/28/2011	 Motion <i>Motion to Compel Production of Defendant's Direct and Vicarious Statements</i>
12/01/2011	 Motion for Stay of Execution <i>Motion For Stay Of Proceedings</i>
12/02/2011	 Response <i>State's Response to Defendant's Motion to Extend Time to File Pretrial Motions</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Declare Nevada's Manner of Execution Unconstitutional</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Assure Mitigating Circumstances Receive Their Due Weight and Attention From the Jury</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion for Jury to View the Execution Process</i>














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12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Compel Production of Data Regarding Imposition of the Death Penalty</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion for Disqualification From the Jury Venire of All Potential Jurors Who Would Automatically Vote for the Death Penalty if They Found Defendant Guilty of Capital Murder</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Reveal NCIC Reports</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion for Lists of Names and Addresses of Persons Who May Have Evidence Favorable to Defendant and For Full Disclosure of Other Discovery Material</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Compel Disclosure of Information Relating to Aggravating and Mitigating Factors</i>
12/02/2011	 Response <i>State's Response to Defendant's Motion to Compel Production of Defendant's Direct and Vicarious Statements</i>
12/02/2011	 Response <i>State's Response to Defendant's Motion to Compel Disclosure of Exculpatory Evidence; State's Motion for Defense Discovery</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion in Limine to Prohibit Any References to the Trial Phase as the "Guilt Phase"</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Prohibit the Use of Peremptory Challenges to Exclude Jurors Who Express Concerns about Capital Punishment</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion in Limine to Preclude the State From Moving to Admit Into Evidence Photographs Which are Unduly Prejudicial and/or Cumulative</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion for Discovery and Evidentiary Hearing Regarding the Manner and Method of Determining in Which Cases the Death Penalty Will Be Sought</i>
12/02/2011	 Opposition <i>Opposition to Defendant's Motion to Federalize All Motions, Objections, Requests and Other Applications for the Proceedings in the Above Entitled Case</i>
12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Bar the Admission of Cumulative Victim Impact Evidence in Violation of the Due Process Clause</i>

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12/02/2011	 Opposition <i>State's Opposition to Defendant's Motion to Allow the Defense to Argue Last at the Penalty Phase</i>
12/05/2011	 Notice of Rescheduling <i>Notice of Rescheduling of Hearing</i>
12/07/2011	Calendar Call (9:00 AM) (Judicial Officer: Miley, Stefany)
12/07/2011	Motion For Stay (9:00 AM) (Judicial Officer: Miley, Stefany) <i>Motion For Stay Of Proceedings</i>
12/07/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Miley, Stefany)
12/10/2011	CANCELED Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/10/2011	CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Reset to Friday, 12/9/11</i>
12/13/2011	 Notice <i>Notice of Evidence in Support of Aggravating Circumstances</i>
12/14/2011	 Ex Parte Order <i>Ex Parte Order Allowing Expert to Test/Interview Defendant</i>
12/14/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
12/20/2011	 Motion in Limine <i>Notice Of Motion And Motion In Limine To Admit Evidence Of Prior Bad Acts</i>

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12/20/2011	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript Re: Status Check: Case Status - Possible August Trial Date - Heard 8/18/2011</i>
12/22/2011	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Expert Witnesses</i>
12/22/2011	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
12/22/2011	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
12/27/2011	 Expert Witness List <i>Defendant's Expert Witness List</i>
12/28/2011	 Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses</i>
12/30/2011	 Motion to Continue <i>Motion to Continue Trial Pursuant to NRS 174.515</i>
01/03/2012	Motion to Continue Trial (11:15 AM) (Judicial Officer: Miley, Stefany) <i>Motion to Continue Trial Pursuant to NRS 174.515</i>
01/03/2012	Status Check: Status of Case (11:15 AM) (Judicial Officer: Miley, Stefany)
01/03/2012	 All Pending Motions (11:15 AM) (Judicial Officer: Miley, Stefany)
01/04/2012	 Ex Parte <i>Ex Parte Order Allowing Defendant Access to Laptop</i>
01/04/2012	 Ex Parte <i>Ex Parte Order Allowing Attorney and his Assistant to Enter Jail for the Purpose of Providing Grooming Services to Defendant</i>
01/04/2012	CANCELED Jury Trial - FIRM (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> TRIAL RESET TO 1/17/12
01/05/2012	 Opposition to Motion <i>Opposition to Motion in Limine to Admit Evidence of Prior Bad Acts</i>
01/05/2012	 Motion in Limine <i>Motion in Limine to Preclude the State From Presenting to the Jury Any Written Statement to Follow Along While any Audio Recordings Being Played and Motion to Suppress Recordings and Transcripts</i>
01/05/2012	 Opposition <i>Opposition to Notice Evidence of Evidence in Support of Aggravated Circumstances</i>
01/05/2012	CANCELED Jury Trial - FIRM (9:30 AM) (Judicial Officer: Miley, Stefany)

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Vacated
TRIAL DATE CONTINUED TO 1/17/12

01/06/2012	 Order <i>Order For Transcripts</i>
01/06/2012	 Subpoena Duces Tecum <i>Subpoena Duces Tecum</i>
01/06/2012	CANCELED Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/06/2012	CANCELED Jury Trial - FIRM (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>TRIAL RESET TO 1/17/12</i>
01/06/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - On in Error</i> <i>Duplicate Entry</i>
01/06/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
01/06/2012	 Motion to Compel <i>Motion to Compel reports and cv's of all experts the state intends to use</i>
01/06/2012	 Motion in Limine <i>Motion in Limine to Limit use of Demonstrative and Tangible Evidence During opening Statements</i>
01/06/2012	 Motion in Limine <i>Motion In Limine to Limit Crime Scene and Autopsy Photos</i>
01/06/2012	 Motion in Limine <i>Motion in Limine to Exclude Hearsay Testimony and Documents Pursuant to NRS 51.035</i>
01/06/2012	 Motion to Suppress <i>Motion to Suppress Defendant's Statement</i>
01/06/2012	 Supplement <i>Supplement to Defendant's Expert Witness List</i>
01/06/2012	 Order Filed By: Plaintiff State of Nevada <i>Order for Daily Transcript</i>
01/09/2012	 Certificate of Service <i>Certificate of Service of Transcripts</i>
01/09/2012	 Certificate of Service <i>Certificate of Service of Transcript - For the Afternoon Proceedings on January 6, 2012</i>
01/09/2012	 Motion <i>Motion to Stay Proceedings</i>










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01/09/2012	 Order <i>Amended Order For Transcripts</i>
01/09/2012	 Filed Under Seal <i>Transcript of Proceedings Sealed 1/6/12</i>
01/09/2012	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Continuation of Defendant's Oral Motion to Have His Counsel EB Bryson Esq and Yale L Galanter Esq Withdrawn from this Case 1/6/12</i>
01/09/2012	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Defendant's Oral Motion to Have His Counsel EB Bryson Esq and Yale L Galanter Esq Withdrawn from this Case 1/6/12</i>
01/10/2012	 Reply <i>State's Reply to Opposition to Notice of Evidence in Support of Aggravated Circumstances</i>
01/10/2012	 Opposition to Motion <i>State's Opposition to Motion to Suppress Defendant's Statement</i>
01/10/2012	 Opposition to Motion <i>State's Oppositon to Motion in Limine Regarding Crime Scene and Autopsy Photographs</i>
01/10/2012	 Opposition to Motion <i>State's Opposition to Defendant's Motion in Limine Re: The Use Of Demonstrative And Tangible Evidence During Opening Statements</i>
01/10/2012	 Notice of Witnesses and/or Expert Witnesses <i>Defendant's Witness List</i>
01/12/2012	 Decision <i>Decision</i>
01/12/2012	CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	CANCELED Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>

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01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion for Discovery (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion for Order Extending Time (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/12/2012	<i>CANCELED</i> Motion For Stay (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Motion Granted summarily</i>

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01/12/2012	 Ex Parte Order <i>Amended Ex Parte Order Allowing Expert to Test/Interview Defendant</i>
01/17/2012	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/18/2012	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/19/2012	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/20/2012	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
01/23/2012	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
02/02/2012	CANCELED Status Check: Reset Trial Date (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Hearing vacated pending AOC decision.</i>
02/02/2012	 Status Check: Reset Trial Date (11:30 AM) (Judicial Officer: Miley, Stefany)
02/10/2012	 Motion <i>Motion to Withdraw as Attorney of Record - E. Brent Bryson, Ltd.</i>
02/10/2012	 Motion <i>Motion to Withdraw as Attorney of Record- Yale Galanter</i>
02/13/2012	Status Check (9:00 AM) (Judicial Officer: Miley, Stefany) <i>Motions to Withdraw Counsel/Reset Trial</i>
02/13/2012	Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Miley, Stefany) <i>Motion to Withdraw as Attorney of Record - E. Brent Bryson, Ltd.</i>
02/13/2012	 All Pending Motions (9:00 AM) (Judicial Officer: Miley, Stefany)
02/13/2012	 Certificate of Mailing <i>Certificate Of Mailing And Telecopying</i>
02/13/2012	 Request Filed by: Defendant Randolph, Thomas W <i>Request to Fire Attorneys</i>
02/13/2012	 Declaration <i>Declaration Of Thomas Randolph</i>
02/14/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript Of Proceedings Re: Status Check: Re: Readiness Of Trial - Heard 11-16-11</i>
02/27/2012	Confirmation of Counsel (9:30 AM) (Judicial Officer: Miley, Stefany) 02/27/2012, 03/05/2012 <i>(Kohn)</i>

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02/27/2012	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) 02/27/2012, 03/05/2012 <i>Motion and Trial Setting</i>
02/27/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
03/05/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
04/03/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorders Transcript of Proceedings Re: Confirmation of Counsel (Kohn) Status Check: Motion and Trial Setting-February 27, 2012</i>
04/09/2012	 Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) 04/09/2012, 04/11/2012 <i>Re-Set Petrocelli Hearing Re: State's Motion for Prior Bad Acts and Defendant's Motions in Limine</i>
04/13/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: Status Check: Reset Trial Date February 2, 2012</i>
04/13/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: Calendar Call Defendant's Motion for Stay of Proceedings December 7, 2011</i>
05/07/2012	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order for Transport</i>
05/10/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorders Transcript of Proceedings Re: Status Check January 03, 2012</i>
05/29/2012	 Motion to Enforce Filed By: Defendant Randolph, Thomas W <i>Motion to Enforce Rules on Cameras and Electronic Media Conveyed in Court</i>
05/29/2012	 Motion to Strike Filed By: Defendant Randolph, Thomas W <i>Motion to Strike Third Alleged Aggravating Circumstance</i>
06/08/2012	Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Production of Defendant's Direct and Vicarious Statements</i>
06/08/2012	Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Production of Data regarding Imposition of the Death Penalty</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Reveal NCIC Reports</i>

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06/08/2012	Motion for Discovery (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion for Discovery and Evidentiary Hearing regarding the Manner and Method of Determining in which Murder Cases the Death Penalty will be sought</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Allow the Defense to Argue Last at the Penalty Phase</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion for Jury View of the Execution Process</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Prohibit the Use of Peremptory Challenges to Exclude Jurors who Express Concerns about Capital Punishment</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion for Lists of Names and Addresses of Persons Who may have Evidence Favorable to Defendant and for Disclosure of Other Discovery Material</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Declare Nevada's Chosen Manner of Execution in Violation of the Eighth Amendment to the United States Constitution</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Extend Time to File Additional Pretrial Motions upon Receipt of Substantive Evidence Pursuant to NRS 174.125</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion for Disqualification from the Jury Venire of All Potential Jurors who would Automatically Vote for the Death Penalty if They Found Guilty of Capital Murder</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Federalize all Motions, Objections, Requests and Other Application for the Proceedings in the Above Entitled Matter</i>
06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion in Limine to Preclude the State from Moving to Admit to Evidence Photographs which are Unduly Prejudicial and/or Cumulative</i>
06/08/2012	Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Disclosure of Information Relating to Aggravating and Mitigating Factors</i>
06/08/2012	Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Disclosure of Exculpatory Evidence</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Bar the Admission of Cumulative Victim Impact Evidence in Violation of the Due Process Clause</i>
06/08/2012	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Assure that Mitigating Circumstances receive their Due Weight and Attention from the Jury</i>
06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion in Limine to Prohibit any References to the Trial Phase as the "Guilt Phase"</i>
06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion in Limine to Limit Use of Demonstrative and Tangible Evidence During Opening Statement</i>
06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany)









DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

Defendant's Motion in Limine to Exclude Hearsay and Documents Pursuant to NRS 51.035

06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion in Limine to Limit Crime Scene and Autopsy Photos</i>
06/08/2012	Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Report and CV's of All Experts the State Intends to Use</i>
06/08/2012	Motion to Suppress (9:30 AM) (Judicial Officer: Miley, Stefany) 06/08/2012, 09/13/2013 <i>Defendant's Motion to Suppress Defendant's Statement</i>
06/08/2012	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion in Limine to Preclude the State from Presenting to Jury any Written Statement to Follow Along while any Audio Recordings being Played and Motion to Suppress Recordings and Transcripts</i>
06/08/2012	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Set Petrocelli Hearing Re: State's Motion in Limine to Admit Evidence of Prior Bad Acts</i>
06/08/2012	Motion to Enforce (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Enforce Rules on Cameras and Electronic Media Conveyed in Court</i>
06/08/2012	Motion to Strike (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Strike Third Alleged Aggravating Circumstance</i>
06/08/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
06/08/2012	Opposition (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Def't's Opposition to Notice Evidence in Support of Aggravated Circumstances</i>
07/06/2012	 Motion to Reconsider Filed By: Defendant Randolph, Thomas W <i>Motion for Reconsideration of the Granting of the State's Motion to Admit Prior Bad Acts Regarding the Utah Case</i>
07/06/2012	 Motion to Strike Filed By: Defendant Randolph, Thomas W <i>Motion to Strike Grand Jury Indictment</i>
07/06/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorders Transcript of Proceedings Re: Status Check: Re-Set Hearing for State's Motion for Prior Bad Acts and Defendant's Motion in Limine & Petrocelli Hearing</i>
07/06/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorders Transcript of Proceedings Re: Confirmation of Counsel (Kohn) Status Check: Motion and Trial Setting</i>
07/12/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Strike Grand Jury Indictment</i>
07/20/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada













DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

State's Opposition to Defendant's Motion for Reconsideration of the Granting of the State's Motion to Admit Prior Bad Acts Regarding the Utah Case











07/25/2012	Motion For Reconsideration (9:30 AM) (Judicial Officer: Miley, Stefany) Events: 07/06/2012 Motion to Reconsider <i>Defendant's Motion for Reconsideration of the Granting of the State's Motion to Admit Prior Bad Acts Regarding the Utah Case</i>
07/25/2012	Motion to Strike (9:30 AM) (Judicial Officer: Miley, Stefany) 07/25/2012, 09/10/2012, 09/17/2012, 10/12/2012, 11/26/2012 Events: 07/06/2012 Motion to Strike <i>Defendant's Motion to Strike Grand Jury Indictment</i>
07/25/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
08/03/2012	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion for Reconsideration of the Granting of the State's Motion to Admit Prior Bad Acts Regarding the Utah Case</i>
08/21/2012	 Notice of Rescheduling <i>Notice Re-Setting Date and Time of Hearing</i>
09/10/2012	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Unsealed documents</i>
09/10/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
09/10/2012	CANCELED All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - On in Error</i>
09/12/2012	 Order Filed By: Plaintiff State of Nevada <i>Order for Production of Documents and Setting of Hearing</i>
09/13/2012	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
09/17/2012	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
09/17/2012	 Status Check (11:00 AM) (Judicial Officer: Miley, Stefany) <i>Grand Jury documents</i>
09/17/2012	All Pending Motions (11:00 AM) (Judicial Officer: Miley, Stefany)
10/01/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: Status Check: Grand Jury Documents...Defendant's Motion to Strike Grand Jury Indictment Heard on September 17, 2012</i>
10/01/2012	 Application Filed By: Defendant Randolph, Thomas W

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CASE NO. 09C250966














Ex Parte Application and Order to Produce Records

10/01/2012	 Order Filed By: Defendant Randolph, Thomas W <i>Order</i>
10/03/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Status Check: Re-set Hearing for State's Motion for Prior Bad Acts and Defendant's Motion in Limine & Petrocelli Hearing</i>
10/10/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: Status Check: Unsealed Documents...Defendant's Motion to Strike Grand Jury Indictment September 10, 2012</i>
10/10/2012	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: All Pending Motions June 8, 2012</i>
10/11/2012	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Monday, September 10, 2012.</i>
10/12/2012	Evidentiary Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Re: Motion to Strike Grand Jury Indictment</i>
10/12/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
10/18/2012	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order for Camera Access to Court Proceedings</i>
10/25/2012	 Evidentiary Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) 10/25/2012, 11/26/2012 <i>Re: Motion to Strike Grand Jury Indictment</i>
10/31/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Defendant's Motion for Reconsideration of the Granting of the State's Motion to Admit Prior Bad Acts Regarding the Utah Case...Defendant's Motion to Strike Grand Jury Indictment</i>
11/26/2012	Trial Setting (11:30 AM) (Judicial Officer: Miley, Stefany)
11/26/2012	 All Pending Motions (11:30 AM) (Judicial Officer: Miley, Stefany)
12/05/2012	 Status Check (11:00 AM) (Judicial Officer: Miley, Stefany) <i>Mr. Bryson's Discovery</i>
01/09/2013	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
01/14/2013	CANCELED Jury Trial - FIRM (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
01/15/2013	 Order












DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

	Filed By: Defendant Randolph, Thomas W <i>Order To Produce Transcript</i>
01/22/2013	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
01/28/2013	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
03/28/2013	 Certificate of Service <i>Certificate of Service of Defendant's Letters</i>
03/29/2013	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion For Emergency Hearing To Dismiss My Current Attorney And Have New Attorney Appointed By The Court. Motion To Hear & Grant Prior Ex Parte Orders Filed By The Defendant That The Court Has Not Ruled Upon To Date</i>
04/09/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request to File Order Under Seal</i>
04/09/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request to File Order Under Seal</i>
04/09/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request to File Order Under Seal</i>
04/10/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
04/10/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
04/10/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
04/22/2013	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Motion For Emergency Hearing To Dismiss My Current Attorney And Have New Attorney Appointed By The Court. Motion To Hear & Grant Prior Ex Parte Order Filed By The Defendant That The Court Has Not Ruled Upon To Date</i>
04/22/2013	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Reset Petrocelli Hearing and State's Other Bad Acts Motion</i>
04/22/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
04/26/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request to File Ex Parte Order Under Seal</i>

DEPARTMENT 23
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CASE NO. 09C250966

04/30/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
05/14/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request To File Order Under Seal</i>
05/14/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request To File Order Under Seal</i>
05/15/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
05/15/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
07/12/2013	 Request Filed by: Defendant Randolph, Thomas W <i>Request To File Order Under Seal</i>
07/15/2013	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Ex Parte Order</i>
08/06/2013	 Order to Seal Filed By: Defendant Randolph, Thomas W <i>Request To File Order Under Seal</i>
08/08/2013	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order</i>
09/05/2013	 Motion to Strike Filed By: Defendant Randolph, Thomas W <i>Motion To Strike Burglary While In Possession of a Deadly Weapon, Count 3 of the Indictment</i>
09/05/2013	 Motion to Strike Filed By: Defendant Randolph, Thomas W <i>Motion To Strike Lying In Wait Theory Of Murder, Count 2 of the Indictment</i>
09/05/2013	 Motion Filed By: Defendant Randolph, Thomas W <i>Defendant's Renewed Motion To Reconsider the Admission of Prior Bad Acts Evidence</i>
09/12/2013	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Strike Burglary While in Possession of a Deadly Weapon, Count 3 of the Indictment</i>

DEPARTMENT 23
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CASE NO. 09C250966

09/12/2013	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Strike Lying in Wait Theory of Murder, Count 2 of the Indictment</i>
09/13/2013	Jackson v Denno Hearing (9:30 AM) (Judicial Officer: Miley, Stefany)
09/13/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
09/13/2013	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on November 26, 2012 (Sealed Portion Only of Deft's Motion to Strike Grand Jury Indictment)</i>
09/18/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
09/18/2013	Motion to Reconsider (11:00 AM) (Judicial Officer: Miley, Stefany) 09/18/2013, 10/02/2013 Events: 09/05/2013 Motion <i>Defendant's Renewed Motion To Reconsider the Admission of Prior Bad Acts Evidence</i>
09/18/2013	Motion to Strike (11:00 AM) (Judicial Officer: Miley, Stefany) 09/18/2013, 10/02/2013 Events: 09/05/2013 Motion to Strike <i>Defendant's Motion To Strike Burglary While In Possession of a Deadly Weapon, Count 3 of the Indictment</i>
09/18/2013	Motion to Strike (11:00 AM) (Judicial Officer: Miley, Stefany) 09/18/2013, 10/02/2013 Events: 09/05/2013 Motion to Strike <i>Defendant's Motion To Strike Lying In Wait Theory Of Murder, Count 2 of the Indictment</i>
09/18/2013	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order Allowing Defendant Access To Laptop</i>
09/20/2013	 Finding of Fact and Conclusions of Law Filed By: Defendant Randolph, Thomas W <i>Findings of Fact, Conclusions of Law and Order</i>
09/23/2013	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition To Defendant's Renewed Motion To Reconsider The Admission Of Prior Bad Acts Evidence And The Petrocelli Hearing</i>
09/25/2013	 Reply Filed by: Defendant Randolph, Thomas W <i>Reply in Support of Defendant's Motion to Strike Lying In Wait Theory</i>
10/02/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
10/16/2013	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jackson v. Denno Hearing...Defendant's Motion to Suppress Defendant's Statement</i>
10/16/2013	 Recorders Transcript of Hearing

CASE SUMMARY**CASE NO. 09C250966**

Transcript of Proceedings: Defendant's Renewed Motion to Reconsider the Admission of Prior Bad Acts Evidence...Defendant's Motion to Strike Lying in Wait Theory of Murder, Count 2 of the Indictment...Defendant's Motion to Strike Burglary While in Possession of a Deadly Weapon, Count 3 of the Indictment

10/22/2013

**Order**

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Motion to Strike Lying in Wait Theory of Murder, Count 2 of the Indictment and Order Denying Defendant's Motion to Strike Burglary While in Possession of Deadly Weapon, Count 3 of the Indictment, as Moot

11/04/2013

**Recorders Transcript of Hearing**

Recorder's Transcript of Proceedings Re: Motions 9/18/2013

11/06/2013

**Recorders Transcript of Hearing**

Party: Plaintiff State of Nevada

Recorder's Transcript of Proceedings Re: Defendant's Pro Per Motion for Emergency Hearing to Dismiss My Current Attorney and Have New Attorney Appointed By The Court. Motion to Hear & Grant Prior Ex Parte Order Filed By The Defendant That The Court Has Not Ruled Upon To Date...Status Check: Reset Petrocelli Hearing and State's Other Bad Acts Motion Monday April 22, 2013

11/07/2013

**Receipt of Copy**

Filed by: Plaintiff State of Nevada

Receipt of Copy

11/14/2013

**Notice of Hearing**

Notice Setting Date and Time of Hearing

11/20/2013

**Finding of Fact and Conclusions of Law**

Findings of Fact, Conclusions of Law and Order

11/20/2013

**Minute Order** (2:42 PM) (Judicial Officer: Miley, Stefany)

12/04/2013

**Status Check** (9:30 AM) (Judicial Officer: Miley, Stefany)

Questionnaire

12/24/2013

**Recorders Transcript of Hearing**

Recorder's Transcript of Proceedings Re: Status Check: Questionnaire; 12/04/13

12/24/2013

**Filed Under Seal**

Recorder's Transcript of Proceedings Re: Evidentiary Hearing: Defendant's Motion to Strike Grand Jury Indictment October 25 2012

01/03/2014

**Filed Under Seal**

Filed By: Plaintiff State of Nevada

Recorder's Transcript of Evidentiary Hearing: Defendant's Motion to Strike Grand Jury Indictment...Defendant's Motion to Strike Grand Jury Indictment 10/12/2012

01/08/2014

**Status Check** (9:30 AM) (Judicial Officer: Miley, Stefany)













Trial Readiness

01/29/2014













CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany)

Vacated - per Judge













DEPARTMENT 23
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02/03/2014	CANCELED Jury Trial - FIRM (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
02/04/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check: Trial Readiness 1/8/14</i>
02/11/2014	 Motion for Discovery Filed By: Defendant Randolph, Thomas W <i>Motion For Specific Discovery</i>
02/18/2014	 Notice of Rescheduling <i>Notice Re-Setting Date and Time of Hearing</i>
02/18/2014	 Request Filed by: Defendant Randolph, Thomas W <i>Request to File Order Under Seal</i>
02/18/2014	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Ex Parte Order For Transport</i>
02/19/2014	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order Granting Request To File Document Under Seal</i>
02/24/2014	 Filed Under Seal Filed By: Defendant Randolph, Thomas W <i>--Filed Under Seal-- Defendant's Motion to Supplement Petrocelli Hearing</i>
03/06/2014	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion For Specific Discovery</i>
03/06/2014	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Motion to Supplement Defendant's Previous Motion to Reconsider Prior Bad Acts Evidence</i>
03/06/2014	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) Events: 02/24/2014 Filed Under Seal <i>--Filed Under Seal-- Defendant's Motion to Supplement Petrocelli Hearing</i>
03/06/2014	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)
03/20/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Defendant's Motion for Specific Discovery Motion to Supplement Defendant's Previous Motion to Reconsider Prior Bad Acts Evidence Defendant's Motion to Supplement Petrocelli Hearing - 3/6/2014</i>
03/21/2014	 Status Check (1:00 PM) (Judicial Officer: Miley, Stefany)
03/24/2014	 Notice of Hearing <i>Notice of Hearing</i>
03/27/2014	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Recorder's Transcript of Proceedings Re: Status Check 3/21/14</i>

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04/02/2014	 Confirmation of Counsel (9:30 AM) (Judicial Officer: Miley, Stefany) 04/02/2014, 04/14/2014 (D.Schieck)
04/09/2014	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order to Unseal Transcript</i>
04/10/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Confirmation of Counsel - 4/2/2014</i>
04/16/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Confirmation of Counsel (D. Schieck) April 14, 2014</i>
06/05/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Status Check: Motions to Withdraw Counsel / Reset Trial - 2/13/2012</i>
06/06/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript of Grand Jury Indictment Return January 7, 2009</i>
06/09/2014	 Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order to Unseal Transcript</i>
06/12/2014	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Re: Status Check: Reset Trial Date February 14, 2011</i>
06/12/2014	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Recorder's Transcript or Proceedings Re: Status Check Brent Bryson's Discovery Hearing December 5, 2012</i>
06/18/2014	 Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order to Unseal Transcript</i>
08/20/2014	 Consent Filed By: Defendant Randolph, Thomas W <i>Consent to Service by Electronic Means</i>
10/01/2014	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
10/06/2014	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i>
04/07/2015	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion for Thomas Randolph to Appear at all Proceedings Without Undue Restraints and to Be Present in the Courtroom to Converse with Counsel</i>

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04/20/2015	 Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Motion for Thomas Randolph to Appear at all Proceedings Without Undue Restraints and to Be Present in the Courtroom to Converse with Counsel</i>
04/22/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Motion for Thomas Randolph to Appear at all Proceedings Without Undue Restraints and to be Present in the Courtroom to Converse With Counsel April 20, 2015</i>
05/18/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated - On in Error</i>
05/20/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
05/26/2015	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
08/18/2015	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>Ex Parte Motion for Medical Treatment and Transportation</i>
08/20/2015	 Order <i>Order for Medical Treatment and Transportation</i>
10/28/2015	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>Ex Parte Motion for Medical Treatment and Transportation</i>
11/02/2015	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order for Medical Treatment and Transportation</i>
02/12/2016	 Notice of Hearing Filed By: Plaintiff State of Nevada <i>Notice of Hearing</i>
03/29/2016	 Motion to Suppress Filed By: Defendant Randolph, Thomas W <i>Motion to Suppress Video Statement of May 15, 2008</i>
03/29/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion to Transport and Allow the Jury to View the Scene of the Crime</i>
03/29/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion</i>
03/29/2016	 Motion in Limine Filed By: Defendant Randolph, Thomas W <i>Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases</i>
03/30/2016	 Status Check (9:30 AM) (Judicial Officer: Miley, Stefany)









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Status Check Re: Trial

03/30/2016	 Ex Parte Filed By: Defendant Randolph, Thomas W <i>Ex Parte Motion For Medical Treatment and Transportation</i>
04/04/2016	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Order for Medical Treatment and Transportation</i>
04/04/2016	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check Re: Trial March 30, 2015</i>
04/06/2016	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime</i>
04/06/2016	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases</i>
04/06/2016	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Suppress Video Statement of May 15, 2008</i>
04/08/2016	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion</i>
04/12/2016	 Receipt of Copy <i>Receipt of Copy Releasing to Counsel Only, Defendant's Motion to Supplement Petrocelli Hearing, Filed Under Seal on February 24, 2014</i>
04/12/2016	 Order <i>Order</i>
04/12/2016	 Notice of Rescheduling <i>Notice of Rescheduling of Hearing</i>
04/12/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion to Compel Appropriate Medical Treatment for Defendant</i>
04/12/2016	 Hearing (11:30 AM) (Judicial Officer: Miley, Stefany) <i>Status Check: Case Logistics</i>
04/15/2016	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check: Case Logistics April 12, 2016</i>
04/15/2016	 Receipt of Copy Filed by: Defendant Randolph, Thomas W

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Receipt of Copy

04/18/2016	 Receipt of Copy <i>Receipt of Copy Releasing To Counsel Only, Defendant's Motion To Supplement Petrocelli Hearing, Filed Under Seal On February 24, 2014</i>
04/18/2016	 Motion to Compel (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Compel Appropriate Medical Treatment for Defendant</i>
04/18/2016	 Affidavit Filed By: Defendant Randolph, Thomas W <i>Affidavits of Nephcare Doctors</i>
04/20/2016	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Defendant's Motion to Compel Appropriate Medical Treatment for Defendant April 18, 2016</i>
05/05/2016	CANCELED Jackson v Denno Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i> <i>Jackson v. Denno Hearing Re: Deft's Motion to Suppress Video Statement of May 15, 2008</i>
05/18/2016	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
05/20/2016	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Togliatti, Jennifer)
05/23/2016	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i>
06/01/2016	 Further Proceedings (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Further Proceedings: Return from Competency Court</i>
06/03/2016	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Further Proceedings: Return from Competency Court June 1, 2016</i>
10/24/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Notice of Hearing</i>
11/07/2016	Motion to Suppress (9:30 AM) (Judicial Officer: Miley, Stefany) 11/07/2016, 01/23/2017, 03/09/2017 <i>Defendant's Motion to Suppress Video Statement of May 15, 2008</i>
11/07/2016	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) 11/07/2016, 01/23/2017 <i>Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime</i>
11/07/2016	Motion in Limine (9:30 AM) (Judicial Officer: Miley, Stefany) 11/07/2016, 01/23/2017 <i>Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases</i>
11/07/2016	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) 11/07/2016, 01/23/2017 <i>Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion</i>

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11/07/2016	Hearing (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Notice of Hearing</i>
11/07/2016	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Suppress Video Statement of May 15, 2008; Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime; Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases; Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion; Def't's Notice of Hearing</i>
12/06/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion for a Faretta Hearing to Allow the Defendant to Represent Himself and to Appoint his Current Attorneys as Stand - By Counsel to Ensure this Case Goes to Trial as Currently Scheduled</i>
12/06/2016	 Motion Filed By: Defendant Randolph, Thomas W <i>Widdis Motion to Appoint the Defendant an Investigator in this Case</i>
12/16/2016	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for a Faretta Hearing and State's Opposition to Defendant's Widdis Motion to Appoint an Investigator in this Case</i>
12/16/2016	 Response Filed by: Defendant Randolph, Thomas W <i>Response to Defendant's Request for Self-Representation</i>
01/03/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Defendant's Notice of Hearing...Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion...Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases...Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime...Defendant's Motion to Suppress Video Statement of May 15, 2008 November 7, 2016</i>
01/04/2017	Faretta Canvass (9:30 AM) (Judicial Officer: Miley, Stefany) <i>FARETTA CANVAS: MOTION FOR A FARETTA HEARING</i>
01/04/2017	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Widdis Motion To Appoint the Defendant an Investigator in this Case</i>
01/04/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Pro Per Widdis Motion To Appoint the Defendant an Investigator in this Case; Faretta Canvas: Motion for Faretta Hearing</i>
01/06/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Faretta Canvass: Motion for Faretta Hearing January 4, 2017</i>
01/23/2017	 All Pending Motions (11:00 AM) (Judicial Officer: Miley, Stefany) <i>Defendant's Motion to Suppress Video Statement of May 15, 2008; Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime; Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases; Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion</i>

DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966














01/31/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion...Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases...Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime...Defendant's Motion to Suppress Video Statement of May 15, 2008 January 23, 2017</i>
03/09/2017	Evidentiary Hearing (9:30 AM) (Judicial Officer: Miley, Stefany)
03/09/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Evidentiary Hearing; Defendant's Motion to Suppress Video Statement of May 15, 2008</i>
04/04/2017	 Supplemental Filed by: Defendant Randolph, Thomas W <i>Supplemental Authority in Support of Motion Regarding Petrocelli Hearing</i>
04/05/2017	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances</i>
04/05/2017	 Motion Filed By: Defendant Randolph, Thomas W <i>Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire</i>
04/10/2017	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Supplemental Authority in Support of Motion Regarding Petrocelli Hearing</i>
04/18/2017	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Penalty Phase Instruction Re: Weighing Mitigating and Aggravating Circumstances</i>
04/19/2017	Status Check (9:30 AM) (Judicial Officer: Miley, Stefany) 04/19/2017, 05/03/2017 <i>Status Check: Case Status</i>
04/19/2017	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) 04/19/2017, 05/03/2017 <i>Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances</i>
04/19/2017	Motion (9:30 AM) (Judicial Officer: Miley, Stefany) 04/19/2017, 05/03/2017 <i>Defendant's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire</i>
04/19/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Status Check: Case Status; Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances; Deft's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capitol Voir Dire</i>
04/21/2017	 Response

DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966


Filed by: Plaintiff State of Nevada
Response to Defendant's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire

04/21/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check: Case Status...Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances...Defendant's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire April 19, 2017</i>
04/27/2017	 Minute Order (10:36 AM) (Judicial Officer: Miley, Stefany) <i>Minute Order Re: Defendant's Motion to Supplement Petrocelli Hearing</i>
05/01/2017	 Reply <i>Filed by: Defendant Randolph, Thomas W Defendant's Reply to State's Opposition to Motion for Penalty Phase Jury Instruction re: Weighing Mitigating and Aggravating Circumstances</i>
05/02/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings: Defendant's Motion to Suppress Video Statement March 9, 2017</i>
05/03/2017	 Finding of Fact and Conclusions of Law <i>Findings of Fact and Conclusions of Law and Order</i>
05/03/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Status Check: Case Status; Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances; Defendant's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire</i>
05/10/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check: Case Status...Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances...Defendant's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire May 3, 2017</i>
05/17/2017	 Motion <i>Motion for an Emergency Hearing so the Defendant can Inform the Court of a Serious Conflict of Interest Between the Defendant and his Attorney the Legal Issues that are the Basis for the Conflicts and to Supplement/Correct the Court Record so it will be as Complete and Accurate as Possible in the Event the Defendant is Convicted and an Appeal must be Filed</i>
05/17/2017	 Request for Attendance of Out-Of-State Witness <i>Filed By: Plaintiff State of Nevada Request for Attendance of Out-of-State Witness</i>
05/19/2017	 Notice of Witnesses and/or Expert Witnesses <i>Filed By: Plaintiff State of Nevada Supplemental Notice of Expert Witnesses</i>
05/19/2017	 Notice of Witnesses and/or Expert Witnesses <i>Filed By: Plaintiff State of Nevada Second Supplemental Notice of Witnesses</i>
05/22/2017	 Notice of Witnesses and/or Expert Witnesses

DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

	Filed By: Plaintiff State of Nevada <i>Third Supplemental Notice of Witnesses</i>
05/22/2017	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant Randolph, Thomas W <i>Notice of Defendant's Expert Witnesses</i>
05/24/2017	 Notice of Rescheduling of Hearing <i>Notice Re-Setting Date and Time of Hearing</i>
05/25/2017	 Certificate for Attendance of Out-Of-State Witness Filed By: Plaintiff State of Nevada <i>Certificate for Attendance of Our-of-State Witness</i>
05/25/2017	 Order Filed By: Plaintiff State of Nevada <i>Order for Payment of Witness Fees</i>
05/31/2017	Motion (11:30 AM) (Judicial Officer: Miley, Stefany) <i>Deft's Pro Per Motion for an Emergency Hearing</i>
05/31/2017	Status Check (11:30 AM) (Judicial Officer: Miley, Stefany) <i>Status Check Re: Jurors & Questionnaire</i>
05/31/2017	 All Pending Motions (11:30 AM) (Judicial Officer: Miley, Stefany) <i>Deft's Pro Per Motion for an Emergency Hearing; Status Check: Jurors & Questionnaire</i>
06/02/2017	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant Randolph, Thomas W <i>Notice of Defendant's Witnesses</i>
06/05/2017	 Supplemental Witness List <i>Third Supplemental Notice of Witnesses</i>
06/05/2017	 Ex Parte Order <i>Ex Parte Application and Order to Prepare Daily Trial Transcripts</i>
06/06/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Status Check Re: Jurors & Questionnaire; Defendant's Pro Per Motion for An Emergency Hearing</i>
06/07/2017	 Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany)
06/07/2017	 Ex Parte Order Filed By: Defendant Randolph, Thomas W <i>Ex Parte Motion and Order Allowing Contact Visit for Haircut</i>
06/08/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Calendar Call June 7, 2017</i>
06/09/2017	 Media Request and Order <i>Media Request and Order Allowing Camera Access to Court Proceedings</i>
06/12/2017	

DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

 **Jury Trial - FIRM (1:00 PM)** (Judicial Officer: Miley, Stefany)
06/12/2017-06/16/2017, 06/19/2017-06/23/2017, 06/26/2017-06/30/2017, 07/05/2017














06/13/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 1 June 12, 2017</i>
06/13/2017	 Notice of Hearing <i>Notice of Hearing</i>
06/14/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 2 June 13, 2017</i>
06/14/2017	 Instructions to the Jury <i>Defendant's Proposed Instruction Re: Utah Case Evidence</i>
06/15/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 3 June 14, 2017</i>
06/15/2017	 Jury List
06/16/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 4 June 15, 2017</i>
06/16/2017	 Instructions to the Jury Party: Defendant Randolph, Thomas W <i>Defendant's Proposed Trial Phase Jury Instruction</i>
06/19/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 5 June 16, 2017</i>
06/20/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 6 June 19, 2017</i>
06/21/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 7 June 20, 2017</i>
06/21/2017	 Objection Filed By: Defendant Randolph, Thomas W <i>Defendant's Objections to State's Proposed Jury Instructions</i>
06/22/2017	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings... KVVU</i>
06/22/2017	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings... KTNV</i>
06/22/2017	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings... KLAS</i>
06/22/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 8 June 21, 2017</i>

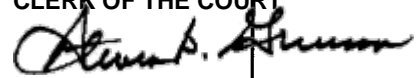
DEPARTMENT 23
CASE SUMMARY
CASE NO. 09C250966

06/22/2017	 Memorandum <i>Bench Memorandum Regarding Use of Detective O'Kelly as an Expert Witness</i>
06/23/2017	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Transcript of Proceedings: Jury Trial Day 9 June 22, 2017</i>
06/26/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Jury Trial Day 10 June 23, 2017</i>
06/26/2017	 Amended Jury List
06/26/2017	 Instructions to the Jury <i>Defendant's Proposed TrialPhase Instructions</i>
06/26/2017	 Proposed Jury Instructions Not Used At Trial <i>Defendant's Proposed Jury Instructions Not Used At Trial</i>
06/27/2017	 Transcript of Proceedings <i>Transcript of Jury Trial, Day 11 June 26, 2017</i>
06/28/2017	 Instructions to the Jury
06/28/2017	 Verdict
06/29/2017	 Objection Filed By: Defendant Randolph, Thomas W <i>Defendant's Objections to State's Proposed Penalty Phase Jury Instructions</i>
06/29/2017	 Instructions to the Jury Party: Defendant Randolph, Thomas W <i>Defendant's Proposed Penalty Phase Instructions</i>
06/29/2017	 Recorders Transcript of Hearing <i>Transcript of Jury Trial, Day 13 June 28, 2017</i>
06/30/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings Transcript of Jury Trial, Day 14 June 29, 2017</i>
07/01/2017	Case Reassigned to Department 3 <i>Homicide Case Reassignment to Judge Douglas W. Herndon</i>
07/05/2017	 Recorders Transcript of Hearing <i>Transcript of Jury Trial, Day 15 June 30, 2017</i>
07/05/2017	 Instructions to the Jury
07/05/2017	 Verdict <i>Special Verdict</i>
07/06/2017	 Recorders Transcript of Hearing

DEPARTMENT 23
CASE SUMMARY
CASE No. 09C250966

Party: Plaintiff State of Nevada
Transcript of Proceedings Jury Trial, Day 16 July 5, 2017

07/12/2017	 Amended Indictment Party: Plaintiff State of Nevada <i>Amended Indictment</i>
07/12/2017	Disposition (Judicial Officer: Miley, Stefany) 4. MURDER WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:
08/04/2017	 PSI
08/23/2017	 Sentencing (11:00 AM) (Judicial Officer: Miley, Stefany) <i>SENTENCING - COUNTS 1 - 3</i>
08/23/2017	 Warrant of Execution
08/23/2017	 Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
08/23/2017	 Certificate of Mailing <i>Certificate of Mailing</i>
08/23/2017	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
08/23/2017	 Case Appeal Statement <i>Case Appeal Statement</i>
08/23/2017	 Order of Execution
08/23/2017	 Order <i>Order to Stay Execution</i>
08/23/2017	 Document Filed <i>Clerk's Greetings to the Sheriff and Warden</i>
08/23/2017	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
08/23/2017	 Case Appeal Statement <i>Case Appeal Statement</i>



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

THOMAS WILLIAM RANDOLPH
#2703406

Defendant.

CASE NO. 09C250966

DEPT. NO. XXIII

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes COUNT 1 - CONSPIRACY TO COMMIT MURDER (Felony), in violation of NRS 200.010, 200.030, 199.480; COUNT 2 - MURDER WITH USE OF A DEADLY WEAPON (SHARON CAUSSE RANDOLPH) (Felony), in violation of NRS 200.010, 200.030, 193.165; and COUNT 3 - MURDER WITH USE OF A DEADLY WEAPON (MICHAEL JAMES MILLER) (Felony), in violation of NRS 200.010, 200.030, 193.165; and

WHEREAS, the Defendant, THOMAS WILLIAM RANDOLPH, was tried before a Jury and Defendant having been found guilty of the crimes of COUNT 1 - CONSPIRACY TO COMMIT MURDER (Felony), in violation of NRS 200.010, 200.030, 199.480; COUNT 2 - MURDER WITH USE OF A DEADLY WEAPON

1 (SHARON CAUSSE RANDOLPH) (Felony), in violation of NRS 200.010, 200.030,
2 193.165; and COUNT 3 MURDER WITH USE OF A DEADLY WEAPON (MICHAEL
3 JAMES MILLER) (Felony), in violation of NRS 200.010, 200.030, 193.165; and the Jury
4 verdict was returned on or about the 28th day of June, 2017. Thereafter, the same trial
5 jury, deliberating in the penalty phase of said trial, in accordance with the provisions of
6 NRS 175.552 and 175.554, found that there were aggravating circumstances in
7 connection with COUNTS 2 and 3, to-wit:
8

9 1. The Defendant has, in the immediate proceeding, been convicted of more
10 than one offense of murder in the first degree.
11

12 2. The murder was committed by a person, for himself or another, to receive
13 money or any other thing of monetary value. (Sharon Causse Randolph)
14

15 3. The murder was committed by a person, for himself or another, to receive
16 money or any other thing of monetary value. (Michael James Miller)
17

18 That on or about the 5th day of July, 2017, the Jury unanimously found, beyond a
19 reasonable doubt, that the aggravating circumstances outweighed any mitigating
20 circumstance or circumstances, and determined that the Defendant's punishment
21 should be DEATH as to COUNTS 2 and 3 - MURDER OF THE FIRST DEGREE WITH
22 USE OF A DEADLY WEAPON (COUNT 2: SHARON CAUSSE RANDOLPH; COUNT 3:
23 MICHAEL JAMES MILLER) in the Nevada State Prison located at or near Carson City,
24 State of Nevada.

25 THEREAFTER, on the 23rd day of August, 2017, the Defendant being present in
26 court with his counsel, RANDALL H. PIKE, Assistant Special Public Defender and
27 CLARK W. PATRICK, Deputy Special Public Defender, and JACQUELINE BLUTH,
28

1 Chief Deputy District Attorney also being present; the above entitled Court did adjudge
2 Defendant guilty thereof by reason of said trial and verdict and, in addition to the \$25.00
3 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including testing to
4 determine genetic markers plus \$3.00 DNA Collection Fee, Defendant is SENTENCED
5 to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of
6 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of THIRTY-TWO (32)
7 MONTHS; **COUNT 2** – DEATH plus a CONSECUTIVE term of TWO HUNDRED
8 FORTY (240) MONTHS with a MINIMUM Parole Eligibility of NINETY-SIX (96)
9 MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 1; and
10 **COUNT 3** – DEATH plus a CONSECUTIVE term of TWO HUNDRED FORTY (240)
11 MONTHS with a MINIMUM Parole Eligibility of NINETY-SIX (96) MONTHS for the Use
12 of a Deadly Weapon, CONSECUTIVE to COUNT 2; with THREE THOUSAND ONE
13 HUNDRED FORTY-THREE (3,143) DAYS credit for time served.
14
15
16

17 THEREFORE, the Clerk of the above entitled Court is hereby directed to enter
18 this Judgment of Conviction as part of the record in the above entitled matter.

19 DATED this 23rd day of August, 2017, in the City of Las Vegas, County of
20 Clark, State of Nevada.
21

22
23
24 
25 STEFANY MILEY
26 DISTRICT COURT JUDGE
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 07, 2009**

09C250966

The State of Nevada vs Thomas W Randolph

January 07, 2009**11:30 AM****Grand Jury Indictment****GRAND JURY
INDICTMENT****Court Clerk: Tina
Hurd****Reporter/Recorder:
Renee Vincent****Heard By: Linda Bell****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Mitchell, Scott S.

Attorney

Stanton, David L.

Attorney

JOURNAL ENTRIES

- Walter Olenderski, Grand Jury Foreman, 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. The State presented Grand Jury Case Number 08AGJ085X to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C250966, Department 23. Mr. Stanton requested a no bail bench warrant and argued this is two counts of Murder and Deft. Randolph is a man of means and is a flight risk. Mr. Stanton stated a brief history of the case. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL. Exhibit(s) 1-53 lodged with Clerk of District Court.
B.W.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2009

09C250966

The State of Nevada vs Thomas W Randolph

January 21, 2009

1:30 PM

Bench Warrant Return

**BENCH WARRANT
RETURN /04 Court
Clerk: Nora Pena
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Grasso, Gabriel L.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES

- Mr. Stanton asked to send this to District Court 23 to set for trial. Court advised he will need to set it here. DEFT. RANDOLPH ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. At request of Mr. Grasso, COURT ORDERED, Counsel has 21 days after the filing/or today of the Preliminary Hearing Transcript to file writ.

Mr. Grasso advised Deft. retained himself and Mr. Yale Galanter but he has not filed a Pro Hac Vice. Mr. Grasso confirmed as counsel and based on the Murder charge he noted this may go to Drew Christensen's office. COURT ORDERED, matter set for status check in one week for any issues before District Court 23.

CUSTODY

1/28/09 9:30 AM STATUS CHECK: ANY ISSUES

3/18/09 9:00 AM CALENDAR CALL

3/23/09 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 28, 2009

09C250966

The State of Nevada vs Thomas W Randolph

January 28, 2009

9:30 AM

Status Check

STATUS CHECK:
ANY ISSUES Court
Clerk: Larry Snyder
Reporter/Recorder:
Debra Winn Heard
By: Stefany Miley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Daskas, Robert J.	Attorney
	Grasso, Gabriel L.	Attorney
	Randolph, Thomas W	Defendant

JOURNAL ENTRIES

- Defendant Randolph WAIVED the 60-DAY RULE. Mr. Daskas advised the State will be filing a Notice To Seek The Death Penalty, and this will be a Capital case.

CONFERENCE AT THE BENCH BETWEEN COURT AND COUNSEL.

Mr. Grasso expressed concerns about the Defendant receiving the proper medication while in Custody, noting he will be providing the Jail with a letter from the Defendant's doctor.

COURT ORDERED, Calendar Call date of 3/18/09 and Trial date of 3/23/09 are hereby VACATED.

COURT FURTHER ORDERED, matter RESET for Trial.

CUSTODY

10/7/09 9:30 AM CALENDAR CALL

10/12/09 1:30 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 30, 2009**

09C250966

The State of Nevada vs Thomas W Randolph

March 30, 2009**9:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS (3/30/09)
Relief Clerk: Susan
Jovanovich /sj
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S MOTION TO SET BAIL
COURT ORDERED, matters are CONTINUED at request of counsel.

4-01-09 9:30 AM PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S MOTION TO SET BAIL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 01, 2009

09C250966

The State of Nevada vs Thomas W Randolph

April 01, 2009

9:30 AM

All Pending Motions

**ALL PENDING
MOTIONS (4/1/09)**
**Court Clerk: Larry
Snyder Heard By:
Stefany Miley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Grasso, Gabriel L.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES

- PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S MOTION TO SET BAIL

Statements by Mr. Grasso on the Defendant's behalf and in support of the relief requested.

Opposition by Mr. Stanton and Mr. Daskas for the State. Argument by Counsel.

Court stated FINDINGS, and COURT ORDERED, Petition For Writ Of Habeas Corpus is DENIED IN

PART. With respect to the portion of the Writ: "The Burglary Count Should Be Dismissed Because

The Defendant Cannot Be Liable For Burglary Of His Own Home," the Defendant will have until

5/4/09 to supplement this portion of his brief. By 5/11/09, the State will have filed its response. The

matter is SET for a Hearing on the Court's Decision, on 5/13/09.

Court FURTHER FINDS, Defendant to be indigent, and the matter will be REFERRED to Mr. Drew

Christensen's office, to see if the Defendant does qualify. COURT FURTHER ORDERED, if the

Defendant does qualify, the Court RECOMMENDS Mr. Grasso be appointed Counsel.

COURT ADDITIONALLY ORDERED, Defendant's Motion To Set Bail is DENIED.

CUSTODY

09C250966

5/13/09 9:30 AM HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 13, 2009**

09C250966

The State of Nevada vs Thomas W Randolph

May 13, 2009**9:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS (5/13/09)
Court Clerk: Larry
Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Ponticello, Frank M.

Attorney

Randolph, Thomas W

Defendant

JOURNAL ENTRIES**- APPOINTMENT OF COUNSEL...HEARING: COURT'S RULING**At the request of the District Attorney, COURT ORDERED, matters CONTINUED.
CUSTODY

5/20/09 10:00 AM APPOINTMENT OF COUNSEL...HEARING: COURT'S RULING

10/7/09 9:30 AM CALENDAR CALL

10/12/09 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 20, 2009

09C250966

The State of Nevada vs Thomas W Randolph

May 20, 2009

9:30 AM

All Pending Motions

**ALL PENDING
MOTIONS (5-20-09)**
**Court Clerk: Larry
Snyder Relief Clerk:
Phyllis Irby/pi
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Grasso, Gabriel L.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES**- APPOINTMENT OF COUNSEL...HEARING: COURT'S RULING**

Mr. Grasso argued this is opening up a can of worms, if State is going to file burglary charges for Deft in his own house. Mr. Stanton argued Deft can not use third party to enter into his home or own residence; this is Common Law Burglary & Common Law Entry. COURT FINDS, pursuant to NRS 205.060 a viable Cause of Action against Deft for burglary. Statute is broad. Statute does not indicate it has to be dwelling premises of another. Instead focus on intent upon entry. CONFERENCE AT THE BENCH. Mr. Grasso advised the Court, Deft is indigent, but counsel will remain on the case. COURT ORDERED, Counsel to look into if Deft is indigent or able to pay for his own counsel. Counsel to be determined and submit information if Deft can retain counsel, or if Court needs to appoint counsel.

CUSTODY

09C250966

6-03-09 1:00 PM HEARING: APPOINTMENT OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 03, 2009**

09C250966

The State of Nevada vs Thomas W Randolph

June 03, 2009**1:00 PM****Hearing****HEARING:
RETAINING
COUNSEL Court
Clerk: Larry Snyder
Heard By: Miley,
Stefany****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES
PRESENT:****JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED. Court's JEA to notify the parties of the continuance date.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 11, 2009

09C250966

The State of Nevada vs Thomas W Randolph

June 11, 2009

10:00 AM

Hearing

HEARING:
RETAINING
COUNSEL Court
Clerk: Larry Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Grasso, Gabriel L.

Attorney

Randolph, Thomas W

Defendant

JOURNAL ENTRIES

- Conference between Court and Counsel.

Court NOTED, Mr. Grasso has not been retained to represent the Defendant from this point forward. Court FINDS, the Defendant has no source of assets. Court FURTHER FINDS, the Defendant to be INDIGENT.

COURT ORDERED, Mr. Grasso is WITHDRAWN as Counsel of Record for the Defendant. COURT FURTHER ORDERED, matter is REFERRED to the Public Defender's Office at this time. Public Defender shall review Defendant's file, and make sure there are no conflicts. Public Defender to advise the Court on how long it will take to get this matter ready for Trial.

On the Record, Mr. Grasso stated he will provide the Public Defender with his file, and cooperate with the Public Defender.

COURT ADDITIONALLY ORDERED, matter SET for Confirmation Of Counsel.

CUSTODY

09C250966

6/17/09 11:30 AM CONFIRMATION OF COUNSEL

10/7/09 9:30 AM CALENDAR CALL

10/12/09 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2009

09C250966

The State of Nevada vs Thomas W Randolph

June 17, 2009

11:30 AM

Motion for Confirmation of
Counsel

**CONFIRMATION
OF COUNSEL
(PUBLIC
DEFENDER) Court
Clerk: Larry Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Brown, Curtis

Attorney

Daskas, Robert J.

Attorney

Randolph, Thomas W

Defendant

JOURNAL ENTRIES

- Mr. Brown advised there is no conflict with the Public Defender's office representing the Defendant, noting that Mr. Norman Reed and himself accept the Appointment as Counsel of Record for the Public Defender to represent the Defendant. Discussion regarding the time needed to prepare for Trial. Court DIRECTED Counsel to confer about possible Trial dates, and Counsel's schedules. COURT ORDERED, matter SET for a Status Check. COURT FURTHER ORDERED, Trial date STANDS for now.

CUSTODY

7/15/09 9:30 AM STATUS CHECK: TRIAL SETTING

10/7/09 9:30 AM CALENDAR CALL

10/12/09 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 15, 2009

09C250966

The State of Nevada vs Thomas W Randolph

July 15, 2009

9:30 AM

Status Check

STATUS CHECK:**TRIAL SETTING****Court Clerk: Larry
Snyder****Reporter/Recorder:****Debra Winn Heard****By: Miley, Stefany****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Curtis

Attorney

Randolph, Thomas W

Defendant

Reed, Norman J.

Attorney

Stanton, David L.

Attorney

JOURNAL ENTRIES

- Colloquy regarding case status, and readiness for Trial. Mr. Brown advised there is a likelihood that private counsel may re-substitute back into this case, and requested a s Status Check. Court CANVASSED the Defendant regarding retaining private counsel, and a time frame. Mr. Stanton expressed concern about nothing being heard from Mr. Galanter, and requested that he address the Court.

COURT ORDERED, matter CONTINUED and SET for Confirmation Of Counsel. COURT FURTHER ORDERED, Defendant to make a decision regarding his choice of counsel, and that person to appear in two weeks to confirm as counsel of record. COURT ADDITIONALLY ORDERED, Trial date STANDS for now.

CUSTODY

7/29/09 9:30 AM CONFIRMATION OF COUNSEL...STATUS CHECK: TRIAL SETTING

09C250966

10/7/09 9:30 AM CALENDAR CALL
10/12/09 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 05, 2009

09C250966

The State of Nevada vs Thomas W Randolph

August 05, 2009

9:30 AM

All Pending Motions

**ALL PENDING
MOTIONS (8-05-09)**
**Relief Clerk: Phyllis
Irby/pi**
**Reporter/Recorder:
Dalyne Easley Heard**
By: Stefany Miley

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bryson, E B

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES**- STATUS CHECK: TRIAL SETTING...CONFIRMATION OF COUNSEL**

Mr. Bryson advised the Court that Mr. Gallanter, Esq. from Florida (Pro Hac Vace) will be lead counsel in this case. The Court noted Mr. Gallanter's experience to practice in the State of Florida. The Court noted that although Mr. Gallanter has practiced here in Nevada, the Court is unaware of his credentials. The Court directed Mr. Gallanter to provide the Court with an Affidavit or Curriculum Vitae citing his experience, so the Court may familiarize itself with counsels credentials and experience. Mr. Gallanter provided a Curriculum Vitae to the Court and will be providing other documents as requested by the Court. COURT ORDERED, matter set for status check. Colloquy regarding Bad Acts. Mr. Bryson requested the State file a Motion for Bad Acts. Mr. Stanton advised he will be filing a Motion for Bad Acts in 45 days. Mr. Bryson requested a Briefing Schedule be set. COURT SO ORDERED. State to file Motion for Bad Acts by 9/23. Defense counsel to file a Response by 11/4. State to file its Reply by 11/18. COURT FURTHER ORDERED, matter set for Hearing. Mr.

09C250966

Bryson informed the Court the PD's office has provided the file to counsel.

CUSTODY

8-19-09 10:30 AM STATUS CHECK: PRO HAC VACE CREDENTIALS

12-18-09 9:30 AM HEARING: ARGUMENT/DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 19, 2009

09C250966

The State of Nevada vs Thomas W Randolph

August 19, 2009

10:30 AM

Status Check

STATUS CHECK:
PRO HAC VACE
CREDENTIALS
Court Clerk: Larry
Snyder Relief Clerk:
Maria Garibay/mg
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Bryson, E B

Attorney

Daskas, Robert J.

Attorney

Galanter, Yale L.

Attorney

Randolph, Thomas W

Defendant

JOURNAL ENTRIES

- Motion to Associate Counsel FILED IN OPEN COURT. Court noted she has reviewed Mr. Galanter's information. COURT ORDERED, Deft's request GRANTED. Court also stated Mr. Galanter has provided an affidavit setting forth his experience. Court finds Mr. Galanter has met the requirements. Colloquy regarding case in Utah and setting of Petrocelli hearing. Mr. Daskas advised if the Court orders them to prove the case, the Detective from Utah may have to come to testify. Mr. Daskas also stated they can order a Transcript, not bring live witnesses and argue affidavits. COURT ORDERED, matter set for Petrocelli Hearing and Trial Setting. Mr. Bryson advised Clark County Detention Center has taken Defendant off medication and he will be presenting an Order to have Defendant on the medication prescribed by the previous jail doctor. Court noted she can only order

09C250966

Defendant be re-evaluated and DIRECTED counsel to submit an Order.
CUSTODY

12/04/09 9:30 AM PETROCELLI HEARING...STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 05, 2009

09C250966

The State of Nevada vs Thomas W Randolph

October 05, 2009

9:30 AM

Motion

DEFT'S MTN FOR
COURT APPROVAL
OF PAYMENT OF
Court Clerk: Larry
Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Bryson, E B

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES

- Upon the Court's inquiry, Mr. Bryson advised the medication issue has been resolved, and is a non-issue at this point. Mr. Stanton advised the State opposes the Motion and questions whether the Defendant is indigent, noting there may be a significant amount of assets and cash that could still be available to the Defendant. Statements by Mr. Bryson in support of the relief requested, and citing "Widdis" 114 Nev.1224, 968P.2d 1165 (1998).

Court FINDS, the Defendant previously qualified for the Public Defender's services, and nothing has been provided to the Court showing he has assets of any significance. COURT ORDERED, Defendant's Motion is GRANTED.

CUSTODY

12/4/09 9:30 AM PETROCELLI HEARING...STATUS CHECK: TRIAL SETTING...STATE'S MOTION TO ADMIT EVIDENCE OF PRIOR BAD ACTS...HEARING: ARGUMENT/DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 09, 2009

09C250966

The State of Nevada vs Thomas W Randolph

December 09, 2009

12:00 AM

Minute Order

**MINUTE ORDER
RE: MTN'S SET ON
12/11 Relief Clerk:
Nicole McDevitt
Heard By: Stefany
Miley**

HEARD BY:

COURTROOM:

COURT CLERK: Larry Snyder

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Per stipulation of counsel, Motions set on 12/11/09 vacated.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 17, 2009

09C250966

The State of Nevada vs Thomas W Randolph

December 17, 2009

9:30 AM

Minute Order

**MINUTE ORDER
RE: COURT'S
DECISION Court
Clerk: Larry Snyder
Heard By: Stefany
Miley**

HEARD BY:**COURTROOM:****COURT CLERK:** Larry Snyder**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- State vs. Thomas W. Randolph, C250966

On November 4, 2009, the State of Nevada filed its Notice of Motion and Motion to Admit Evidence of Prior Bad Acts regarding the Defendant, Thomas William Randolph. Defendant opposed the State's request on November 16, 2009. The State filed its Reply thereto on November 18, 2009.

The State's Motion sought to admit evidence that in approximately 1988, Defendant Randolph was charged in Utah for the murder of his prior wife, Becky Gault Randolph. Defendant Randolph was ultimately acquitted on the charge of murdering Ms. Randolph. The State's Motion also sought to admit evidence that in May 1989, in a related matter, Defendant Randolph plead guilty to witness tampering. As a result of this plea, Defendant Randolph was sentenced to up to five (5) years in prison. However, Defendant Randolph eventually sought and did in fact obtain an order sealing and expunging the record based upon later findings and a corrected record.

Defendant opposed the State's request claiming it was unable to demonstrate the alleged acts fell within the exceptions to the general rule as enumerated in NRS 48.045.

Upon review of the cases cited as well as the Nevada Supreme Court's recent decisions, COURT FINDS it is unable to make the requisite findings necessary to admit the acts set forth in the State's

Motion based upon the limited information provided. COURT ORDERS, the State to present additional evidence in support of its Motion.

COURT ORDERS, within 30 days the State shall contact this department and the Defendant to indicate when it expects to receive all information necessary to conduct a Petrocelli hearing. Additionally, the State and Defendant shall thereafter contact this department and indicate the approximate number of Court days necessary for such hearing.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 17, 2010**

09C250966

The State of Nevada vs Thomas W Randolph

March 17, 2010**9:30 AM****Motion to Set Bail****DEFT'S MTN TO
SET BAIL /31 Court
Clerk: Larry Snyder
Reporter/Recorder:
Dalyne Easley Heard
By: Stefany Miley****HEARD BY:****COURTROOM:****COURT CLERK:** Larry Snyder**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

Bryson, E B

Attorney

Daskas, Robert J.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

JOURNAL ENTRIES

- Statements by Attorney Bryson in support of the relief requested. Opposition by Mr. Stanton for the State. Argument by Counsel.

COURT ORDERED, Defendant's Motion To Set Bail is DENIED.

Discussion regarding readiness for Trial, setting a Petrocelli Hearing, and the records/status of Defendant's ongoing Utah case. Mr. Daskas suggested a Status Check be set in a few weeks, and in the meantime, he will confer with the Utah prosecutor.

COURT ORDERED, matter SET for a Status Check.

CUSTODY

4/26/10 9:30 AM STATUS CHECK: CURRENT CASE STATUS/TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 30, 2010**

09C250966

The State of Nevada vs Thomas W Randolph

July 30, 2010**9:30 AM****Hearing****Hearing: Petrocelli
(All Day)****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Larry Snyder**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

Bryson, E B

Attorney

Daskas, Robert J.

Attorney

Galanter, Yale L.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Motion To Exclude: Testimony Of State's Witness William McGuire FILED IN OPEN COURT. Statements by Mr. Bryson in support of the relief requested. Opposition by Mr. Daskas for the State. COURT ORDERED, Motion DENIED.

State's witness, William McGuire, sworn and testified. Statements by Counsel.

Court NOTED, there is one more witness to testify. COURT ORDERED, matter CONTINUED.

CUSTODY

8/16/10 1:00 PM HEARING: PETROCELLI

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 16, 2010

09C250966

The State of Nevada vs Thomas W Randolph

August 16, 2010

1:00 PM

Evidentiary Hearing

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Larry Snyder

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:

Bryson, E B

Attorney

Daskas, Robert J.

Attorney

Galanter, Yale L.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Closing arguments by Counsel in Summation.

COURT ORDERED, matter taken UNDER ADVISEMENT. The Court shall render a written Decision.

CUSTODY

UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 20, 2010**

09C250966

The State of Nevada vs Thomas W Randolph

September 20, 2010 9:30 AM**Minute Order****COURT'S
DECISION****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Larry Snyder**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- 09C250966 - State of NV vs Thomas W. Randolph

"Due to the length of the Decision and unusual usage of characters, please refer to this Court's Decision filed on September 20, 2010."

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 04, 2010**

09C250966

The State of Nevada vs Thomas W Randolph

October 04, 2010**9:30 AM****Motion****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Phyllis Irby**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**Randolph, Thomas W
Stanton, David L.
State of Nevada
Weaver, MelindaDefendant
Attorney
Plaintiff
Attorney**JOURNAL ENTRIES**

- Ms. Weaver requested the Court to Order the Jail to evaluate the Deft's medical condition. Mr. Stanton stated counsel can formally file a Civil Action as an alternative; serve the Jail as the proper party and the Jail will address the issues that need to be addressed. Court Noted, it is not going to Order the Jail provide Deft with medication. COURT ORDERED, Ms. Weaver to provide medical records to the Jail; Court suggested Ms. Weaver serve the proper parties that is needed to resolve this matter.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 24, 2011**

09C250966

The State of Nevada vs Thomas W Randolph

January 24, 2011**9:30 AM****Status Check****HEARD BY:** Thompson, Charles**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Larry Snyder
Anntoinette Naumec-Miller
Sharry Frascarelli**RECORDER:** Dalyne Easley**REPORTER:****PARTIES**

PRESENT:	Bryson, E B	Attorney
	Daskas, Robert J.	Attorney
	Randolph, Thomas W	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted it had met with counsel and been advised that the parties had agreed to vacate the trial date and set a new trial date in front of Judge Miley. The State announced it was ready to proceed but did not oppose a continuance. At request of counsel, COURT ORDERED, Trial Date VACATED and matter SET for Status Check to set trial date.

CUSTODY

02/14/11 9:30 AM STATUS CHECK: RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 14, 2011**

09C250966

The State of Nevada vs Thomas W Randolph

February 14, 2011**9:30 AM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Larry Snyder**RECORDER:** Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

Bryson, E B

Attorney

Daskas, Robert J.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Conference in Chambers prior to the case being called.

Colloquy regarding readiness for Trial and scheduling. COURT ORDERED, matter SET for Trial (FIRM SETTING) in January 2012. COURT FURTHER ORDERED, matter SET for a Status Check in May regarding a possible August start date as well.

CUSTODY

5/18/11 9:30 AM STATUS CHECK: CASE STATUS AND POSSIBLE AUGUST TRIAL SETTING

12/28/11 9:30 AM CALENDAR CALL

1/3/12 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 18, 2011**

09C250966

The State of Nevada vs Thomas W Randolph

May 18, 2011**9:30 AM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Tiffany Lawrence**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Robert Daskas, DDA, and David Stanton, DDA, present for State of Nevada. Jessica Eric Bryson, Esq., present with Defendant. Colloquy regarding counsel's availability for trial and previous rescheduling at Deft's request. Court advised State and Court were ready at the last rescheduling. COURT ORDERED, trial STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 16, 2011**

09C250966

The State of Nevada vs Thomas W Randolph

November 16, 2011 9:30 AM Status Check**HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton and Robert Daskas, Deputy District Attorneys, present for the State of Nevada.
Deft. Randolph, present in custody, with Cal Potter, Esq.

Court noted the matter was placed on calendar to determine if the parties are prepared for the 1/3/12 trial date and indicated if the parties intend to use a questionnaire it must be submitted to Jury Services by 5 pm on 12/2/11. Court advised all motions must be heard prior to 12/9/11 and noted no motions have been filed. Mr. Potter advised Mr. Bryson has been in trial the last three weeks and motions will be filed. Upon Court's inquiry, Mr. Potter confirmed the motions will be filed next week. COURT ORDERED, Deft's motions are to be filed by 5 pm on 11/28/11; State's opposition will be due 1 week prior to 12/9/11, Hearing SET. Mr. Daskas requested defense counsel provide the State a copy of their questionnaire if they choose to use one. COURT FURTHER ORDERED, if counsel cannot agree with respect to the questionnaire, they are to place the matter on calendar for the first week of December. Court inquired if counsel are going to review the questionnaire over the holidays. Mr. Daskas advised the State needs to know if defense counsel is going to be ready as he ran into Mr. Bryson and Mr. Bryson mentioned filing a Writ. Mr. Potter indicated he doesn't know anything about a Writ and confirmed defense counsel intends on being ready and going to trial in January. Upon Court's inquiry, Mr. Stanton advised a panel of at least 100 jurors would be needed and suggested bringing the jury panel in two group; COURT SO ORDERED. Mr. Stanton requested the Court be notified if a Writ is filed. COURT ORDERED, trial dates STAND.

CUSTODY

12/7/11 9:30 AM CALENDAR CALL

12/9/11 9:30 AM HEARING: ALL MOTIONS

1/3/12 1:00 JURY TRIAL: JURY QUESTIONNAIRES

1/4/12 1:00 JURY TRIAL: VOIR DIRE OF FIRST JURY PANEL

1/5/12 9:30 AM JURY TRIAL: VOIR DIRE OF SECOND JURY PANEL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 07, 2011**

09C250966

The State of Nevada vs Thomas W Randolph

December 07, 2011 9:00 AM**All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with E. Brent Bryson, Esq.

CALENDAR CALL...DEFENDANT'S MOTION FOR STAY OF PROCEEDINGS

Court noted the Motion was filed as there is a pending Writ in the Supreme Court. Upon Court's inquiry, Mr. Bryson confirmed he hasn't heard from the Supreme Court noting it will either send down an order for a response from the State or indicate the matter should be addressed after trial. Mr. Bryson advised he is continuing to prepare for trial and he believed this had to be filed to give the Supreme Court a chance to hear the case. Mr. Bryson suggested the Court set a Status Check if it intends to grant the Motion. Upon Court's inquiry, Mr. Daskas also confirmed he hasn't heard anything from the Supreme Court. Court advised its inclination is to push back the trial to 1/9/12 which would give the parties the first week of January to hear other matters. Mr. Daskas advised he shares the Court's concern; if the Court grants the stay that pushes the matter into 2013 and another year will be lost. Mr. Daskas suggested waiting a little longer to see if the Supreme Court will intervene. Upon Court's further inquiry, Mr. Daskas and Mr. Bryson agreed they are available for trial in January. Mr. Daskas noted counsel had previously agreed to the 1/9/12 start date and suggested pushing back the trial an additional week and hearing the Motions in early January. Mr. Bryson confirmed he would be in agreement to push the trial back an additional week and advised the matter could be placed back on calendar if anything is heard earlier. By agreement of the parties,

COURT ORDERED, trial date VACATED and RESET, Motions set for 12/9/11 VACATED and RESET.

CUSTODY

1/6/12 9:30 AM DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DEFENDANT'S DIRECT AND VICARIOUS STATEMENTS...DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DATA REGARDING IMPOSITION OF THE DEATH PENALTY...DEFENDANT'S MOTION TO REVEAL NCIC REPORTS...DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT...DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFENDANT'S MOTION FOR JURY VIEW OF THE EXECUTION PROCESS...DEFENDANT'S MOTION TO PROHIBIT THE USE PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT...DEFENDANT'S MOTION FOR LISTS OF NAMES AND ADDRESSES OF PERSONS WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENDANT AND FOR DISCLOSURE OF OTHER DISCOVERY MATERIAL...DEFENDANT'S MOTION TO DECLARE NEVADA S CHOSEN MANNER OF EXECUTION IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION...DEFENDANT'S MOTION TO EXTEND TIME TO FILE ADDITIONAL PRETRIAL MOTIONS UPON RECEIPT OF SUBSTANTIVE EVIDENCE PURSUANT TO NRS 174.125...DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND GUILTY OF CAPITAL MURDER...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION FOR THE PROCEEDINGS IN THE ABOVE ENTITLED MATTER...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE STATE FROM MOVING TO ADMIT INTO EVIDENCE PHOTOGRAPHS WHICH ARE UNDULY PREJUDICIAL AND/OR CUMULATIVE...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF INFORMATION RELATING TO AGGRAVATING AND MITIGATING FACTORS...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE...DEFENDANT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE...DEFENDANT'S MOTION TO ASSURE THAT MITIGATING CIRCUMSTANCES RECEIVE THEIR DUE WEIGHT AND ATTENTION FROM THE JURY...DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE TRIAL PHASE AS THE GUILT PHASE

1/17/12 1:00 PM TRIAL BY JURY

CLERK'S NOTE: Subsequent to court, Clerk realized trial date of 1/16/12 at 1:00 pm given out in court is a countywide holiday; trial date moved to 1/17/12 at 1:00 pm. Copies of these minutes were placed in the District Attorney and Bryson, Ltd bins. anm/12/14/11

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 03, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

January 03, 2012**11:15 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- David Stanton and Robert Daskas, Deputy District Attorney, present for the State of Nevada. Deft. Randolph, present in custody, with E. Brent Bryson, Esq.

STATUS CHECK: TRIAL READINESS...MOTION TO CONTINUE TRIAL PURSUANT TO NRS 174.515

Court noted a Motion to Continue Trial was filed by the Defense and it has reviewed the Motion, however the State has not had a chance to complete a written opposition. Mr. Bryson submitted on the papers filed with the Court. Upon Court's inquiry, Mr. Bryson had no objection to the State responding orally to the Motion. Mr. Daskas argued the State's Notice of Evidence in Support of Aggravating Circumstances was timely filed and confirmed the evidence is for the penalty phase. Mr. Daskas further argued Officer O'Kelley's detailed report was provided to the Defense as soon as it was received and with respect to the State's Other Bad Acts Motion the Defense has been on notice of Mr. Morrison's testimony for four years. Additional arguments by Mr. Daskas. Mr. Bryson noted, in reference to the people who may be called in the penalty phase, he called and spoke to Mr. Daskas and Mr. Stanton; Mr. Stanton stated the State intended to call them in the penalty phase, but they may be called in the guilty phase depending on the Defense. Mr. Bryson argued even in the penalty phase any witnesses called have to comport with due process. Court indicated they were timely disclosed and the Defense was noticed about potential testimony. Mr. Bryson advised his expert disclosure was timely filed, however a DNA or fingerprint expert were not disclosed as the Defense

was unaware the State intended to use one and these experts are needed. COURT ORDERED, Deft's Request for DNA and Fingerprint Experts GRANTED directing Mr. Bryson to contact Mr. Christensen. Additional arguments by Mr. Bryson noting the Deft. is in agreement for a three to four month continuance so the issues can be resolved. COURT stated its Findings and ORDERED, Motion DENIED.

With respect to the Ex-Parte Orders submitted by Mr. Bryson, COURT ORDERED, Ex-Parte Order Allowing the Deft. Access to Laptop GRANTED to the extent it doesn't conflict with the established protocols of the Clark County Detention Center (CCDC). Order SIGNED IN OPEN COURT. COURT FURTHER ORDERED, Ex-Parte Order Allowing Attorney and His Assistant to Enter Jail for the Purpose of Providing Grooming Services to Defendant GRANTED to the extent it doesn't violate CCDC protocols. Order SIGNED IN OPEN COURT. With respect the allowing impaneled jury members into the premises pursuant to NRS 16.100, Court indicated the State has asked to complete further research and the State's position is whether it is more discretionary versus mandatory to view the premises. Court further stated it will review a video showing the Deft. going through the residence explaining how things allegedly occurred and the matter will be further discussed on Friday. With respect to the Ex-Parte Order for the Defense's Designated Firearm Expert to test fire the weapons used in the present case, Mr. Stanton and Mr. Daskas confirmed they had not seen the Motion. Mr. Daskas argued the State has had their firearm experts fire the weapon otherwise the experts would be unable to talk about the characteristics of the weapon and it is imperative for the Defense's experts to determine the characteristics of the individual weapon. Mr. Daskas advised this is the first he has heard of the request and the State can put the Defense's firearm expert in touch with the Metro firearm expert and arrange time for their expert to test fire the guns. COURT FURTHER ORDERED, Ex-Parte Order for Defense's Firearm Expert to test fire the weapons GRANTED with the caveat the State's person must also be present. Mr. Bryson stated the Court can withhold signing the order until Friday to see if the issue can be informally resolved, if not than the Court can sign the order. Court and Mr. Daskas agreed.

Colloquy regarding Jury Selection. Mr. Daskas advised with respect to the Other Bad Acts Motion and Glen Morrison the State has not arranged for Mr. Morrison to be present and it is the State's position pursuant to Petrocelli and subsequent cases the State can make a proffer. Mr. Bryson requested an additional two days to file another Motion to be heard on Friday including his opposition to the Petrocelli Hearing; COURT SO ORDERED. COURT ORDERED, it will allow a proffer by the State.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 06, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

January 06, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton and Robert Daskas, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with E. Brent Bryson, Esq. and Yale Galanter, Esq. Norman Reed, Deputy Public Defender, also present. Patrick King, Esq., present telephonically.

DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DEFENDANT'S DIRECT AND VICARIOUS STATEMENTS...DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DATA REGARDING IMPOSITION OF THE DEATH PENALTY...DEFENDANT'S MOTION TO REVEAL NCIC REPORTS...DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT...DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFENDANT'S MOTION FOR JURY VIEW OF THE EXECUTION PROCESS...DEFENDANT'S MOTION TO PROHIBIT THE USE PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT...DEFENDANT'S MOTION FOR LISTS OF NAMES AND ADDRESSES OF PERSONS WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENDANT AND FOR DISCLOSURE OF OTHER DISCOVERY MATERIAL...DEFENDANT'S MOTION TO DECLARE NEVADA'S CHOSEN MANNER OF EXECUTION IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION...DEFENDANT'S MOTION TO EXTEND TIME TO FILE ADDITIONAL PRETRIAL MOTIONS UPON RECEIPT OF SUBSTANTIVE EVIDENCE PURSUANT

TO NRS 174.125...DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND GUILTY OF CAPITAL MURDER...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION FOR THE PROCEEDINGS IN THE ABOVE ENTITLED MATTER...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE STATE FROM MOVING TO ADMIT TO EVIDENCE PHOTOGRAPHS WHICH ARE UNDULY PREJUDICIAL AND/OR CUMULATIVE...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF INFORMATION RELATING TO AGGRAVATING AND MITIGATING FACTORS...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE...DEFENDANT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE...DEFENDANT'S MOTION TO ASSURE THAT MITIGATING CIRCUMSTANCES RECEIVE THEIR DUE WEIGHT AND ATTENTION FROM THE JURY...DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE TRIAL PHASE AS THE GUILT PHASE ...PLAINTIFF'S NOTICE OF MOTION AND MOTION IN LIMINE TO ADMIT EVIDENCE OF PRIOR BAD ACTS

Mr. Bryson advised yesterday, he, Mr. Galanter and their investigator went to speak with the Deft. regarding today's Motions and the upcoming trial as well as things happening procedurally and the Deft. informed them they were fired as counsel. Mr. Bryson further advised they explained the significance and ramifications of such an action and did so in a natural fashion. Mr. Bryson indicated the Deft. again stated in the affirmative he wished to terminate them. Additional statements and argument by Mr. Bryson. Court advised it will need additional information regarding the fundamental differences. Further statements and arguments by Mr. Bryson. Mr. Galanter advised there was also an instruction not to proceed further on the Deft's behalf. Mr. Stanton argued a distinction is made between retained and appointed counsel and that right is not absolute. Mr. Stanton further argued with respect to timeliness, Mr. Bryson indicated letters were written to them, however the State isn't privy to when the letters were; this is a three year case and there have been multiple continuances at the Defense's request. Mr. Stanton indicated there is normally a Pro Per motion or a statement by the Deft. saying he is unsatisfied with the attorney and it is important for this Court to determine that. Additional arguments and statements by Mr. Stanton. Court indicated it will need to have discussions with Defense counsel and the Deft. and ORDERED, State's attorneys and anyone not affiliated with the case to vacate the courtroom. Mr. Bryson requested this portion of the transcript sealed. COURT ORDERED, transcript beginning at 10:19 a.m. and ending at 11:56 a.m. UNDER SEAL.

Mr. Galanter and Mr. Bryson not present. COURT CANVASSED Deft.

Upon Court's inquiry, Deft. WAIVED the attorney client privilege to the extent of why counsel cannot represent him. Mr. Bryson requested the Court order him to answer its questions; COURT SO ORDERED. Court indicated the questions will only narrowly address whether Mr. Bryson and Mr. Galanter can stay as Deft's counsel. Deft. not present. COURT CANVASSED Mr. Bryson and Mr. Galanter. Mr. King present telephonically. COURT CANVASSED Mr. King.

All counsel and Deft. present. Court stated its findings and ORDERED, Motion to Remove Counsel DENIED. COURT FURTHER ORDERED, today's transcript to be prepared by Monday. Mr. Bryson advised he has lost two days of trial preparation and requested the trial moved two days, to start on 1/18. Mr. Daskas argued two days isn't accurate and the Court already accommodated the Defense's request for a 1/17 start date. Further arguments and statements by Mr. Daskas, Mr. Bryson and Mr. Galanter. Mr. Bryson made an oral Motion to Stay the Proceedings for the Supreme Court to look at a Writ. COURT ADDITIONALLY ORDERED, Motions CONTINUED, trial date STANDS, oral Motion to Stay DENIED. Court advised the transcript will be e-mailed to the parties. Mr. Bryson confirmed a Writ will be filed. Mr. Daskas advised seven additional Motions were filed by Mr. Bryson and the State will file its oppositions on Tuesday. Colloquy regarding stay of proceedings. Court further advised if a Petition is filed it will consider a Motion to Stay. Mr. Bryson requested the Court order he and Mr. Galanter to go forward and represent the Deft. against his wishes; COURT SO ORDERED. Mr. Daskas indicated the State has no right to see the sealed portion of the transcript and it doesn't need to be e-mailed to him unless the Supreme Court orders the State to respond. Upon inquiry by Mr. Galanter, Court confirmed the Deft. will have access to the sealed portions.

CUSTODY

1/12/12 9:30 AM DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DEFENDANT'S DIRECT AND VICARIOUS STATEMENTS...DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DATA REGARDING IMPOSITION OF THE DEATH PENALTY...DEFENDANT'S MOTION TO REVEAL NCIC REPORTS...DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT...DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFENDANT'S MOTION FOR JURY VIEW OF THE EXECUTION PROCESS...DEFENDANT'S MOTION TO PROHIBIT THE USE PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT...DEFENDANT'S MOTION FOR LISTS OF NAMES AND ADDRESSES OF PERSONS WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENDANT AND FOR DISCLOSURE OF OTHER DISCOVERY MATERIAL...DEFENDANT'S MOTION TO DECLARE NEVADA'S CHOSEN MANNER OF EXECUTION IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION...DEFENDANT'S MOTION TO EXTEND TIME TO FILE ADDITIONAL PRETRIAL MOTIONS UPON RECEIPT OF SUBSTANTIVE EVIDENCE PURSUANT TO NRS 174.125...DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND GUILTY OF CAPITAL MURDER...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION FOR THE PROCEEDINGS IN THE ABOVE ENTITLED MATTER...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE STATE FROM MOVING TO ADMIT TO EVIDENCE PHOTOGRAPHS WHICH ARE UNDULY PREJUDICIAL AND/OR CUMULATIVE...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF INFORMATION RELATING TO AGGRAVATING AND MITIGATING FACTORS...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE...DEFENDANT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM

IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE...

- DEFENDANT S MOTION TO ASSURE THAT MITIGATING CIRCUMSTANCES RECEIVE THEIR
DUE WEIGHT AND ATTENTION FROM THE JURY...DEFENDANT S MOTION IN LIMINE TO
PROHIBIT ANY REFERENCES TO THE TRIAL PHASE AS THE GUILT PHASE ...PLAINTIFF S
NOTICE OF MOTION AND MOTION IN LIMINE TO ADMIT EVIDENCE OF PRIOR BAD ACTS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 02, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

February 02, 2012**11:30 AM****Status Check: Reset Trial
Date****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- David Stanton and Robert Daskas, Deputy District Attorneys, present for the State of Nevada.
Deft. Randolph, present in custody, with E. Brent Bryson, Esq.
Yale Galanter, Esq., present telephonically.
Norman Reed, Deputy Public Defender, also present.

Court noted it reviewed the Supreme Court's Order dismissing the Deft's Petition as well as the cases cited in the footnotes as it assumes these cases were cited as guidance for this Court. Court advised no written motion to dismiss counsel was ever filed and as the trial has been delayed, the Deft. can now file a timely, written request to discharge his counsel or his counsel may file a written motion to withdraw with affidavits and provided it is timely, the Court will entertain it. Upon Court's inquiry, Deft. indicated he is indigent and would like Mr. Reed and Mr. Brown appointed. Upon Court's inquiry, Mr. Reed advised there were some initial conversations with the Deft., however the Public Defender was never formally appointed. Mr. Reed further advised a preliminary conflict check was done, however it will need to be done again and he cannot accurately estimate how long it will take to prepare this case until he has all of the material, has met with the State and discussed the legal issues. Upon Court's further inquiry, Deft. confirmed it is still his intention to file the motion. COURT ORDERED, Status Check SET. Mr. Bryson advised since the Order came down he has proceeded according to the Deft's wishes; the Deft. requested a meeting with Mr. Reed to discuss several issues and he arranged that meeting. Mr. Bryson further advised he met with the Deft. and

Mr. Reed and the Deft. expressed he still wishes to terminate Mr. Bryson and Mr. Galanter. Upon inquiry by Mr. Bryson, Court confirmed counsel's motion needs to be separate from the Deft's. Mr. Daskas advised it is important for the Deft. to understand he does not get to revisit rulings or relitigate everything and further inquiry needs to be made into recouping some of the money. Court further advised it has not indicated whether it would grant the Deft's and counsel's motions, rather its order is that if the Deft. wants new counsel, it must be in writing. Court confirmed it's prior rulings and decisions STAND and will be reconsidered only if the Supreme Court reverses them. Colloquy regarding Status Check scheduling. COURT FURTHER ORDERED, the motions must be done prior to the Status Check date and directed counsel to bring their calendars to the next date. Mr. Galanter advised he will try to appear on 2/13 and requested to appear telephonically if he cannot. Mr. Galanter confirmed he and Mr. Bryson will be filing motions to withdraw with affidavits.

CUSTODY

2/13/12 9:00 AM STATUS CHECK: MOTIONS TO WITHDRAW COUNSEL/RESET TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 13, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

February 13, 2012**9:00 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada.
Deft. Randolph, present in custody, with E. Brent Bryson, Esq.
Yale Galanter, Esq., present telephonically.
Norman Reed, Deputy Public Defender, also present.

STATUS CHECK: MOTIONS TO WITHDRAW COUNSEL/RESET TRIAL...MOTION TO
WITHDRAW AS ATTORNEY OF RECORD - E. BRENT BRYSON, LTD.

Request to Fire My Attorneys and Declaration of Thomas Randolph FILED IN OPEN COURT.

Colloquy regarding receipt of Motions. COURT ORDERED, Motions to Withdraw Counsel
GRANTED noting the Deft. was previously declared indigent and remains indigent. Upon Court's
inquiry, Mr. Reed advised another conflict check needs to be completed as well as a review of the file
and inquired if a Status Check should be set. Mr. Daskas advised any potential conflicts and trial
scheduling or readiness could be addressed at that time. COURT ORDERED, Status Check SET. Mr.
Bryson indicated he will forward everything to Mr. Reed and can brief him with respect to the
historical background and what has happened. Colloquy regarding scheduling of pending Motions.

2/27/12 9:30 AM CONFIRMATION OF COUNSEL (KOHN)...STATUS CHECK: MOTION AND
TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 27, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

February 27, 2012**9:30 AM****Confirmation of Counsel****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller
Kathy Sweatt
Dulce Romea
Sharon Coffman**RECORDER:** Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Daskas, Robert J.	Attorney
	Randolph, Thomas W	Defendant
	Reed, Norman J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Reed requested a continuance so he can obtain the file to go through additional witnesses. Mr. Reed asked the Court to order the State to produce the file as he received no response to his previous request. Court ORDERED, prior counsel to provide the file to Mr. Reed by 03/05/12 at 5:00 pm. Court ORDERED matter CONTINUED for confirmation of counsel, trial setting and motions.

CUSTODY

03/05/12 9:30 AM CONFIRMATION OF COUNSEL ... TRIAL SETTING... STATUS CHECK:
MOTIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 27, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

February 27, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller
Kathy Sweatt
Dulce Romea
Sharon Coffman**RECORDER:** Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Daskas, Robert J.	Attorney
	Randolph, Thomas W	Defendant
	Reed, Norman J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES**- CONFIRMATION OF COUNSEL ... TRIAL SETTING ... STATUS CHECK: MOTIONS**

Mr. Reed requested a continuance so he can obtain the file to determine how long it will take to prepare. Mr. Reed asked the Court to order prior counsel to produce the file as he received no response to his previous request. Court ORDERED, prior counsel to provide the file to Mr. Reed by 03/05/12 at 5:00 pm. Court ORDERED, matter CONTINUED for confirmation of counsel, trial setting and motions.

CUSTODY**3/5/12 9:30 AM CONFIRMATION OF COUNSEL ... TRIAL SETTING ... STATUS CHECK:
MOTIONS**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 05, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

March 05, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norm Reed, Deputy Public Defender.

Upon Court's inquiry, Mr. Reed confirmed he received the file which he has started to review. Mr. Reed advised he has spoken to the Deft. and looked through the witnesses to identify any conflicts and there are none. COURT ORDERED, Public Defender CONFIRMED as Counsel of Record. Mr. Reed indicated a significant amount of mitigation work wasn't done and there are a number of bad acts that need investigating as well as the pending Motions. Mr. Reed suggested setting the trial with the understanding he will notify the State in advance if the matter isn't ready by the holidays. Court directed Mr. Reed to review the Motions to determine what Motions he would like to keep. COURT ORDERED, matter CONTINUED, trial dates SET.

CUSTODY

4/9/12 9:30 AM STATUS CHECK: RESET DEFT'S MOTIONS AND STATE'S OTHER BAD ACTS
MOTION

1/9/13 9:30 AM CALENDAR CALL

1/14/13 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 09, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

April 09, 2012**9:30 AM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton, Deputy District Attorney, present for the State of Nevada.
Norman Reed, Deputy Public Defender, present on behalf of Deft. Randolph.

Deft. not present. Mr. Reed advised at some point a record needs to be made with respect to why the Deft. wasn't here as this is a Rule 250 case. Upon Court's inquiry, Mr. Reed further advised he doesn't know why the Deft. isn't present. COURT ORDERED, matter CONTINUED, Deft. must be present and is to be transported even if he refuses.

CUSTODY**CONTINUED TO:** 4/11/12 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 11, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

April 11, 2012**9:30 AM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton and Robert Daskas, Deputy District Attorneys, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed, Deputy Public Defender.

Mr. Reed advised the Deft. had minor medical problems. Colloquy regarding prior Motions. Mr. Reed suggested setting the Motions for argument and decision and having a Petrocelli hearing set afterward. Colloquy regarding date to hear Motions. Mr. Daskas suggested doing all the Motions except the State's Other Bad Acts Motion which would be set a few weeks later. Further colloquy regarding Motions and hearing. COURT ORDERED, all outstanding Defense Motions SET, Status Check SET. Mr. Reed requested any supplemental due three weeks before the hearing; COURT SO ORDERED. Mr. Reed noted the State provided him with the audio and video statement from 6/8/08 and it will be provided to the Court in advance of the suppression hearing.

CUSTODY

6/8/12 9:30 AM DEFENDANT S MOTION TO COMPEL PRODUCTION OF DEFENDANT S DIRECT AND VICARIOUS STATEMENTS...DEFENDANT S MOTION TO COMPEL PRODUCTION OF DATA REGARDING IMPOSITION OF THE DEATH PENALTY...DEFENDANT S MOTION TO REVEAL NCIC REPORTS...DEFENDANT S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT...DEFENDANT S MOTION TO

ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFENDANT S MOTION FOR JURY VIEW OF THE EXECUTION PROCESS...DEFENDANT S MOTION TO PROHIBIT THE USE PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT...DEFENDANT S MOTION FOR LISTS OF NAMES AND ADDRESSES OF PERSONS WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENDANT AND FOR DISCLOSURE OF OTHER DISCOVERY MATERIAL...DEFENDANT S MOTION TO DECLARE NEVADA S CHOSEN MANNER OF EXECUTION IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION...DEFENDANT S MOTION TO EXTEND TIME TO FILE ADDITIONAL PRETRIAL MOTIONS UPON RECEIPT OF SUBSTANTIVE EVIDENCE PURSUANT TO NRS 174.125...DEFENDANT S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND GUILTY OF CAPITAL MURDER...DEFENDANT S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION FOR THE PROCEEDINGS IN THE ABOVE ENTITLED MATTER...DEFENDANT S MOTION IN LIMINE TO PRECLUDE THE STATE FROM MOVING TO ADMIT TO EVIDENCE PHOTOGRAPHS WHICH ARE UNDULY PREJUDICIAL AND/OR CUMULATIVE...DEFENDANT S MOTION TO COMPEL DISCLOSURE OF INFORMATION RELATING TO AGGRAVATING AND MITIGATING FACTORS...DEFENDANT S MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE...DEFENDANT S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE...DEFENDANT S MOTION TO ASSURE THAT MITIGATING CIRCUMSTANCES RECEIVE THEIR DUE WEIGHT AND ATTENTION FROM THE JURY...DEFENDANT S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE TRIAL PHASE AS THE GUILT PHASE ...DEFENDANT S MOTION IN LIMINE TO LIMIT USE OF DEMONSTRATIVE AND TANGIBLE EVIDENCE DURING OPENING STATEMENT...DEFENDANT S MOTION IN LIMINE TO EXCLUDE HEARSAY AND DOCUMENTS PURSUANT TO NRS 51.035...DEFENDANT S MOTION IN LIMINE TO LIMIT CRIME SCENE AND AUTOPSY PHOTOS...DEFENDANT S MOTION TO COMPEL REPORT AND CV S OF ALL EXPERTS THE STATE INTENDS TO USE...DEFENDANT S MOTION TO SUPPRESS DEFENDANT S STATEMENT...DEFENDANT S MOTION IN LIMINE TO PRECLUDE THE STATE FROM PRESENTING TO JURY ANY WRITTEN STATEMENT TO FOLLOW ALONG WHILE ANY AUDIO RECORDINGS BEING PLAYED AND MOTION TO SUPPRESS RECORDINGS AND TRANSCRIPTS...STATUS CHECK: SET PETROCELLI HEARING RE: STATE'S MOTION IN LIMINE TO ADMIT EVIDENCE OF PRIOR BAD ACTS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 08, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

June 08, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

DEFENDANT'S MOTION TO EXTEND TIME TO FILE ADDITIONAL PRETRIAL MOTIONS UPON RECEIPT OF SUBSTANTIVE EVIDENCE PURSUANT TO NRS 174.125... DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE STATE FROM MOVING TO ADMIT INTO EVIDENCE PHOTOGRAPHS WHICH ARE UNDULY PREJUDICIAL AND/OR CUMULATIVE...DEFENDANT'S MOTION FOR DISQUALIFICATION FROM THE JURY VENIRE OF ALL POTENTIAL JURORS WHO WOULD AUTOMATICALLY VOTE FOR THE DEATH PENALTY IF THEY FOUND GUILTY OF CAPITAL MURDER... DEFENDANT'S MOTION IN LIMINE TO PROHIBIT ANY REFERENCES TO THE TRIAL PHASE AS THE GUILT PHASE ...DEFENDANT'S MOTION TO FEDERALIZE ALL MOTIONS, OBJECTIONS, REQUESTS AND OTHER APPLICATION FOR THE PROCEEDINGS IN THE ABOVE ENTITLED MATTER...DEFENDANT'S MOTION FOR JURY VIEW OF THE EXECUTION PROCESS...DEFENDANT'S MOTION TO REVEAL NCIC REPORTS...DEFENDANT'S MOTION TO ALLOW THE DEFENSE TO ARGUE LAST AT THE PENALTY PHASE...DEFENDANT'S MOTION FOR LISTS OF NAMES AND ADDRESSES OF PERSONS WHO MAY HAVE EVIDENCE FAVORABLE TO DEFENDANT AND FOR DISCLOSURE OF OTHER DISCOVERY MATERIAL...DEFENDANT'S MOTION TO BAR THE ADMISSION OF CUMULATIVE VICTIM IMPACT EVIDENCE IN VIOLATION OF THE DUE PROCESS CLAUSE...DEFENDANT'S MOTION

TO COMPEL PRODUCTION OF DATA REGARDING IMPOSITION OF THE DEATH PENALTY...DEFENDANT'S MOTION TO ASSURE THAT MITIGATING CIRCUMSTANCES RECEIVE THEIR DUE WEIGHT AND ATTENTION FROM THE JURY...DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DEFENDANT'S DIRECT AND VICARIOUS STATEMENTS... DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF EXCULPATORY EVIDENCE...DEFENDANT'S MOTION TO PROHIBIT THE USE PEREMPTORY CHALLENGES TO EXCLUDE JURORS WHO EXPRESS CONCERNS ABOUT CAPITAL PUNISHMENT...DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF INFORMATION RELATING TO AGGRAVATING AND MITIGATING FACTORS...DEFENDANT'S MOTION FOR DISCOVERY AND EVIDENTIARY HEARING REGARDING THE MANNER AND METHOD OF DETERMINING IN WHICH MURDER CASES THE DEATH PENALTY WILL BE SOUGHT...DEFENDANT'S MOTION TO DECLARE NEVADA'S CHOSEN MANNER OF EXECUTION IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION...DEFENDANT'S MOTION IN LIMINE TO LIMIT USE OF DEMONSTRATIVE AND TANGIBLE EVIDENCE DURING OPENING STATEMENT...DEFENDANT'S MOTION IN LIMINE TO EXCLUDE HEARSAY AND DOCUMENTS PURSUANT TO NRS 51.035...DEFENDANT'S MOTION IN LIMINE TO LIMIT CRIME SCENE AND AUTOPSY PHOTOS...DEFENDANT'S MOTION TO COMPEL REPORT AND CV'S OF ALL EXPERTS THE STATE INTENDS TO USE...DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT...DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE STATE FROM PRESENTING TO JURY ANY WRITTEN STATEMENT TO FOLLOW ALONG WHILE ANY AUDIO RECORDINGS BEING PLAYED AND MOTION TO SUPPRESS RECORDINGS AND TRANSCRIPTS...DEFENDANT'S MOTION TO ENFORCE RULES ON CAMERAS AND ELECTRONIC MEDIA CONVEYED IN COURT...DEFENDANT'S MOTION TO STRIKE THIRD ALLEGED AGGRAVATING CIRCUMSTANCE...STATUS CHECK: SET PETROCELLI HEARING RE: STATE'S NOTICE OF MOTION AND MOTION IN LIMINE TO ADMIT EVIDENCE OF PRIOR BAD ACTS...OPPOSITION TO NOTICE EVIDENCE OF EVIDENCE IN SUPPORT OF AGGRAVATED CIRCUMSTANCES

COURT ORDERED, rulings are as follows:

With respect to Deft's Motion to Extend Time to File, Mr. Stanton advised he thinks the Motion is rendered moot by the procedural history. Mr. Reed agreed advising he doesn't think the Court will preclude the Defense if additional motions are discovered. COURT ORDERED, Motion OFF CALENDAR as the issue is moot.

With respect to Deft's Motion in Limine to Preclude the State from Moving to Admit into Evidence Photographs, Mr. Reed requested the Court give the Defense the opportunity to have the State specifically tell the Defense what crime scene and autopsy photos they intend to introduce, say they believe they are more probative than prejudicial and give the Defense the chance to agree. Mr. Reed advised it may only come down to a handful of photos that may be potentially discriminatory to the Deft. and the Court could make those rulings outside the presence of the jury; there may be photos the Defense has a legitimate constitutional challenge to. Court inquired if the ruling should be

deferred. Counsel agreed it should be. COURT ORDERED, ruling DEFERRED until trial.

With respect to Deft's Motion for Disqualification from the Jury Venire, Mr. Reed submitted. Court noted the parties agree under the law that both sides are entitled to a jury that can consider all forms of punishment. Mr. Stanton noted as he reads the Motion it is asking for a blanket order. Court further noted it is in agreement as far as the legal standard. Colloquy regarding purpose of Motion and deferring the ruling. Court indicated the issue should be addressed at the time of trial and ORDERED, ruling DEFERRED until trial. COURT FURTHER ORDERED, both parties have a right to a jury that will consider all forms of punishment.

With respect to Deft's Motion in Limine to Prohibit any References, arguments by Mr. Reed noting if this was a routine trial it wouldn't be called a guilt phase and he doesn't see the prejudice in the Court granting it and the parties giving it a try. Mr. Reed further argued the purpose of the Motion is to try to get the Court and counsel to address it for what it is. Mr. Reed advised if someone slipped up he doesn't think he could say it would be a mistrial. Mr. Daskas argued out of habit the parties all on occasion refer to the first portion of the trial as the guilt phase and so long as the Court and Mr. Reed agree it wouldn't be grounds for a mistrial, the State wouldn't have a problem with an advisory ruling. Mr. Daskas requested the Motion denied but the Court issue an advisory ruling or instructions. COURT ORDERED, Motion DENIED advising to the extent possible the trial will not be referred to as the guilt phase, however both parties agree it is not grounds for a mistrial especially as in Webber v. State the Supreme Court refers to this portion of the trial as the guilt phase.

With respect to Deft's Motion to Federalize all Motions, Mr. Reed advised there are some objections that are obvious to the constitutional nature of the objection, however sometimes in the heat of trial counsel can be remiss in putting on the record how it implicates the Federal Constitution and they are attempting to preserve the Deft's rights. Mr. Reed further advised he understands he has a responsibility to make a record. Mr. Daskas argued if the Court grants the Motion it almost relieves the Defense from the responsibility of making the appropriate objections and stating the appropriate grounds. Mr. Daskas requested the Motion denied but the Defense given time and the opportunity to flesh out the objections on the record. COURT ORDERED, Motion DENIED advising the objections have to be made contemporaneously, its normal procedure is to give counsel time to elaborate, outside the presence of the jury, on the objections and make sure there is a complete record of the objection. Court further advised counsel will be able to elaborate upon any federal counterparts to the objections made during the course of the trial.

With respect to Deft's Motion for Jury View of the Execution Process, Mr. Reed submitted. Mr. Stanton advised the State was never provided with the three items requested. Mr. Stanton further advised at the time of the Opposition the execution chamber was in Carson City, however that facility has closed and there have been no executions since the facility closed. Mr. Stanton argued this is inadmissible evidence, there is no legal basis, and the documentary is addressed by the Collier case cited in the Opposition. COURT ORDERED, Motion DENIED advising there is no legal authority cited in the Defense Brief for the relief requested.

- With respect to Deft's Motion to Reveal NCIC, Mr. Reed requested the State disclose any witness' Felony conviction admissible under NRS 50.095 or acts of crime of truth or veracity should they become aware of any. Mr. Reed argued the State typically runs NCIC on all witnesses and argued if anything falls under those two areas the Defense is entitled to it. Alternatively, Mr. Reed advised if there is a dispute as to what should be turned over, it can be provided to the Court in a sealed way and the Court can make an independent determination. Mr. Stanton advised he largely agrees with this however, it is different from the Motion filed. Mr. Stanton further advised he has no objection to Felony convictions within the last ten years or arrests or convictions to properly impeach. Further arguments by counsel. COURT ORDERED, Motion DENIED advising the State will affirmatively inquire, especially with respect to the out of state witnesses, if there are any convictions, Felonies or anything involving truth or veracity; the State is to comply with NRS 50.095.

With respect to Deft's Motion to Allow the Defense to Argue Last, counsel submitted. COURT ORDERED, Motion DENIED advising NRS 175.141(5) indicates the State must open and conclude the argument.

With respect to Deft's Motion for Lists of Names and Addresses of Persons, Mr. Reed requested to review the homicide file individually with counsel to make sure the Defense has everything and noted it helps to have accurate witness lists. Mr. Stanton agreed with Mr. Reed and requested the Motion denied as it is written. Mr. Stanton advised there are a number of witnesses that are concerned with their safety, want nothing to do with the case other than the State compelling them to come in and testify and only want to be contacted through the State's office in a limited capacity. Colloquy and argument regarding sealed Utah records. COURT ORDERED, rulings are as follows.

Item 1 a-h

COURT ORDERED, Motion GRANTED to the extent it complies with NRS 50.095.

Item 2

COURT ORDERED, Motion GRANTED.

Item 3

Upon Court's inquiry, Mr. Stanton advised none of that aspect applies to any witness in the State's case. COURT ORDERED, Motion GRANTED.

Item 4

COURT ORDERED, Motion GRANTED advising the State has provided documentation and will continue to supplement it pursuant to the Brady case.

Item 5

COURT ORDERED, Motion GRANTED to the extent it is consistent with NRS 50.095.

Item 6

COURT ORDERED, Motion GRANTED advising the State will continue to comply consistent with

Brady.

Item 7

COURT ORDERED, Motion GRANTED advising the State will continue to comply pursuant to Brady.

Item 8

COURT ORDERED, Motion GRANTED.

Item 9

COURT ORDERED, Motion GRANTED advising the State will comply with all Brady requirements. Colloquy regarding witness contact procedure. Court advised the State and Defense are able and currently working together, however if the Defense thinks the State needs to be more forthcoming it can bring it to the Court's attention.

With respect to Deft's Motion to Bar the Admission of Cumulative Victim Impact Evidence, Mr. Reed advised oftentimes there are videos or a written statement when the Victim gives an impact statement and the Defense has no prior notice. Mr. Reed requested advanced notice to have the chance to view them and address whether the Defense will have a constitutional challenge. Mr. Daskas agreed but requested the Court deny the Motion and order the State to provide any photos, letters or videos to the Defense as requested. COURT ORDERED, Motion DENIED advising the State is to provide the Defense, prior to the start of the penalty phase, any of the impact evidence that may be introduced during the penalty phase.

With respect to Deft's Motion to Compel Production of Data regarding Imposition of the Death Penalty, Mr. Reed submitted. COURT stated its findings and ORDERED, Motion DENIED advising there is no legal authority cited for the request and after reading the Supreme Court cases it thinks the Supreme Court wants the jurors to focus on the facts and circumstances of the case they are called on.

With respect to Deft's Motion to Assure that Mitigating Circumstances receive their Due Weight, Mr. Reed submitted. COURT ORDERED, ruling DEFERRED until jury instructions.

With respect to Deft's Motion to Compel Production of Deft's Direct and Vicarious Statements, COURT ORDERED, Motion GRANTED advising the State is to provide them if they have them; the State has responded they have provided any and all statements in their possession and will continue to provide them pursuant to Brady.

With respect to Deft's Motion to Compel Disclosure of Exculpatory Evidence, COURT ORDERED, Motion GRANTED advising the State does respond affirmatively that they have provided any and all documents that would be responsive that are in their possession and will continue to comply as they come into the possession of additional discovery pursuant to the Brady case. Colloquy regarding reciprocal discovery.

With respect to Deft's Motion to Prohibit the Use of Peremptory Challenges, COURT ORDERED, Motion DENIED advising the parties are entitled to a jury who can consider all forms of punishment but there are exceptions as far as peremptory challenges of jurors as set forth in the Batson case. Mr. Reed advised a combination of J.E.B vs. Alabama and Batson would potentially be implicated.

With respect to Deft's Motion to Compel Disclosure of Information relating to Aggravating and Mitigating Factors, COURT ORDERED, Motion DENIED advising the State is to comply with the disclosure requirements of NRS 175.552; they are to give reasonable notification of the evidence to be presented before the penalty hearing.

With respect to Deft's Motion for Discovery and Evidentiary Hearing, Mr. Reed advised his office already found this data independently. COURT ORDERED, Motion DENIED advising there is no legal authority for this; the Nevada Supreme Court consistently says they want to focus on this particular case as far as the evidence and testimony presented.

With respect to Deft's Motion to Declare Nevada's Chosen Manner of Execution, arguments and statements by Mr. Reed. COURT ORDERED, Motion DENIED advising it is not ruling on the distinction made by Mr. Reed.

With respect to Deft's Motion in Limine to Limit use of Demonstrative and Tangible Evidence, Mr. Reed advised his intention is to try and resolve this prior to opening statements and he wants to try to make sure there is some kind of agreement on prejudicial photos and or other evidence. Mr. Daskas advised if a power point presentation is prepared, the State will share with the Defense every slide so they can lodge any objections. Mr. Daskas further advised the photos and all other evidence will also be shared. COURT ORDERED, Motion DENIED advising the Defense can still raise prejudicial and/or cumulative arguments prior to openings.

With respect to Deft's Motion in Limine to Exclude Hearsay, Mr. Daskas advised the State will comply with the rules, however he believes this is an indirect request to suppress evidence this Court already ruled was admissible. COURT ORDERED, Motion DENIED advising both parties have to comply with the hearsay rules.

With respect to Deft's Motion in Limine to Limit Crime Scene Photos, COURT ORDERED, ruling DEFERRED until time of trial.

With respect to Deft's Motion to Compel Report and CV's of all Experts, Mr. Stanton confirmed the State will comply with the Statute. COURT ORDERED, Motion GRANTED advising both parties are to comply with Statute as far as the reports and names of experts.

- With respect to Deft's Motion to Suppress Deft's Statement, Mr. Reed advised what is proposed requires a Jackson v. Denno hearing and there are two video/audio statements given at the police station the Defense is proposing to challenge. Further arguments by Mr. Reed. Upon Court's

inquiry, Mr. Reed confirmed the Defense has no legal basis to challenge the walkthrough under the 4th and 5th Amendments. Mr. Stanton submitted the audio/video is the State's evidence of the issues for the Court and advised he will provide copies to the Court. COURT ORDERED, ruling DEFERRED. Further arguments and proffers by Mr. Reed. Court advised it will review the video but will likely require a hearing.

With respect to Deft's Motion in Limine to Preclude the State from Presenting to Jury any Written Statement, Mr. Reed requested the Court instruct the jury that the best evidence is the audio or video statement and any discrepancies are up to the jury to decide; the transcript doesn't go back to the jury. Mr. Daskas indicated this is a reasonable request and requested the Motion denied and the oral request granted advising the State will comply. COURT ORDERED, Motion DENIED advising the jury will be provided with a transcript, if it exists, but it will not go back with the jury. Court further advised the jury will be informed, with the language decided on beforehand, it is just to help them follow along with the video and audio recordings.

With respect to Deft's Motion to Enforce Rules on Cameras, COURT ORDERED, Motion GRANTED advising it will follow the Supreme Court rules for media in the courtroom.

With respect to Deft's Motion to Strike Third Alleged Aggravating Circumstances, arguments and statement by counsel. COURT ORDERED, Motion GRANTED.

With respect to Deft's Opposition to Notice Evidence of Evidence in Support of Aggravating Circumstances, arguments by Mr. Reed. COURT ORDERED, Motion DENIED advising the Defense will bring it up in a separate Motion if necessary.

Mr. Daskas advised he will check with the witness' availability and provide dates to Defense counsel and the Court. Mr. Reed had no objection.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 25, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

July 25, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
 Vanessa Ward
 Ying Pan
 Sharon Coffman
 Aaron Carbajal

RECORDER: Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
 Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

**DEFT'S MOTION FOR RECONSIDERATION OF THE GRANTING OF THE STATE'S MOTION TO
 ADMIT PRIOR BAD ACTS REGARDING THE UTAH CASE...DEFT'S MOTION TO STRIKE GRAND
 JURY INDICTMENT**

With respect to Deft's Motion to Strike, Mr. Reed advised his understanding is there has to be an order from the Court to unseal that information, the Statute provides for that, and both parties agree there should be an order. Mr. Reed further advised once that information is divulged to the parties, at least that witness and potentially other Grand Jurors will need to come in and say she didn't participate and they didn't receive any information from her outside of the courtroom. Mr. Daskas advised he agrees about the order, however if the issue isn't resolved by looking at the documents then that Grand Juror or other Grand Jurors could be brought in. Mr. Reed requested a Status Check set. COURT ORDERED, Motion CONTINUED, Status Check SET. Mr. Daskas to prepare the order for review by Defense counsel.

With respect to Deft's Motion for Reconsideration, arguments by Mr. Reed and Mr. Daskas. COURT ORDERED, Motion DENIED advising it doesn't see the legal basis for the Motion. Court noted it will go back and review the Supreme Court briefs to look at the proffer issue. Court advised it received a letter from the Deft which was marked and admitted as a Court's Exhibit. CONFERENCE AT BENCH.

CUSTODY

8/22/12 9:30 AM STATUS CHECK: UNSEALED DOCUMENTS...DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 10, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

September 10, 2012 9:30 AM**All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Ying Pan
Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- David Stanton and Robert Daskas, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with Norman Reed, Curtis Brown and Timothy O'Brien, Deputy Public Defenders.

STATUS CHECK: UNSEALED DOCUMENTS...DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT

Mr. Daskas advised the Grand Juror, with whom the Defense has an issue with, was in court this morning and inquired if Defense counsel would like to hear from her today or later. Mr. Reed requested to address Deft's request to have counsel dismissed first. Colloquy regarding Deft's request to have counsel dismissed. With respect to the Grand Jury issue, Mr. Reed advised NRS 172.075 indicates the Grand Jury secretary shall keep a record of the number of jurors concurring in the finding of every part of the Indictment and file that record with the Clerk of the Court; the record won't be made public, except by order of the court which this Court ordered. Mr. Reed advised he would like the opportunity to view that record prior to examining Ms. Marley. Mr. Stanton advised the only records are those of the District Attorney's Office and the Court Reporter, there are no other records other than the transcript that exist. Mr. Stanton further advised he thought Ms. Marley's presence and testimony would be an appropriate way to address the issue raised in Deft's Motion. Colloquy regarding potential Grand Jury records. Court advised it will conduct further research and

speak to Judge Bell. MATTER TRAILED.

MATTER RECALLED. All parties present as before.

OUTSIDE THE PRESENCE OF THE STATE. At request of Mr. Reed, COURT ORDERED, courtroom SEALED. COURT CANVASSED Deft. Statements by Deft. Court indicated there is no legal basis to withdraw Deft's counsel and FURTHER ORDERED, Request DENIED, transcript from 11:05:21 - 11:17:21 SEALED.

STATE PRESENT. Court advised it contacted Judge Bell and spoke to her Secretary who indicated she believes there is nothing kept as far as a tally of votes; if there are any notes, they are destroyed. Court further advised Judge Bell's Secretary thought any records would be categorized by the year and panel. Court noted it doesn't believe what Defense counsel is looking for exists, however its Court Clerk will double check the vault. Mr. Reed advised the Statute indicates there should be a record as to the vote and inquired if the Court Reporter or Foreperson would have notes. Mr. Reed further indicated at worst case scenario, the Grand Jurors could be brought in and asked what their vote was. Deidra Marley SWORN and TESTIFIED. Arguments by Mr. Reed and Mr. Stanton. COURT ORDERED, Motion CONTINUED, Status Check SET advising the only official court document indicates Ms. Marley was present during the deliberations and it is unsure if the weight of her testimony outweighs the court record. Court further advised it will think about whether to bring in the Grand Jurors.

CUSTODY

9/17/12 11:00 AM DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT...STATUS CHECK: GRAND JURY DOCUMENTS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 17, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

September 17, 2012 11:00 AM All Pending Motions

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C

COURT CLERK: Ying Pan
Anntoinette Naumec-Miller

RECORDER: Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Brown, Curtis	Attorney
	Daskas, Robert J.	Attorney
	Randolph, Thomas W	Defendant
	Reed, Norman J.	Attorney
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: GRAND JURY DOCUMENTS ... DEFENDANT'S MOTION TO STRIKE GRAND JURY INDICTMENT

Court noted parties have received the Grand Jury minutes retrieved from the Vault. Colloquy regarding the Grand Jury minutes. COURT ORDERED, matter SET for Evidentiary Hearing, the scope of the Hearing to be limited to questions confirming Ms. Marley was not a participant and whether she influenced the jurors' votes. Court indicated questions regarding how the Grand Jury came to the verdict it came to are not appropriate. Colloquy regarding hearing. Mr. Reed made an oral request to have the names and contact information of the Grand Jurors. Argument by Mr. Reed and Mr. Daskas regarding the request. COURT FURTHER ORDERED, Request DENIED advising any contact with the Grand Jurors shall be limited to determining if they are available. Colloquy regarding potential letter to Grand Jurors.

CUSTODY

PRINT DATE: 08/23/2017

Page 63 of 130

Minutes Date: January 07, 2009

10/12/12 9:30 AM EVIDENTIARY HEARING ... DEFT'S MOTION TO STRIKE GRAND JURY
INDICTMENT

10/25/12 9:30 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 12, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

October 12, 2012**9:30 AM****Evidentiary Hearing****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders. Danielle Pieper and John Giordani, Deputy District Attorneys also present.

COURT ORDERED, proceeding SEALED from 9:45:38 to 10:22:28 and 11:56:56 to 12:02:57. Colloquy regarding scope of hearing. Witnesses presented (See Worksheet). Colloquy regarding remaining witnesses and trial readiness.

MATTER RECALLED. Deft., Mr. Brown, Mr. Stanton and Mr. Daskas not present. Mr. Reed present. Ms. Pieper and Mr. Giordani now present. Witness presented (See Worksheet).

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 12, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

October 12, 2012**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders. Danielle Pieper and John Giordani, Deputy District Attorneys also present.

EVIDENTIARY HEARING...DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT

COURT ORDERED, proceeding SEALED from 9:45:38 to 10:22:28 and 11:56:56 to 12:02:57. Colloquy regarding scope of hearing. Witnesses presented (See Worksheet). Colloquy regarding remaining witnesses and trial readiness.

MATTER RECALLED. Deft., Mr. Brown, Mr. Stanton and Mr. Daskas not present. Mr. Reed present. Ms. Pieper and Mr. Giordani now present. Witness presented (See Worksheet).

CUSTODY

CLERK'S NOTE: At request of Mr. Reed a copy of the list of Grand Jurors present on 1/6/09 was marked and admitted as a Court's Exhibit. anm/10/25/12

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 25, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

October 25, 2012**9:30 AM****Evidentiary Hearing****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Curtis Brown and Dan Silverstein, Deputy Public
Defenders.

COURT ORDERED, proceeding SEALED. Colloquy regarding trial dates. Witnesses presented (See
Worksheet). Colloquy regarding remaining witnesses. COURT FURTHER ORDERED, matter
CONTINUED.

CUSTODY

11/26/12 11:30 AM EVIDENTIARY HEARING RE: DEFT'S MOTION TO STRIKE GRAND JURY
INDICTMENT...TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 26, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

November 26, 2012 11:30 AM All Pending Motions

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

EVIDENTIARY HEARING: DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT...DEFT'S MOTION TO STRIKE GRAND JURY INDICTMENT...TRIAL SETTING

Court noted it had an in chambers discussion with counsel regarding their availability for trial, however no other issues were discussed. COURT ORDERED, trial date VACATED and RESET, proceeding SEALED from 11:26:01-11:59:37. Witnesses presented (See Worksheet). COURT FINDS the Grand Jury wasn't tainted in any way and there is overwhelming evidence Deidra Marley neither attended the presentation by the State nor voted. COURT FURTHER FINDS Ms. Marley didn't participate or attempt to influence the vote in any way and FURTHER ORDERED, Motion DENIED. Mr. Reed indicated Deft. may want new counsel. Statements by Deft. Court advised Deft. if he would like new counsel he needs to place his request in writing and motion form; there is no legal basis to remove his counsel, the legal criteria it would need to look at isn't there.

OUTSIDE THE PRESENCE OF THE STATE. Statements by Deft. Colloquy regarding discovery received from Deft's prior counsel. COURT ADDITIONALLY ORDERED, Status Check SET, Mr. Bryson is to be present with all of his documents. Court advised the State will also need to be present. Deft. requested the Court reissue its order regarding a laptop. Court indicated Defense

counsel can address that request and it doesn't have an issue with it as long as it follows the Clark County Detention Center's guidelines. Further statements by Deft.

CUSTODY

12/5/12 11:00 AM STATUS CHECK: DISCOVERY

1/29/14 9:30 AM CALENDAR CALL

2/3/14 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 05, 2012**

09C250966

The State of Nevada vs Thomas W Randolph

December 05, 2012 11:00 AM Status Check**HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- David Stanton, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.
E. Brent Bryson, Esq., also present.

Court noted there was an allegation by Deft. at the last hearing that he turned over discovery to Mr. Bryson and Mr. Bryson has it. Mr. Reed advised he spoke to Mr. Bryson.

OUTSIDE THE PRESENCE OF THE STATE. COURT ORDERED, proceeding SEALED from 11:21:08 to 11:39:06. Statements by Deft. Court CANVASSED Deft. Upon Court's inquiry, Deft. waived the attorney client privilege for the purposes of this hearing. At request of Mr. Bryson, COURT FURTHER ORDERED, Mr. Bryson is to answer its questions. Court CANVASSED Mr. Bryson. Statements by Mr. Reed regarding videotape. COURT ADDITIONALLY ORDERED, Mr. Galanter is to provide it with either his entire duplicate file or a copy of his entire duplicate file. Mr. Reed to prepare the order. Colloquy regarding laptop.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 22, 2013**

09C250966

The State of Nevada vs Thomas W Randolph

April 22, 2013**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller
Teresa Slade**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed, Deputy Public Defender.

DEFENDANT'S PRO PER MOTION FOR EMERGENCY HEARING TO DISMISS MY CURRENT ATTORNEY AND HAVE NEW ATTORNEY APPOINTED BY THE COURT. MOTION TO HEAR & GRANT PRIOR EX PARTE ORDER FILED BY THE DEFENDANT THAT THE COURT HAS NOT RULED UPON TO DATE...STATUS CHECK: RESET PETROCELLI HEARING AND STATE'S OTHER BAD ACTS MOTION

Mr. Reed advised he cannot discuss the attorney client privilege; however, he and Mr. Brown are unable to communicate with Deft and there is no level of communication sufficient to represent a Deft. facing the death penalty. Arguments by Mr. Daskas. Colloquy regarding Deft's prior counsel. Statements by Deft. Colloquy regarding prior Petrocelli Hearing. Further statements by Deft. Court advised the order in place with prior counsel is still in place and the attorneys are expected to follow the Court's order. COURT stated its findings and ORDERED, Motion DENIED. Mr. Daskas advised the State filed a second Other Bad Acts Motion on 12/20/11 and requested it withdrawn; COURT SO ORDERED. Mr. Reed requested a Jackson v. Denno Hearing set with respect to Deft's second statement; COURT SO ORDERED.

09C250966

9/13/13 9:30 AM JACKSON V. DENNO HEARING...DEFT'S MOTION TO SUPPRESS
DEFENDANT'S STATEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 13, 2013

09C250966

The State of Nevada vs Thomas W Randolph

September 13, 2013 9:30 AM

All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT...JACKSON V. DENNO HEARING

Mr. Daskas advised the two statements the State intends to elicit information about this morning are the 5/8-5/9 and 6/3 statements. Upon Court's inquiry, Mr. Reed confirmed the custodial issue is the only issue that will be addressed today. Clifford Mogg SWORN and TESTIFIED. At request of the Court, Mr. Daskas confirmed he delivered the 6/3 statement and will deliver the initial statement. COURT ORDERED, matter CONTINUED FOR CHAMBERS DECISION. Colloquy regarding Deft's request for a laptop. Court indicated it would sign an order consistent with the policies and procedures of the jail.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 18, 2013

09C250966

The State of Nevada vs Thomas W Randolph

September 18, 2013 9:30 AM

All Pending Motions

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller
Teresa Slade

RECORDER: Maria Garibay

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

DEFT'S RENEWED MOTION TO RECONSIDER THE ADMISSION OF PRIOR BAD ACTS
EVIDENCE...DEFT'S MOTION TO STRIKE LYING IN WAIT THEORY OF MURDER, COUNT 2 OF
INDICTMENT...DEFT'S MOTION TO STRIKE BURGLARY WHILE IN POSSESSION OF A DEADLY
WEAPON, COUNT 3 OF THE INDICTMENT

Mr. Reed requested a continuance to allow the State to respond to Deft's Motion for Reconsideration.
Colloquy regarding Evidentiary Hearing. COURT ORDERED, matter CONTINUED. Mr. Brown
advised he has an ex-parte order allowing Deft. access to a laptop. Mr. Brown further advised the
order addresses the jail's concerns and was done after speaking with the jail. Court advised it will
sign the order based upon Mr. Brown's representations. Order SIGNED IN OPEN COURT.

CUSTODY

CONTINUED TO: 10/2/13 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 02, 2013**

09C250966

The State of Nevada vs Thomas W Randolph

October 02, 2013**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

DEFT'S MOTION TO STRIKE BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON,
COUNT 3 OF THE INDICTMENT...DEFT'S MOTION TO STRIKE LYING IN WAIT THEORY OF
MURDER, COUNT 2 OF THE INDICTMENT...DEFT'S RENEWED MOTION TO RECONSIDER THE
ADMISSION OF PRIOR BAD ACTS EVIDENCE

With respect to Deft's Motion to Strike Burglary while in Possession of a Deadly Weapon, Mr. Reed advised this issue was raised previously in a Writ. Mr. Reed further advised there is a similar issue about burglarizing your own home in the Supreme Court and suggested the ruling deferred or the Defense re-raise the issue prior to trial. COURT ORDERED, Motion is MOOT since the issue has already been heard and decided.

With respect to Deft's Motion to Strike Lying in Wait Theory, Mr. Reed advised he is arguing the identical issue in front of the Supreme Court on 10/16. Mr. Reed further advised he will submit on the briefs or the ruling can be deferred. COURT stated its FINDINGS and ORDERED, Motion DENIED; however, if the law changes the Defense may re-raise the issue.

With respect to Deft's Motion to Reconsider, arguments by Mr. Reed and Mr. Daskas. COURT

advised it will review its analysis contained within its 9/22/10 Decision and the transcript and ORDERED, matter CONTINUED FOR CHAMBERS DECISION.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 20, 2013**

09C250966

The State of Nevada vs Thomas W Randolph

November 20, 2013 2:42 PM Minute Order**HEARD BY:** Miley, Stefany**COURTROOM:****COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- No Parties Present.

This matter was last on for hearing on October 2, 2013. Arguments were held and the Court took Deft's Renewed Motion to Reconsider Prior Bad Acts Evidence and the State's Opposition thereto under advisement.

COURT FINDS its previous findings that the prior acts were established by clear and convincing evidence were premised on the testimony of William McGuire, as well as the offer of proof regarding Mr. Tarantino. See Decision page 13, at lines 8-14.

Moreover, COURT FURTHER FINDS, the assertions regarding the "Utah case" found at pages 4-6 are merely foundational, and simply referenced assertions in the State's brief. As stated above, the Court's findings were premised on the independent testimony of McGuire at the Petrocelli hearing as well as the State's offer of proof regarding Mr. Tarantino.

Furthermore, as the State has correctly pointed out, there has been no Zana violation as trial in this matter has not commenced, and any witnesses related to bad act events will be limited in their testimony at trial pursuant to the Zana decision. As such, Defendant has not provided a basis for this Court to reconsider its previous rulings.

COURT ORDERS, Deft's Renewed Motion to Reconsider the Admission of Prior Bad Acts Evidence and Petrocelli Hearing DENIED.

CLERK'S NOTE: A copy of this Minute Order was placed in the District Attorney and Public Defender attorney folders. anm/11/21/13.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 04, 2013

09C250966

The State of Nevada vs Thomas W Randolph

December 04, 2013 9:30 AM Status Check

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Anntoinette Naumec-Miller

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed, Deputy Public Defender.

Mr. Reed advised the questionnaire should be completed in one to two weeks. Colloquy regarding whether there are any pending Defense motions. CONFERENCE AT BENCH. Court noted it was advised of Deft's medical issues and Mr. Reed will address them.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 08, 2014**

09C250966

The State of Nevada vs Thomas W Randolph

January 08, 2014**9:30 AM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Robert Daskas and David Stanton, Deputy District Attorneys, present for the State of Nevada. Deft. Randolph, present in custody, with Norman Reed, Deputy Public Defender.

Court noted its Judicial Executive Assistant received an e-mail from Mr. Reed advising there is additional discovery, which will take several months to obtain, that he needs to represent Deft. Upon Court's inquiry, Deft. confirmed Mr. Reed discussed needing additional time with him and he is agreeable to continuing the trial date. Statements by Mr. Daskas noting the State is ready for trial. Mr. Reed advised he cannot render effective assistance of counsel the first week of February, and based on that, he is requesting a continuance. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

10/1/14 9:30 AM CALENDAR CALL

10/6/14 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 06, 2014**

09C250966

The State of Nevada vs Thomas W Randolph

March 06, 2014**9:30 AM****All Pending Motions****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with Norman Reed and Curtis Brown, Deputy Public Defenders.

FILED UNDER SEAL - DEFT'S MOTION TO SUPPLEMENT PETROCELLI HEARING...DEFT'S
MOTION FOR SPECIFIC DISCOVERY...MOTION TO SUPPLEMENT DEFT'S PREVIOUS MOTION
TO RECONSIDER PRIOR BAD ACTS EVIDENCE

Arguments by Mr. Reed and Mr. Daskas regarding Deft's Motion to Supplement. Upon Court's inquiry, Mr. Reed indicated he is requesting the opportunity to present witnesses and evidence that wasn't presented to Court at the Petrocelli Hearing. Court directed Mr. Reed to place his request for relief in writing and ORDERED, Deft's Motion for Relief due by 3/20/14, State's Reply due by 4/3/14, Motion SET.

With respect to Deft's Motion for Specific Discovery, Mr. Reed advised the Defense will meet with Mr. Daskas and the homicide detectives to review the detective's file. Mr. Reed further advised he will indicate if he is missing anything to the Court on the next date. Mr. Daskas advised the parties will be meeting again. COURT ORDERED, matter CONTINUED.

CUSTODY

4/7/14 11:00 AM FILED UNDER SEAL - DEFT'S MOTION TO SUPPLEMENT PETROCELLI HEARING...DEFT'S MOTION FOR SPECIFIC DISCOVERY...MOTION TO SUPPLEMENT DEFT'S PREVIOUS MOTION TO RECONSIDER PRIOR BAD ACTS EVIDENCE...DEFT'S MOTION FOR RELIEF (TO BE FILED)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 21, 2014**

09C250966

The State of Nevada vs Thomas W Randolph

March 21, 2014**1:00 PM****Status Check****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Deft. Randolph, present in custody, with Norman Reed, Deputy Public Defender.

Court noted Mr. Reed e-mailed it yesterday indicating he needs to place an ex-parte matter on record. COURT ORDERED, proceeding SEALED. Statements by Mr. Reed and oral Motion to Withdraw as Counsel of Record. Based on Mr. Reed's representations, COURT FINDS an actual conflict exists such that Mr. Reed cannot effectively represent Deft. and FURTHER ORDERED, Motion to Withdraw GRANTED. Court noted it will contact Mr. Christensen regarding whether new counsel will be appointed. COURT ADDITIONALLY ORDERED, Deft's computer is to be removed from him immediately as Deft. has had the time to complete what it was intended for. Mr. Reed noted the computer is Deft's. COURT ORDERED, the computer is to be removed by the jail and examined to make sure nothing has been added to it. Court advised once it has been notified the computer is clean, it will decide how the computer will be returned to someone. Mr. Reed requested the Motion to Supplement the Petrocelli Hearing be taken off calendar. COURT FURTHER ORDERED all pending Defense Motions OFF CALENDAR, Confirmation of Counsel SET.

CUSTODY

4/2/14 9:30 AM CONFIRMATION OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 02, 2014**

09C250966

The State of Nevada vs Thomas W Randolph

April 02, 2014**9:30 AM****Confirmation of Counsel****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- David Stanton and Robert Daskas, Deputy District Attorney, present for the State of Nevada. Deft. Randolph, present in custody, with David Schieck, Special Public Defender. Norman Reed, Deputy Public Defender, also present.

Mr. Schieck advised he spoke with Mr. Christensen and can confirm subject to performing a conflict check. Mr. Schieck requested a two week continuance and advised he will be obtaining Deft's file from the Public Defender tomorrow; COURT SO ORDERED. Mr. Schieck requested a sealed copy of the transcript be provided to him, and not filed in Odyssey or provided to the District Attorney, from the date Deft's Public Defender withdrew; COURT SO ORDERED. Defense to submit the order. Mr. Schieck inquired where the computer, which was taken from Deft., was. Colloquy regarding computer. Court directed counsel to work together regarding a resolution and advised the computer should be in the same condition as it was when it was brought in. Further colloquy regarding computer.

CUSTODY**CONTINUED TO:** 4/14/14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 14, 2014**

09C250966

The State of Nevada vs Thomas W Randolph

April 14, 2014**9:30 AM****Confirmation of Counsel****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Anntoinette Naumec-Miller**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Deft. Randolph, present in custody, with David Schieck, Special Public Defender.

Upon Court's inquiry, Mr. Schieck confirmed as Counsel of Record. Mr. Schieck advised, upon his review of the documents, there is no way he can be ready to go in October and requested trial reset to May, 2015. Mr. Daskas advised the State is prepared for the soonest trial date but understands new counsel needs time. COURT ORDERED, trial date VACATED and RESET. Mr. Schieck noted he is working on an order with respect to the computer.

CUSTODY

5/20/15 9:30 AM CALENDAR CALL

5/26/15 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 20, 2015**

09C250966

The State of Nevada vs Thomas W Randolph

April 20, 2015**9:30 AM****Motion****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber
Adrienne Theeck**RECORDER:** Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Pike, Randall H.	Attorney
	Randolph, Thomas W	Defendant
	Schieck, David Michael	Attorney
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Colloquy regarding Deft's. past courtroom appearances. At the request of defense counsel, COURT ORDERED, motion OFF CALENDAR as moot. Parties advised trial length four weeks including penalty hearing. FURTHER, trial date VACATED and RESET.

CUSTODY

5/18/2016 9:30 AM CALENDAR CALL

5/23/2016 1:00 PM JURY TRIAL

CLERK'S NOTE: The above minute order has been amended to reflect correct year for jury trial.
05/07/15 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 30, 2016**

09C250966

The State of Nevada vs Thomas W Randolph

March 30, 2016**9:30 AM****Status Check****Status Check Re:
Trial****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber
 Anntoinette Naumec-Miller
 Shana Stephens
 Kory Schlitz

RECORDER: Maria Garibay**REPORTER:****PARTIES**

PRESENT:	Daskas, Robert J.	Attorney
	Patrick, Clark W.	Attorney
	Pike, Randall H.	Attorney
	Randolph, Thomas W	Defendant
	Schieck, David Michael	Attorney
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- State announced they will be ready for trial. Mr. Schieck advised they are still working on the case and believed they will be ready to proceed with trial. Colloquy regarding Jury Questionnaire and late filing of motions. Mr. Schieck advised they are looking into getting an MRI done on Deft. and noted the medication issue due to change in medication regimen. COURT SO NOTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 2016

09C250966

The State of Nevada vs Thomas W Randolph

April 12, 2016

11:30 AM

Hearing

Status Check: Case
Logistics

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Pike, Randall H.

Attorney

Schieck, David Michael

Attorney

Stanton, David L.

Attorney

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- CHAMBERS: Colloquy regarding Deft's deterioration due to change in medication regimen and possible assessment of Deft. Further colloquy regarding Nephcare at the Clark County Detention Center. ON THE RECORD: Mr. Schieck advised they had received a letter from Dr. Roitman regarding the changing/taking Deft. off of the opiates and believed Deft. is no longer competent to stand trial. Counsel then stated they would file a motion regarding Nephcare had changed their protocol and requested matter be referred to competency. COURT ORDERED, Motion to Suppress and oral arguments are temporarily OFF CALENDAR pending resolution of competency issue. FURTHER, trial date VACATED and matter REFERRED to Competency.

CUSTODY

05-20-16 9:00 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 18, 2016

09C250966

The State of Nevada vs Thomas W Randolph

April 18, 2016

9:30 AM

Motion to Compel

**Defendant's Motion
to Compel
Appropriate Medical
Treatment for
Defendant**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Patrick, Clark W.
Pike, Randall H.
Stanton, David L.
State of Nevada

Attorney
Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- Deft. not present due to medical issue. On behalf of Nephcare, David Rothenberg (Bar #13576) and Shirley Blazich (Bar #8378) present along with Robert Duran and Ashley Kohlizar. Mr. Patrick advised they had been given to affidavits stating the medication regimen was working and advised they would not be changing back to previous regimen. Court agreed there is nothing to be done until matter returns from Competency Court. Statement by Mr. Pike. COURT ORDERED, matter OFF CALENDAR.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 20, 2016**

09C250966

The State of Nevada vs Thomas W Randolph

May 20, 2016**9:00 AM****Further Proceedings:
Competency****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Athena Trujillo
Louisa Garcia**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES****PRESENT:**

Hyte, Michael W.

Attorney

Pace, Barter G

Attorney

Patrick, Clark W.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Mr. Patrick advised there will be no challenge, however, he noted his concern that the Defendant will end up back in Competency Court. Mr. Patrick advised Naphcare changed the Defendant's medication in February rendering the Defendant incompetent. Further, Mr. Patrick advised the Defendant needs to be on a pain management system, although Naphcare will not listen to him. State requested the matter be sent back to Department 23 to address any pain management concerns. COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings.

CUSTODY

6/1/16 9:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT - DC 23

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 01, 2016**

09C250966

The State of Nevada vs Thomas W Randolph

June 01, 2016**9:30 AM****Further Proceedings**

**Further Proceedings:
Return from
Competency Court**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Schieck, David Michael	Attorney
Stanton, David L.	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted Deft. had been found competent. Colloquy regarding trial schedules. Parties advised trial length of approximately four weeks. COURT SO NOTED and ORDERED, matter SET for trial.

CUSTODY

06-07-17 9:30 AM CALENDAR CALL

06-12-17 1:00 PM TRIAL BY JURY (FIRM)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 07, 2016**

09C250966

The State of Nevada vs Thomas W Randolph

November 07, 2016 9:30 AM**All Pending Motions**

**Defendant's Motion
to Suppress Video
Statement of May 15,
2008; Defendant's
Motion to Transport
and Allow the Jury to
View the Scene of the
Crime; Defendant's
Motion in Limine to
Preclude References
to the Prior Bad Acts
as Murder Cases or
Murder for Hire
Cases; Defendant's
Supplement to
Motion Regarding
Petrocelli Hearing
and Re-Notice of
Motion; Deft's Notice
of Hearing**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
State of Nevada	Plaintiff

PRINT DATE: 08/23/2017

Page 92 of 130

Minutes Date: January 07, 2009

JOURNAL ENTRIES

- Upon Court's inquiry, State advised they were not prepared to argue and requested a continuance. There being no opposition, COURT ORDERED, matters CONTINUED. Court noted it had begun reviewing transcripts. Mr. Pike stating they could have Detective Connolly come in and noted he was the investigative detective in Utah. Statement by Deft. regarding Faretta. Court stated Deft. would need to speak with counsel. FURTHER, Deft's Notice of Hearing is OFF CALENDAR.

CUSTODY

01-23-17 11:00 AM DEFT'S SUPPLEMENT TO MOTION REGARDING PETROCELLI HEARING AND RE-NOTICE OF MOTION; DEFT'S MOTION IN LIMINE TO PRECLUDE REFERENCES TO THE PRIOR BAD ACTS AS MURDER CASES OR MURDER FOR HIGHER CASE; DEFT'S MOTION TO TRANSPORT AND ALLOW THE JURY TO VIEW THE SCENE OF THE CRIME; DEFT'S MOTION TO SUPPRESS VIDEO STATEMENT OF MAY 15, 2008

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 04, 2017

09C250966

The State of Nevada vs Thomas W Randolph

January 04, 2017

9:30 AM

All Pending Motions

**Defendant's Pro Per
Widdis Motion To
Appoint the
Defendant an
Investigator in this
Case; Faretta Canvas:
Motion for Faretta
Hearing**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Daskas, Robert J.

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Court inquired whether Deft. wanted to represent himself and stated its concern with Deft. not having counsel. Statement by Deft. noting he only wanted to be heard. Court pointed out Deft. could not just state what he wanted at any time. Further statement by Deft. Court noted Deft. may not agree with this Court's rulings, however, all rulings will stand. Additional statement by Deft. Court stated any issues should be addressed through counsel. Statement by Mr. Pike. COURT ORDERED, matters are OFF CALENDAR as moot as Deft. does not want to represent himself. Pending motions STAND.

CUSTODY

PRINT DATE: 08/23/2017

Page 94 of 130

Minutes Date: January 07, 2009

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 23, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

January 23, 2017**11:00 AM****All Pending Motions**

Defendant's Motion to Suppress Video Statement of May 15, 2008; Defendant's Motion to Transport and Allow the Jury to View the Scene of the Crime; Defendant's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases; Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES**PRINT DATE:** 08/23/2017

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Minutes Date: January 07, 2009

- As to Deft's Motion to Suppress Video Statement of May 15, 2008: Argument by Mr. Patrick noting statement was given one week after incident, advised Deft. was on pain medication and gave inconsistent statements while on medication. Counsel then noted Deft. was not able to have a clear conversation and believed Deft. was in no condition to give a statement. Argument by the State noting it was belied by what is seen in the video and stated it goes to weight. Upon Court's inquiry regarding refuting testimony. State advised they could have detective appear. Court stated it needed testimony and noted it would have to re-review the video. State advised it would provide video. Court stated it would DEFER ruling to date of hearing. As to Deft's Motion to Transport and Allow the Jury to View the Scene of the Crime: Argument by Mr. Patrick advising is goes with the video, showing how small the residence was and how close the rooms were. Court pointed out it had been approximately eight and half years ago, stated some one else resides in the home and believed it had no power over non-parties. Argument by the State noting it can be done through photographs and the video, id admitted. Court stated its findings and ORDERED, motion DENIED. As to Deft's Motion in Limine to Preclude References to the Prior Bad Acts as Murder Cases or Murder for Hire Cases: Argument by Mr. Pike. State believed they could set up guidelines. Court advised it had issue with the murder cases and stated it was unsure how to refer to them as it would have an effect on the jury. Parties agreed they can refer to them as the Utah case. State noted the witness tampering was a different issue. Court state they can refer to witness tampering as to what Deft. was convicted of and ORDERED, motion GRANTED; and As to Deft's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion: Court believed this to be multiple reconsiderations regarding testimony of Mr. Maguire. Argument by Mr. Pike noting subsequent statements given to Las Vegas Metropolitan Police Department were not provided to former counsel, stated this was a tactical decision of former counsel without having all of the information and requested reference to Utah case or testimony of Terintino not be allowed in. Argument by the State advising 250 pages of statements were provided to the defense and believed the defense are attempting to say the State had not proved by clear and convincing evidence. State then advised the defense only used excerpts from statements making it a suicide. Court advised it will issue a minute order. Colloquy regarding Deft's health. COURT ORDERED, matter SET for hearing and Deft's Motion to Suppress is CONTINUED. Parties advised hearing length of approximately two hours. COURT SO NOTED.

CUSTODY

03-09-17 9:30 AM EVIDENTIARY HEARING; DEFT'S MOTION TO SUPPRESS VIDEO STATEMENT OF MAY 15, 2008

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 09, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

March 09, 2017**9:30 AM****All Pending Motions**

**Evidentiary Hearing;
Defendant's Motion
to Suppress Video
Statement of May 15,
2008**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. apologized to the Court. COURT SO NOTED. Testimony and exhibits presented. (See worksheets) Counsel requested they submit a timeline for the Court to use in accordance with the thumb drive containing the video at issue. Court advised any documentation provided will be marked as a Court's exhibit. Parties agreed. Arguments by counsel. Colloquy regarding amount of jurors to be called and jury questionnaires. Arguments by counsel regarding lack of availability by Detective Conley. Court advised a written decision via minute order will be forthcoming after review of documentation and video are completed. COURT ORDERED, matter SET for status check.

CUSTODY

04-19-17 9:30 AM STATUS CHECK: CASE STATUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 19, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

April 19, 2017**9:30 AM****All Pending Motions**

**Status Check: Case
Status; Defendant's
Motion for Penalty
Phase Jury
Instructions Re:
Weighing
Mitigations and
Aggravating
Circumstances; Deft's
Motion Regarding
Jury Selection
Procedures and
Memorandum of Law
Regarding Capitol
Voor Dire**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted it had two outstanding decisions which will be made before the end of April. State advised Mr. Stanton filed a Response to defense's Supplement and request additional time file a Response to defense's other motion. Counsel stated they were fine with late responses and requested

PRINT DATE: 08/23/2017

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Minutes Date: January 07, 2009

motions be continued. Colloquy regarding trial readiness. Mr. Pike stated they would be prepared for trial provided they received the list of the jail calls the State will be using during the trial. State understood its obligation. Counsel stated two weeks prior to trial would be sufficient time for review and to prepare. State advised the parties are meeting and conferring today. COURT SO NOTED and ORDERED, matters CONTINUED.

CUSTODY

05-03-17 9:30 AM Status Check: Case Status; Defendant's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating Circumstances; Deft's Motion Regarding Jury Selection Procedures and Memorandum of Law Regarding Capitol Voir Dire

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 27, 2017

09C250966

The State of Nevada vs Thomas W Randolph

April 27, 2017

10:36 AM

Minute Order

**Minute Order Re:
Defendant's Motion
to Supplement
Petrocelli Hearing**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- This matter was set on the Court's in chambers calendar for a decision on Defendant's Motion to Supplement Petrocelli Hearing filed Feb. 24, 2014 (re-noticed January 2017); Defendant's Supplemental Authority in Support of Motion Regarding Petrocelli Hearing filed April 4, 2017; State's Opposition to Defendant's Supplement to Motion Regarding Petrocelli Hearing and Re-Notice of Motion filed April 8, 2017; and State's Response to Defendant's Supplemental Authority in Support of Motion Regarding Petrocelli Hearing filed April 10, 2017. Defendant sought reconsideration of this Court's Decision filed September 22, 2010 which granted the State's Motion to Admit Other Bad Acts. The State opposed this reconsideration.

Taking into consideration the ten statements attached to Defendant's Motion to Supplement Petrocelli Hearing dated February 24, 2014, the papers and pleadings on file herein as well as supplemental legal authority provided by the Defense, COURT ORDERS Defendant's Motion for Reconsideration of the Order Granting State's Motion to Admit Other Bad Acts filed September 22, 2010 DENIED.

CLERK'S NOTE: The above minute order has been distributed via e-mail to: Robert Daskas, Deputy District Attorney; David Stanton, Deputy District Attorney; Randall Pike, Special Public Defender; and Clark Patrick, Special Public Defender. 04/27/17 kls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 03, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

May 03, 2017**9:30 AM****All Pending Motions**

**Status Check: Case
Status; Defendant's
Motion for Penalty
Phase Jury
Instructions Re:
Weighing
Mitigations and
Aggravating
Circumstances;
Defendant's Motion
Regarding Jury
Selection Procedures
and Memorandum of
Law Regarding
Capital Voir Dire**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- As to Deft's Motion for Penalty Phase Jury Instructions Re: Weighing Mitigations and Aggravating

PRINT DATE: 08/23/2017

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Minutes Date: January 07, 2009

Circumstances: Mr. Patrick advised the matter had been extensively briefed and believed there was nothing additional to add. Court advised it had received the Reply today. Argument by Mr. Stanton regarding Hurst decision. Counsel submitted on their briefs. COURT ORDERED, motion DENIED as it is not compliant with Hurst decision which the Nevada Courts are in compliance; As to Deft's Motion regarding Jury Selection Procedures and Memorandum of Law Regarding Capital Voir Dire: Court advised it had again reviewed Witherspoon. Argument by Mr. Patrick regarding specific questions. Court pointed out the jury cannot make tentative rulings. Further argument by counsel. Argument by Mr. Stanton. Court advised it could not make a ruling unless it knew of the questions that were going to be asked. Mr. Patrick advised they would follow the rules. Further argument by the State. Court advised parties are to follow Nevada law and local rules. Statement by Mr. Stanton regarding remedy as to Batson Challenge. Argument by Mr. Patrick. COURT ORDERED, motion GRANTED IN PART. Mr. Pike advised the parties had agreed to having four alternate jurors. COURT SO NOTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 31, 2017

09C250966

The State of Nevada vs Thomas W Randolph

May 31, 2017

11:30 AM

All Pending Motions

**Deft's Pro Per Motion
for an Emergency
Hearing; Status
Check: Jurors &
Questionnaire**

HEARD BY: Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Daskas, Robert J.	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Statement by Mr. Pike noting agreements reached regarding several jury questionnaires and stated some would need to be rehabilitated. Court inquired whether all pre-trial matters had resolved. Argument by Mr. Pike. Court advised Deft. it had handled this case from the on-set and stated upon review of Deft's motion, it was unsure as to what Deft. was needing in regards to this case. Argument by Deft. Mr. Pike stated Deft. had not given details of what he was going to speak to the Court about and argued they have done what they are legally able to do. Court pointed out that what Deft. states can be used against him at the time of trial. Argument by Deft. COURT SO NOTED.

CUSTODY

PRINT DATE: 08/23/2017

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Minutes Date: January 07, 2009

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 07, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 07, 2017**9:30 AM****Calendar Call****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Patrick, Clark W.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Parties announced ready. Counsel advised they had prepared an Order allowing Deft. to have a haircut prior to trial. Order SIGNED IN OPEN COURT. Trial date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 12, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 12, 2017

1:00 PM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Colloquy regarding media, jury questionnaires and jury selection. Colloquy regarding State's photographs. Court placed the no-show jurors on the record. POTENTIAL JURY PANEL PRESENT. Roll taken. Voir Dire Oath GIVEN. CONFERENCE AT THE BENCH. Voir Dire began. OUTSIDE THE PRESENCE POTENTIAL JURY PANEL. Potential Jurors #11, #314 and #362 present, individually. Pursuant to challenges for cause, COURT ORDERED, #11 and #314 excused for cause. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. CONFERENCE AT THE BENCH. Voir Dire continued. COURT ORDERED, matter CONTINUED.

06-13-17 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 13, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 13, 2017

1:00 PM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Bluth, Jacqueline

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Colloquy regarding juror excusals. Statement by Deft. Court pointed out all substantive motions would need to be in writing and stated they needed to be proffered through counsel. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Colloquy regarding juror excusals. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. CONFERENCE AT THE BENCH. COURT ORDERED, matter CONTINUED. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Challenges for Cause.

06-14-17 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 14, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 14, 2017

1:00 PM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Deft's Proposed Instructions Regarding Utah Case Evidence FILED IN OPEN COURT. Arguments by counsel regarding proposed jury instruction as to Utah case. Court advised it would need to review Travaris case. State advised they were going to use Deft's three statements. Argument by Mr. Patrick regarding redactions. Argument by Mr. Stanton stating a hearing was being requested as to the parameters regarding the Utah case and noted parties could not reach an agreement. Mr. Pike advised they did not have a problem with redacting Deft's personal information. Argument by Ms. Bluth. Court pointed out the issue had not been raised in the Petrocelli Hearing. Arguments by counsel. Court advised it would defer decision on letting in the plans and stated it currently finds it quite prejudicial. Arguments by counsel. COURT ORDERED, request to bring in civil suit is DENIED. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. CONFERENCE AT THE BENCH. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Challenges for Cause exercised and jurors excused pursuant to stipulations. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Challenges for Cause exercised and jurors excused for cause and

09C250966

pursuant to stipulations. Colloquy regarding schedules. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. COURT ORDERED, matter CONTINUED.

06-15-17 9:30 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 15, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 15, 2017

9:30 AM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Court noted it appeared Juror #81 had done some research on the internet as he advised the Marshal he knows of the Utah case. Juror #81 present individually. Questions imposed by counsel. Defense counsel move for cause. Court advised juror will be excused to avoid tainting of jury panel. Colloquy regarding Challenges for Cause. Pursuant to stipulation, jurors #362 and #407 are excused for cause. POTENTIAL JURY PANEL PRESENT. Voir Dire continued. CONFERENCE AT THE BENCH. Voir Dire continued. CONFERENCE AT THE BENCH. Voir Dire continued. CONFERENCE AT THE BENCH. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Challenges for Cause exercised. Pursuant to stipulations and challenges for cause, jurors #362, 407, 463, 523, 379 and 491 are excused. Further, parties stipulated to excusal of jurors #559, 557 and 550. NEW POTENTIAL JURY PANEL PRESENT. Roll taken and Voir Dire Oath given. Voir Dire began. CONFERENCE AT THE BENCH. Voir Dire continued. CONFERENCE AT THE BENCH. OUTSIDE THE PRESENCE OF POTENTIAL JURY PANEL. Arguments by counsel. POTENTIAL JURY PANEL PRESENT. Peremptory Challenges exercised. Jury SELECTED and SWORN. COURT ORDERED, matter CONTINUED. OUTSIDE THE

PRESENCE OF JURY. Arguments by counsel regarding Deft's sale of cocaine. Court finds it would be prejudicial to Deft. Further arguments by counsel regarding bad acts jury instruction. Court noted striking similarities of the two cases. Additional arguments by counsel. Court stated it would not allow fire to come in as it was uncharged as a bad act and FINDS the ways to kill the wife to not be relevant and prejudicial. Ms. Bluth made a record. Arguments by counsel.

06-16-17 9:30 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 16, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 16, 2017**9:30 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Court advised it received Deft's Proposed Trial Phase Jury Instruction. State had no objection as it comports with this Court's ruling. Parties agreed the Court would read instructions before each witness was called today. JURY PANEL PRESENT. Court gave instructions to the Jury. Clerk read Indictment to the Jury. Court concluded its instructions. Exclusionary Rule INVOKED. Opening Statement by Ms. Bluth. OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Opening Statement by Mr. Pike. OUTSIDE THE PRESENCE OF THE JURY. Statement by Mr. Pike regarding their on-going objection. JURY PANEL PRESENT. Court gave instruction to the Jury as to the Utah case. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Record made regarding defense's objection. Mr. Pike moved for a mistrial. Arguments by counsel. Back on the Record: Court stated it recognized murder for hire as

referenced, however, it would not grant a mistrial. Statement by Ms. Bluth. JURY PANEL PRESENT.
Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY.
Testimony and exhibits presented. (See worksheets) COURT ORDERED, matter CONTINUED.
Arguments by counsel.

06-19-17 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 19, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 19, 2017**1:00 PM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Statement by Mr. Patrick regarding offer extended to the State from defense and noted there had not been an official offer from the State. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) COURT ORDERED, matter CONTINUED.

06-20-17 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 20, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 20, 2017**1:00 PM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

Stanton, David L.

Attorney

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) COURT ORDERED, matter CONTINUED.

06-21-17 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 21, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 21, 2017

1:00 PM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding witness scheduling and taking witnesses out of order. Arguments by counsel. Colloquy regarding jury instructions. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) COURT ORDERED, matter CONTINUED. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling. Court admonish Deft. of his right to testify or not to testify. Court made a record regarding testimony of Detective Mogg as to ballistics, noted he had not been designated as an expert and advised it agreed with the defense.

06-22-17 9:30 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 22, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 22, 2017**9:30 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Deft's Bench Memorandum Regarding Use of Detective O'Kelley as an Expert Witness FILED IN OPEN COURT. Argument by Mr. Pike regarding objection to admittance of cellphone records. Argument by the State. Parties provided Detective O'Kelley's Curriculum Vitae. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel regarding homicide reconstruction. Court noted counsel is to make appropriate objections and to lay proper foundation. Argument by the State. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Court made a record regarding defense's objections. Court advised it had instructed the Jury to disregard "Coup De Grace" and noted no curative instruction had been given regarding "execution shot." Arguments by counsel. Mr. Pike moved for a mistrial. Argument by the State noting it conforms and comports with Deft's statements.

09C250966

COURT ORDERED, request for mistrial is DENIED. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) COURT ORDERED, matter CONTINUED.

06-23-17 9:30 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 23, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 23, 2017**9:30 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding witnesses. Argument by the State noting the need for hearing outside the presence of the jury prior to witness Irwin being called as notice if deficient and believed he is not qualified as to self-defense. Argument by counsel. Further argument by the State. Additional arguments by counsel. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) State rested. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Hearing with testimony provided. Court FINDS Mr. Irwin qualified to testify and noted testimony goes to the weight and not admissibility. Colloquy regarding scheduling of witnesses and jury instructions. Arguments by counsel regarding whether burglary can hold up to the owner of the home. Counsel advised they would not be calling Mr. Irwin and that they will rest. JURY PANEL PRESENT. Defense rested. Rebuttal testimony and exhibits presented. (See worksheets) State rested. COURT ORDERED, matter CONTINUED. OUTSIDE THE PRESENCE OF THE JURY. Counsel advised Deft. would not be testifying. COURT SO NOTED.

09C250966

06-26-17 1:30 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 26, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 26, 2017**1:30 PM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Deft's Proposed Trial Phase Instructions FILED IN OPEN COURT. Jury Instructions ARGUED. State advised Count 3 - Burglary is WITHDRAWN. COURT SO NOTED. Arguments by counsel regarding justifiable homicide, self defense and deadly weapon enhancements. Court advised it will allow deadly weapon enhancement instruction, stated it will allow deadly weapon definition as it is straight from statute and pointed out there are no prior bad acts. Further arguments by counsel. Jury Instructions SETTLED. JURY PANEL PRESENT. Court instructed the Jury. Closing Argument by Ms. Bluth. CONFERENCE AT THE BENCH. State concluded its closing argument. OUTSIDE THE PRESENCE OF THE JURY. Court made a record regarding "murder for hire" objection, noted it had overruled the objection as it came by Wendy Moore and Ms. Meyer. Argument by Mr. Pike. JURY PANEL PRESENT. Closing argument by Mr. Pike. OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Rebuttal closing argument by Mr. Stanton. At the hour of 6:13 p.m., the jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY. Mr. Pike moved for mistrial due to statements and comments regarding execution. Argument by Mr. Stanton.

09C250966

06-27-17 9:00 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2017

09C250966

The State of Nevada vs Thomas W Randolph

June 27, 2017

9:00 AM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jury panel present for continued deliberations. COURT ORDERED, matter CONTINUED for further deliberations.

06-28-17 9:00 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

09C250966

The State of Nevada vs Thomas W Randolph

June 28, 2017**9:00 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- At the hour of 11:44 a.m., jury returned with the following Verdict: COUNT 1 - GUILTY of CONSPIRACY TO COMMIT MURDER; COUNT 2 - GUILTY of FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (SHARON CAUSSE RANDOLPH); and COUNT 3 - GUILTY of FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (MICHAEL JAMES MILLER). Jury polled at request of the defense. Colloquy regarding penalty phase. OUTSIDE THE PRESENCE OF THE JURY. Counsel requested exclusionary rule be extended. State agreed, however, excluding victim's daughter. JURY PRESENT. Penalty Phase Begins. Opening Statement by Ms. Bluth. CONFERENCE AT THE BENCH. State concluded their opening statement. Opening Statement by Mr. Clark. OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. Colloquy regarding juror questions. CONFERENCE AT THE BENCH. Statement by Mr. Pike. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. COURT ORDERED, matter CONTINUED. OUTSIDE THE PRESENCE OF THE

JURY. Colloquy regarding witness, Mr. Thomas' statement "Gotcha" to the Deft. after completing his testimony. Counsel requested Deft. be allowed to wear his Dallas Cowboys jersey. Court stated its indifference, however, it would need to be cleared by detention center..

06-29-17 10:00 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 29, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 29, 2017**10:00 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel regarding Utah news clip. Video Clip played for the Court. Argument by the State. Court stated it was unsure what defense's objection to the clip is. Argument by Mr. Patrick noting the mother is not a victim. State advised they did not see it as a victim impact. Further argument by Mr. Patrick. Further argument by the State. Colloquy regarding drug sales. Court stated it agreed with the defense and would not allow in alleged drug sales. Further arguments by counsel. State advised they would not be bringing out sexual assault in testimony or otherwise. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel regarding expungment. Mr. Patrick requested a continuance in order to fully brief this issue. Court advised it will not continue the trial, however, counsel will have time in which to review. Back on the Record: Further arguments by counsel. Video Clip played again for the Court. State advised it goes to Deft's overall attitude. Counsel submitted to the Court's discretion. Court advised it will allow it as it contains nothing in regards to expungment only statements. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) State rested. OUTSIDE THE PRESENCE OF

THE JURY. Colloquy regarding scheduling of witnesses. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding case law in jury instruction. State to provide. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel regarding Dr. Roitman and missing reports. State advised they were not provided resources used in preparing his report and believed it to be a violation of discovery. Further arguments by counsel. Court directed parties to meet and confer as to what should have been provided to the State. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) CONFERENCE AT THE BENCH. COURT ORDERED, matter CONTINUED.

06-30-17 11:00 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 30, 2017**

09C250966

The State of Nevada vs Thomas W Randolph

June 30, 2017**9:30 AM****Jury Trial - FIRM****HEARD BY:** Miley, Stefany**COURTROOM:** RJC Courtroom 12C**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**REPORTER:****PARTIES****PRESENT:**

Bluth, Jacqueline	Attorney
Patrick, Clark W.	Attorney
Pike, Randall H.	Attorney
Randolph, Thomas W	Defendant
Stanton, David L.	Attorney
	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Admonishment of Allocution given to Deft. Jury Instructions argued and SETTLED along with Special Verdict. Arguments by counsel. JURY PANEL PRESENT. Testimony and exhibits presented. (See worksheets) Deft. made allocution to the jury. Defense rested. Court instructed the jury. OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. CONFERENCE AT THE BENCH. Closing argument by Ms. Bluth. OUTSIDE THE PRESENCE OF THE JURY. JURY PANEL PRESENT. Closing argument by Mr. Patrick. Closing argument by Mr. Pike. Rebuttal closing argument by Mr. Stanton. At the hour of 3:37 p.m., the jury retired to deliberate. COURT ORDERED, matter CONTINUED.

07-05-17 9:00 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 05, 2017

09C250966

The State of Nevada vs Thomas W Randolph

July 05, 2017

9:00 AM

Jury Trial - FIRM

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Giordani, John

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- At the hour of 2:23 p.m., the jury returned with following Special Verdict: The aggravating circumstance or circumstances outweigh any mitigating circumstance or circumstances, therefore, impose a sentence as to Count 2 - Murder of the First Degree With Use of a Deadly Weapon (Sharon Causse Randolph) - DEATH; and the aggravating circumstance or circumstances outweigh any mitigating circumstance or circumstances, therefore, impose a sentence as to Count 3 - Murder of the First Degree With Use of a Deadly Weapon (Michael James Miller) - DEATH. Jury polled, thanked and excused. OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. FURTHER, Deft. to remain in custody and is to be held WITHOUT bail.

CUSTODY

08-23-17 11:00 AM SENTENCING - COUNTS 1, 2 & 3

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 23, 2017

09C250966

The State of Nevada vs Thomas W Randolph

August 23, 2017

11:00 AM

Sentencing

SENTENCING -
COUNTS 1 - 3

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES**PRESENT:**

Bluth, Jacqueline

Attorney

Patrick, Clark W.

Attorney

Pike, Randall H.

Attorney

Randolph, Thomas W

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Argument by the State. Argument by Mr. Patrick. Statement by Deft. Victim Witness SWORN and ADDRESSED the Court. DEFT. RANDOLPH ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F); COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); and COUNT 3 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers and \$3.00 DNA Collection fee, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of EIGHTY-FOUR (84) MONTHS and MINIMUM of THIRTY-TWO (32) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 - DEATH plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM Parole Eligibility of NINETY-SIX (96) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 1; and COUNT 3 - DEATH plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM Parole Eligibility of NINETY-SIX (96) MONTHS for the Use of a Deadly Weapon, CONSECUTIVE to COUNT 2; with THREE THOUSAND ONE HUNDRED FORTY-THREE (3,143) DAYS credit for time served. Warrant of Execution, Order of Execution and Stay of Execution SIGNED and FILED IN OPEN COURT. BOND, if any, EXONERATED.

09C250966

NDC

(Cont.)

CASE NO.

DEPT. NO.

CDDA DAVID STANTON

Exhibits:

- 1. Proposed Indictment**
- 2. CD**
- 3. Photo**
- 4. Photo**
- 5. Photo**
- 6. Photo**
- 7. Photo**
- 8. Photo**
- 9. Photo**
- 10. Photo**
- 11. Photo**
- 12. Photo**
- 13. Photo**
- 14. Photo**
- 15. Photo**
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- 39. Photo**
- 40. Photo**
- 41. Photo**
- 42. Photo**
- 43. Photo**
- 44. Photo**
- 45. Photo**
- 46. Photo**
- 47. Photo**
- 48. CD**
- 49. Illustration**
- 50. Illustration**
- 51. Illustration**
- 52. Illustration**
- 53. Nevada Law**

Exhibits 1-53, to be lodged with the Clerk of the Court.

COURT'S EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

Court EXHIBITS

CASE NO. C250966

[illegible]

Court's

EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C2509166

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

Court's EXHIBITS

CASE NO. C250966

[illegible]

EXHIBIT(S) LIST

Case No.: **C250966**

Hearing Date:

MAR 09 2017

Dept. No.: **XXIII**

Judge:

STEFANY A. MILEY

Court Clerk:

KATHERINE STREUBER

Plaintiff: **STATE OF NEVADA**

Recorder:

MARIA GARIBAY

Counsel for Plaintiff:

Robert Daskas

vs.

Defendant: **RANDOLPH, THOMAS**

Counsel for Defendant:

Randall Pike;
Clark Patrick

HEARING BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Declaration of Joe Randolph	3/9/17	No	3/9/17

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

C250966

Trial Date:

JUN 12 2017

Dept. No.: XXIII

Judge:

STEFANY A. MILEY

Court Clerk:

KATHERINE STREUBER

Recorder:

MARIA GARIBAY

Plaintiff: STATE OF NEVADA

Counsel for Plaintiff:

David Stanton;

vs.

Jacqueline Bluth

Defendant: RANDOLPH, THOMAS

Counsel for Defendant:

Clark Patrick;
Randall Pike

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Evidence Box	6/19/17	No	6/19/17
1A	Smith + Wesson 22 Long Rifle	"		"
2	Evidence Box			
2A	Smith + Wesson 38 Special			
3	Evidence Box			
3A	Baikal IJ-70 9mm Semi-Auto			
4	Evidence Envelope			
4A	Cartridge Casings (1)			
4B	Cartridge Casings (2)			
4C	Cartridge Casings (3)			
5	Evidence Envelope			
5A	1-Bullet, 2 Bullet Fragments			
6	Evidence Envelope			
6A	One Bullet (06)			
6B	One Bullet (07)			
7	Evidence Envelope			
7A	One Copper Fired Cartridge (6)			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
7B	One Copper Fired Cartridge (7)	6/19/17	No	6/19/17
8	Evidence Envelope	"		"
8A	One (1) Bullet			
8B	One (1) Bullet			
8C	One (1) Metal Fragment w/Hair			
8D	One (1) Metal Fragment			
9	Evidence Envelope			
9A	Six (6) Cartridges w/Headstamp "F"			
10	Evidence Envelope			
10A	One (1) Cartridge Case			
10B	Five (5) Cartridges			
11	Evidence Envelope			
11A	Bullet (Biohazard)			
12	Evidence Envelope			
12A	One (1) Cartridge w/Headstamp "7193"			
12B	One (1) Firearm Magazine			
12C	Three (3) Cartridges w/Headstamp "7193"			
13	Evidence Envelope			
13A	One (1) Firearm Magazine			
13B	Eight (8) Cartridges			
14	Evidence Bag			
14A	One (1) Black Knit Face Mask			
14B	One (1) Blue "Adidas" Hat			
15	Evidence Bag (Biohazard)			
16	Photo - Thomas Randolph	6/23/17	STIP	6/23/17

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
17	Photo - T. Randolph w/ Dark ^{Blue} Shirt	6/19/17	No	6/19/17
18	Crime Scene Diagram - House	6/19/17	No	6/19/17
19	Crime Scene Diagram - South Wall	"		"
20	" - East Wall			
21	" - North Wall			
22	Photo - Hallway w/ Body			
23	Photo - Female Body (Close Up)			
24	Photo - "			
25	Photo - Female Body - Lower limbs			
26	Photo - Female Face w/ Blood			
27	Photo - Head w/ wound & blood			
28	Photo - " w/ scale			
29	Photo - Head wound			
30	Photo - Cracked Skull w/ Blood			
31	Photo - X-Ray of Head (Right)			
32	Photo - " (Front)			
33	Photo - Two Rings on gloved hand			
34	Photo - 4 Bullet Fragments w/ Scale			
35	Photo - Bullet Fragment w/ Scale			
36	Photo - 4 Bullet Fragments w/ Scale			
37	Diagram - Male Body (Front + Back)	6/21/17	No	6/21/17
38	" (Right + Left)	6/21/17	No	6/21/17
39	Photo - Black Male - Head (Left)	6/19/17	No	6/19/17
40	Photo - " w/ Scale	"		"
41	Photo - " front w/ Scale			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
42	Photo - Black Male - Head (Front)	6/19/17	No	6/19/17
43	Photo - " "w/ Scale"	"	"	"
44	Photo - X-Ray Head + Chest (Right)			
45	Photo - Abdominal Wound w/ Scale			
46	Photo - Rib Wound (Left)			
47	Photo - Left 3/4 Profile - Black Male			
48	Photo - X-Ray Chest + Abdomen			
49	Photo - Left Lower Arm wound			
50	Photo - Wound w/ Scale			
51	Photo - Jeans + Wallet (Left)			
52	Photo - Red Fabric w/ Scale			
53	Photo - Black Male w/ Red Hoodie			
54	Photo - Lower Limbs w/ Boots			
55	Photo - Black Male Head (Left)			
56	Photo - Tool Chest + White Bag			
57	Photo - Black Male w/ Red Hoodie			
58	Photo - Lower Limbs w/ Misc. Items			
59	Photo - Boots + Tool Boxes			
60	Photo - Tool Boxes + Hat			
61	Photo - Black Male (Full Body)			
62	Photo - Red Hoodie + Denim Jeans			
63	Photo - " "(w/ yellow Tabs)			
64	Photo - Red Hoodie w/ 2 yellow Tabs			
65	Photo - " "(Close Up)			
66	Photo - White Shirt w/ 5 yellow Tabs			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
67	Photo - White Shirt w/5 Yellow Tabs	6/19/17	No	6/19/17
68	Photo - Clothing, Boots, etc. on ^{white} Sheet	"		"
69	Photo - Denim Jeans w/Misc. Items			
70	Photo - Jeans - Lt Front Pocket Contents			
71	Photo - Pair of Black Gloves			
72	Photo - House Exterior			
73	Photo - " " w/ 6517			
74	Photo - Garage w/2 Vehicles			
75	Photo - " "(Close Up)			
76	Photo - House Entrance			
77	Photo - Backyard w/ Pool			
78	Photo - Table w/ Umbrella			
79	Photo - Swings by pool			
80	Photo - Side yard			
81	Photo - Shed w/ Open door			
82	Photo - " "(Close Up)			
83	Photo - " " w/ Ladder			
84	Photo - Two vehicles (Rear view)			
85	Photo - Vehicle w/ Open Hatch			
86	Photo - " " + Shelves			
87	Photo - Silver Hyundai (Front Left)			
88	Photo - Pontiac G6 GT (Rear)			
89	Photo - " " w/ Shelves			
90	Photo - Shelves, Rug + Paint Cans			
91	Photo - Cartridge Casings + Rug			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
92	Photo - Cartridge Casing (Close Up)	6/19/17	No	6/19/17
93	Photo - Refrigerator + Misc. Items	"		"
94	Photo - Fire Extinguisher + Tire			
95	Photo - Vehicle Front ends + Rugs			
96	Photo - Vehicle Front end + Broom			
97	Photo - Rug w/ Blood			
98	Photo - Bullet			
99	Photo - Blood Smear			
100	Photo - Bullet			
101	Photo - " " (Close Up)			
102	Photo - Tool Box + Fireplace Set			
103	Photo - " " (Close Up)			
104	Photo - Water Jug + Casing			
105	Photo - Hallways w/ Rugs			
106	Photo - Door w/ Rugs			
107	Photo - Doors			
108	Photo - Cartridge Casing			
109	Photo - Open Closet Door w/ Clothes			
110	Photo - " "(from left)			
111	Photo - Desk + Hutch			
112	Photo - Gun w/ #14 Yellow Tab			
113	Photo - Loaded Chamber			
114	Photo - Hand Gun w/ Wood Grip			
115	Photo - Gun Butt # K 1166230			
116	Photo - Bathroom w/ Red Bag			

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EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
117	Photo - Red Bag on Blue Rug	6/19/17	No	6/19/17
118	Photo - " " (Close Up)	"		"
119	Photo - " " + Purse			
120	Photo - Livingroom w/ Television			
121	Photo - " " w/ Recliners			
122	Photo - Kitchen			
123	Photo - Kitchen w/ Stove			
124	Photo - Butcher Block			
125	Photo - Dining Table			
126	Photo - Entryway to Livingroom			
127	Photo - Dining Table (Close Up)			
128	Photo - Misc. Items on Table			
129	Photo - " " (Close Up)			
130	Photo - Open Door w/ Gun on floor			
131	Photo - Gun on the Floor			
132	Photo - " " w/ #15			
133	Photo - " " (Close Up)			
134	Photo - Gun w/ Loaded Chamber			
135	Photo - Drum Set + Dresser			
136	Photo - Wall Clock			
137	Photo - " " Opened			
138	Photo - Drum Set + Opened Closet			
139	Photo - Dresser			
140	Photo - White + Clear Bags			
141	Photo - Dresser (from Left)			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
142	Photo - Door w/ Blood	6/19/17	NO	6/19/17
143	Photo - Wall w/ Blood Smear	"		"
144	Photo - Corner of Bed + Boxes			
145	Photo - Bed w/ Headboard (Right)			
146	Photo - " " (Left)			
147	Photo - Dresser + Television			
148	Photo - Bed + Dresser			
149	Photo - Dresser			
150	Photo - Open Duffle Bag			
151	Photo - " " (Close Up)			
152	Photo - Closet			
153	Photo - Closet Floor w/ Basket			
154	Photo - Basket w/ Jewelry Box			
155	Photo - Handgun (9mm)			
156	Photo - " " w/ Magazine			
157	Photo - " " (Right)			
158	Photo - " " (Close Up)			
159	Photo - Misc. Jewelry			
160	Photo - " "			
161	Photo - " " + White T-Shirt			
162	Photo - Two Keys			
163	Photo - Four Keys			
164	Photo - Keys			
165	Photo - Doorknobs w/ Key			
166	Photo - Key in Deadbolt			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
167	Photo - Rug w/ #1 Yellow Tab	6/19/17	No	6/19/17
168	Photo - Casing w/ #1 Yellow Tab	"	"	"
169	Photo - #2 Yellow Tab			
170	Photo - Casing w/ #2 Yellow Tab			
171	Photo - #3 Yellow Tab			
172	Photo - Casing w/ #3 Yellow Tab			
173	Photo - #4 Yellow Tab			
174	Photo - Purse w/ #4 Yellow Tab			
175	Photo - #5 Yellow Tab			
176	Photo - Knife w/ #5 Yellow Tab			
177	Photo - #6 Yellow Tab w/ Casing			
178	Photo - " "(Close Up)			
179	Photo - #7 + #2 Yellow Tabs			
180	Photo - #8 + #9 Yellow Tabs			
181	Photo - #6 + #8 Yellow Tabs			
182	Photo - Black Knit Face Mask			
183	Photo - " "(Close Up)			
184	Photo - " "w/ #8 Tab			
185	Photo - Blue Hat #9 Yellow Tab			
186	Photo - #10 + #11 Yellow Tabs			
187	Photo - #10 Yellow Tab w/ Bullet			
188	Photo - #11 Yellow Tab w/ Bullet			
189	Photo - Wall of Hallway			
190	Photo - #12 + #13 Yellow Tabs			
191	Photo - #12 Yellow Tab w/ Fragment			

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EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
192	Photo - #12 Yellow Tab w/Fragment	6/19/17	No	6/19/17
193	Photo - #13 Yellow Tab w/Fragment	"		"
194	Photo - Bullet w/Scale			
195	Monumental Life Insurance Co.	6/22/17	STIP	6/22/17
196	Stonebridge Life	"		"
197	Affidavit of Shelli Isiminger			
198	Prudential - Summary Report			
199	Prudential Financial			
200	Photo - Female	6/16/17	No	6/16/17
201	Photo - White Male	6/16/17	No	6/16/17
202	CD - 911 Call	6/21/17	No	6/21/17
203	CD - Randolph Interview 5/9/08	6/20/17	No	6/20/17
204	DVD - Randolph Walkthrough	6/21/17	OBS	6/21/17
204A	DVD - Walkthrough Clips	6/21/17	No	6/21/17
205	Randolph Cellphone Recs.	6/22/17	OBS	6/22/17
206	Photo - Master Bedroom Door	6/22/17	No	6/22/17
207	Photo - " " (Lower)	6/22/17	No	6/22/17
208	Photo - Garage Floor w/ Fire Extinguisher	6/22/17	No	6/22/17
209	Transcript - 911	6/22/17	No	6/22/17
210	Letter by T. Randolph	6/22/17	No	6/22/17
211	Transcript of Voice mails	6/22/17	No	6/22/17
212	CD - 6/3/08 Randolph Interview	6/22/17	No	6/22/17
	PENALTY PHASE			
213	CD - Utah T.V. Clips (2 discs)	6/29/17	OBS	6/29/17
214	Letter from Frances Randolph	6/29/17	No	6/29/17

EXHIBIT(S) LIST

Case No.: **C250966**

Trial Date:

JUN 12 2017

Dept. No.: **XXIII**

Judge:

STEFANY A. MILEY

Court Clerk:

KATHERINE STREUBER

Plaintiff: **STATE OF NEVADA**

Recorder:

MARIA GARIBAY

vs.

Defendant: **RANDOLPH, THOMAS**

Counsel for Plaintiff:

David Stanton;

Jacqueline Bluth

Counsel for Defendant:

Clark Patrick;

Randall Pike

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
A	Photo - Partial vehicle w/ Shelves			
B	Photo - Silver Vehicle			
C	Photo - Rear of vehicle w/ open Hatch			
D	Photo - " "w/ Shelves			
E	Photo - Partial Blue Vehicle			
F	Photo - Pontiac G6 CT - Rear view			
G	Photo - Refrigerator			
H	Photo - Misc. Items in Garage			
I	Photo - Tool Boxes, Boots + Bags			
J	Photo - Misc. Items in Garage	6/19/17	No	6/19/17
K	Photo - Blue Tool Box	"		"
L	Photo - " "(Close Up)			
M	Photo - Blue Tool Box + Fireplace Set			
N	Photo - Water Jug + Casing			
O	Photo - Boxes of Lidoderm	6/19/17	No	6/19/17
P	Photo - Boxes on Bed	6/19/17	No	6/19/17
Q	Diagram of House			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
R	Diagram of Garage	6/19/17	NO	6/19/17
S	Diagram of House	"		"
T	Diagram of Garage w/ Handwriting			
U	Photo - Child + Car	WITHDRAWN		
V	Photo - Graduate (Smiling)	"		"
W	Photo - " " (Not Smiling)			
X	Photo - White Male w/ Yellow shirt			
Y	Photo - Portrait w/ male, Female + Child			
Z	Photo - 3 Adults + Child			
AA	Photo - Male w/ Infant			
BB	Photo - 3 Adults + Child on the Floor			
CC	Photo - Male w/ Child			
DD	Photo - " " (Close Up)			
EE	Photo - Lower Bodies w/ Boots			
FF	Photo - " " + Tool Box			
GG	Photo - Garage w/ Refrigerator	6/23/17	NO	6/23/17
HH	Photo - Keys in Door lock	6/23/17	NO	6/23/17
II	Photo - Fire Extinguisher	"		"
JJ	Photo - Room w/ Open Closet			
KK	Photo - Entryway w/ table			
LL	Photo - Black Male w/ Red Hoodie			
	PENALTY PHASE			
MM	Photo - Child + Car	6/29/17	NO	6/29/17
NN	Photo - Graduate (Smiling)	"		"
OO	Photo - " " (Not Smiling)			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
PP	Photo - White Male w/Yellow Shirt	6/29/17	No	6/29/17
QQ	Photo - Portrait w/Male, Female + Child	6/28/17	No	6/28/17
RR	Photo - 3 Adults + Child	"		"
SS	Photo - Male w/ Infant			
TT	Photo - 3 Adults + Child on the floor			
UU	Photo - Male w/ Child			
VV	Photo - " " (Close Up)			
WW	Letter written by Kathryn Thomas	6/28/17	No	6/28/17
XX	Photo - Two males w/stadium	6/29/17	No	6/29/17
YY	Photo - Male w/Stadium background	6/29/17	No	6/29/17
ZZ	Photo - Male holding sign			
AAA	Photo - " " w/Bus	6/29/17	No	6/29/17
BBB	Photo - Male + Female	6/30/17	No	6/30/17
CCC	Photo - Male leaning on a car			
DDD	Collage of 10 photos	6/30/17	No	6/30/17
EEE	Collage of 8 photos	"		"
FFF	Collage of 4 photos			
GGG	Collage of 2 photos			
HHH	Photo - Santa w/ 3 Children			
III	Collage of 2 photos			
JJJ	Collage of 3 photos			
KKK	Collage of 2 photos			
LLL	Collage of 3 photos			
mmm	Collage of 3 photos			
NNN	Collage of 2 photos			

EXHIBIT(S) LIST

C250966

STATE OF NEVADA

VS.

RANDOLPH, THOMAS

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **C250966**

Trial Date:

JUN 12 2017

Dept. No.: **XXIII**

Judge:

STEFANY A. MILEY

Court Clerk:

KATHERINE STREUBER

Plaintiff: **STATE OF NEVADA**

Recorder:

MARIA GARIBAY

Counsel for Plaintiff:

David Stanton;

vs.

Jacqueline Bluth

Defendant: **RANDOLPH, THOMAS**

Counsel for Defendant:

Clark Patrick;

Randall Pike

TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Deft's Proposed Instruction (0)	6/26/17	No	6/26/17
2	Juror #7 Question (Not Asked)	6/28/17	No	6/28/17
	PENALTY PHASE			
3	N. Roitman MD Psych Exam	6/30/17	No	6/30/17
4	Juror #3 Question (Asked)	6/30/17	No	6/30/17
5	State's Guilt Opening Powerpoint	7/5/17	No	7/5/17
6	" " Closing Powerpoint	"	"	"
7	State's Penalty Opening Powerpoint			
8	" " Closing Powerpoint			
9	Sworn Jury - Jury Questionnaires			
10	Peremptory Challenges - J.G.s			
11	Department Excusals - J.G.s			
12	Excused for Cause - J.G.s			
13	Stipulated Excusals - J.G.s			

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

THOMAS W. RANDOLPH,

Defendant(s).

Case No: 09C250966

Dept No: XXIII

Death Penalty

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 23 day of August 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk