

Electronically Filed
Oct 10 2017 10:56 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 **NOASC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 RYAN J. MACDONALD
6 Deputy District Attorney
7 Nevada Bar #012615
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 ALEXIS PLUNKETT,
12 Defendant.

CASE NO: C-17-324821-2

DEPT NO: XVII

13 **STATE'S NOTICE OF APPEAL**

14 TO: ALEXIS PLUNKETT, Defendant; and

15 TO: ADAM SOLINGER, ESQ., Attorney for Defendant; and

16 TO: MICHAEL VILLANI, District Judge, Eighth Judicial District, Dept. No. XVII

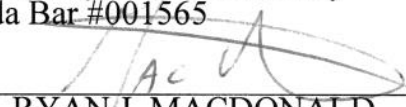
17 NOTICE IS HEREBY GIVEN THAT THE STATE OF NEVADA, Plaintiff in the
18 above entitled matter, appeals to the Supreme Court of Nevada from the granting of
19 Defendant's motion to dismiss, pursuant to NRS 177.015(1)(b).¹

20 Dated this 29th day of September, 2017.

21 Respectfully submitted,

22 STEVEN B. WOLFSON
23 Clark County District Attorney
24 Nevada Bar #001565

25 BY

26 
27 RYAN J. MACDONALD
28 Deputy District Attorney
Nevada Bar #012615
Office of The Clark County District Attorney

28 ¹As of the date of this filing, no written order has been issued.

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CERTIFICATE OF MAILING

I hereby certify that service of the above and foregoing State's Notice of Appeal was made this 29th day of September, 2017 by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

ADAM SOLINGER, ESQ.
Las Vegas Defense Group, LLC.
2300 W. Sahara Avenue, Suite 450
Las Vegas, Nevada 89102

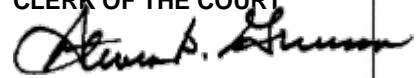
MICHAEL VILLANI
Eighth Judicial District Court, Dept. XVII
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101

BY



Employee,
Clark County District Attorney's Office

RJM//ed



ASTA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
RYAN J. MACDONALD
Deputy District Attorney
Nevada Bar #012615
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2750
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

ALEXIS PLUNKETT,
Defendant.

Case No. C-17-324821-2

Dept. No. XVII

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

The State of Nevada

2. Identify the judge issuing the decision, judgment, or order appealed from:

Judge Michael Villani.

3. Identify all parties to the proceedings in the district court:

Alexis Plunkett

The State of Nevada

4. Identify all parties involved in this appeal:

Alexis Plunkett

The State of Nevada

5. Name, law firm, address, and telephone number of all counsel on appeal and party or parties whom they represent:

RYAN J. MACDONALD
Deputy District Attorney
Nevada Bar #012615
Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

ADAM SOLINGER, ESQ.
Las Vegas Defense Group, LLC.
2300 W. Sahara Ave., Ste. 450
Las Vegas, Nevada 89102
(702) 331-2725

Counsel for Appellant
State of Nevada

Counsel for Respondent
Alexis Plunkett

6. Indicate whether appellant was represented by appointed or retained counsel in the district court: Retained

7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Retained

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: N/A


9. Date proceedings commenced in the district court:

Indictment, filed July 6, 2017.

DATED this 29th day of September, 2017.

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

BY



RYAN J. MACDONALD
Deputy District Attorney
Nevada Bar #012615
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

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DEPARTMENT 17
CASE SUMMARY
CASE NO. C-17-324821-2

State of Nevada
vs
Alexis Plunkett

§
§
§
§
§
§

Location: **Department 17**
Judicial Officer: **Villani, Michael**
Filed on: **07/06/2017**
Cross-Reference Case Number: **C324821**
Grand Jury Case Number: **16BGJ180B**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO UNLAWFULLY POSSESS PORTABLE TELECOMMUNICATIONS DEVICE BY A PRISONER	G	04/08/2017	Case Flags:	Appealed to Supreme Court
2. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/08/2017		Custody Status - Not in Custody
3. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/10/2017		Charge Description Updated
4. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/16/2017		
5. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/18/2017		
6. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/20/2017		
7. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/25/2017		
8. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/08/2017		
9. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/27/2017		
10. CONSPIRACY TO UNLAWFULLY POSSESS PORTABLE TELECOMMUNICATIONS DEVICE BY A PRISONER	G	04/28/2017		
<i>Filed As:</i> POSSESS PORTABLE TELECOMMUNICATION DEVICE BY A PRISONER	O	7/6/2017		
11. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/28/2017		
12. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	04/30/2017		
13. CONSPIRACY TO UNLAWFULLY POSSESS PORTABLE TELECOMMUNICATIONS DEVICE BY A PRISONER	G	05/02/2017		
14. POSSESS PORTABLE TELECOMMUNICATION DEVICE BY PRISONER	F	05/08/2017		

Related Cases

C-17-324821-1 (Multi-Defendant Case)
C-17-324821-3 (Multi-Defendant Case)

Statistical Closures

09/30/2017 Dismissed (before trial)

DEPARTMENT 17
CASE SUMMARY
CASE NO. C-17-324821-2

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-17-324821-2
Court	Department 17
Date Assigned	07/06/2017
Judicial Officer	Villani, Michael


PARTY INFORMATION

Defendant	Plunkett, Alexis	<i>Lead Attorneys</i> Becker, Michael L <i>Retained</i> 702-333-3673(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE


EVENTS & ORDERS OF THE COURT


INDEX


07/06/2017  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Gonzalez, Elizabeth)

07/06/2017  Summons
Summons (Indictment)


07/06/2017  Indictment
Indictment


07/13/2017  **Initial Arraignment** (8:30 AM) (Judicial Officer: Estes, Robert)


07/13/2017  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Gonzalez, Elizabeth)


07/13/2017  Summons
Summons (Superseding Indictment)


07/13/2017  Superseding Indictment
Superseding Indictment

07/16/2017  Reporters Transcript
Filed By: Plaintiff State of Nevada
Reporter's Transcript of Proceedings - Grand Jury - Hearing - 07/05/17
















07/20/2017  **Initial Arraignment** (8:30 AM) (Judicial Officer: Villani, Michael)
Initial Arraignment (Superseding Indictment)

07/24/2017  Media Request and Order
Media Request And Order Allowing Camera Access To Court Proceedings


07/24/2017  Media Request and Order
Media Request And Order Allowing Camera Access To Court Proceedings

07/24/2017  Media Request and Order
Media Request And Order Allowing Camera Access To Court Proceedings

DEPARTMENT 17
CASE SUMMARY
CASE NO. C-17-324821-2

07/26/2017	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Superseding Indictment, July 12, 2017</i>
07/27/2017	 Arraignment Continued (8:30 AM) (Judicial Officer: Villani, Michael) 07/27/2017, 08/18/2017
08/07/2017	 Petition for Writ of Habeas Corpus Filed by: Defendant Plunkett, Alexis <i>Petition for Writ of Habeas Corpus</i>
08/11/2017	 Return to Writ of Habeas Corpus Filed By: Plaintiff State of Nevada <i>Return to Writ of Habeas Corpus</i>
08/22/2017	 Answer (Criminal) Filed By: Defendant Plunkett, Alexis <i>Answer to Return to Petition for Writ of habeas Corpus</i>
08/24/2017	 Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Villani, Michael) 08/24/2017, 08/31/2017
09/07/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings Petition for Writ of Habeas Corpus Heard on August 31, 2017</i>
09/11/2017	 Motion to Dismiss Filed By: Defendant Plunkett, Alexis <i>Motion to Dismiss</i>
09/15/2017	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Dismiss</i>
09/20/2017	 Supplement Filed by: Plaintiff State of Nevada <i>State's Supplemental Opposition to Defendant's Motion to Dismiss</i>
09/20/2017	 Supplemental Brief Filed By: Defendant Plunkett, Alexis <i>Supplemental Briefing on Legislative Intent</i>
09/21/2017	 Motion to Dismiss (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant's Motion to Dismiss</i>
09/27/2017	 Criminal Order to Statistically Close Case Filed By: Defendant Plunkett, Alexis
09/28/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Motion to Dismiss Heard on September 21, 2017</i>
09/29/2017	 Notice of Appeal (criminal) Party: Plaintiff State of Nevada <i>State's Notice of Appeal</i>

DEPARTMENT 17
CASE SUMMARY
CASE NO. C-17-324821-2

09/29/2017	 Case Appeal Statement Filed By: Plaintiff State of Nevada <i>Case Appeal Statement</i>
10/10/2017	CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i>
10/16/2017	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i>

DATE	FINANCIAL INFORMATION	
	Defendant Plunkett, Alexis	
	Total Charges	110.00
	Total Payments and Credits	110.00
	Balance Due as of 10/3/2017	0.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 06, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

July 06, 2017 11:45 AM Grand Jury Indictment

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10B

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Raman, Jay Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ180B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-324821-2, Department XVII.

State advised Deft is not in custody and requested a summons. COURT ORDERED, INDICTMENT SUMMONS ISSUED and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1 - 9 to be lodged with the Clerk of the Court.

NIC (SUMMONS)

7-13-17 8:30 AM INITIAL ARRAIGNMENT (DEPT XVII - Villani)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

July 13, 2017 8:30 AM Initial Arraignment

HEARD BY: Estes, Robert

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present. CONFERENCE AT BENCH. Pursuant to discussions at the bench, COURT ORDERED, matter CONTINUED.

NIC

07/27/17 8:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

July 13, 2017 11:45 AM Grand Jury Indictment

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10B

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Palal, Binu G. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ180B to the Court. COURT ORDERED, the Superseding Indictment may be filed and is assigned Case Number C-17-324821-2, Department XVII.

State requested a summons and advised Deft is not in custody. COURT ORDERED, INDICTMENT SUMMONS ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibit 1a to be lodged with the Clerk of the Court.

NIC (SUMMONS)

7-20-17 8:30 AM INITIAL ARRAIGNMENT (DEPT XVII - Villani)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 2017

C-17-324821-2 State of Nevada
 vs
 Alexis Plunkett

July 20, 2017 8:30 AM Initial Arraignment

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Phyllis Irby

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- AS TO DEFT PLUNKETT:

Deft. not present. CONFERENCE AT THE BENCH. COURT ORDERED, matter CONTINUED.

NIC

7-27-17 8:30 AM ARRAIGNMENT CONTINUED

CLERK'S NOTE: Minutes corrected. anm/8/10/17

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

July 27, 2017 8:30 AM Arraignment Continued

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present. CONFERENCE AT BENCH. Pursuant to discussions at the bench, COURT ORDERED, matter CONTINUED. Court directed counsel to start filing any necessary motions. COURT FURTHER ORDERED, counsel has 21 days from the filing of the Grand Jury transcript to file a Writ.

CUSTODY

CONTINUED TO: 08/18/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

August 18, 2017 9:00 AM Arraignment Continued

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT:	Castillo, Michael V	Attorney
	Plunkett, Alexis	Defendant
	Raman, Jay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT. PLUNKETT ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. At the requested of Mr. Castillo, COURT FURTHER ORDERED, Defendant's Petition For Writ of Habeas Corpus ADVANCED and RESCHEDULED.

NIC

08/24/17 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS

10/10/17 8:30 AM CALENDAR CALL

10/16/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 24, 2017

C-17-324821-2 State of Nevada
 vs
 Alexis Plunkett

**August 24, 2017 8:30 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Cooper, Jonathan	Attorney
	Plunkett, Alexis	Defendant
	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- CONFERENCE AT BENCH. Pursuant to discussions at the bench, COURT ORDERED, matter CONTINUED.

NIC

CONTINUED TO: 08/31/17 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 2017

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

**August 31, 2017 8:30 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Plunkett, Alexis	Defendant
	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by counsel regarding the petition. Court stated under the mechanism before the court its a Pre- Trial Writ of Habeas Corpus and the standard under this pursuit is slight or marginal evidence. COURT FINDS, slight or marginal evidence had been presented to the Grand Jury under these proceedings. Upon Court's inquiry, Mr. Raman did anticipated being ready for trial. Mr. Solinger advised he just confirmed last week and noted his upcoming motion practice.

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 21, 2017**

C-17-324821-2 State of Nevada
vs
Alexis Plunkett

September 21, 2017 8:30 AM**Motion to Dismiss****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Olivia Black**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES**

PRESENT:	Becker, Michael L	Attorney
	Plunkett, Alexis	Defendant
	Raman, Jay	Attorney
	Solinger, Adam	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted it received supplemental briefing and reviewed legislative minutes of NRS 216.165. Arguments by counsel regarding the merits of the motion. Court stated that Defendant was being charged under section 4, specifically as an aider and abettor and noted it stated in Section 4 it says "A prisoner who violates this subsection " has the following penalties. Court inquired as to how the Court can sentence Defendant under section 4 if she is not a prisoner. Further argument by Mr. Raman regarding the principals of aiding and abetting liability, the actions and penalties that related to the direct offender also relate to anyone who would aid and abet. COURT STATED it looked at this case differently than other possessory crimes because this statute has a specific section, section 1 and 2, that has a separate penalty and provision for the furnisher. The argument is furnisher of stolen vehicle or stolen weapon, those statutes don't have a specific section for furnishing the stolen weapon to the ex-felon. The legislative minutes here only addressed clarifying certain items, make sure it is covering the jails and prison setting, make sure a cell phone is identified as a means to escape. Sections 1 and 2, if you look at that, starts off "a person". Section 3 and 4 for say "a prisoner". COURT FINDS the statue was clear that only a prisoner can be sentenced under section 4. Court stated the

State could still pursue a claim against Defendant under section 1 as a furnisher of the cell phone but under section 4 the State couldn't prosecute as an aider and abettor because the specific language of section 1 shows legislature decided there would be a separate cutout for someone who furnishes this item and we will punish them accordingly under section 1 and 2. COURT ORDERED, indictment DISMISSED. Court stated the State was free to go to prelim or to re-indict on the different subsection. Mr. Solinger requested the matter be dismissed with prejudice because there was never an allegation of providing a phone to somebody in a prison under subsection 1 or 2. Court clarified it is dismissing indictment as it relates to subsection 4. Mr. Solinger to prepare the Order and submit to opposing counsel as to form and content. COURT FURTHER ORDERED, Trial dates VACATED. BOND, if any, EXONERATED.

NIC

CASE NO. C-17-324821-1,-2
DEPT. NO. XVII
CDDA JAY P. RAMAN (FDD)

Defendant(s): ANDREW AREVALO, aka, Andrew Jay Arevalo #2691301
ALEXIS PLUNKETT, aka, Alexis Anne Plunkett

Case No(s): 16BGJ180A-B (RANDOMLY TRACKS TO DC VI & XVII)

Charge(s): *As to Defendant AREVALO:*
(1) CT - CONSPIRACY TO UNLAWFULLY POSSESS PORTABLE
TELECOMMUNICATIONS DEVICE BY A PRISONER (Gross
Misdemeanor - NRS 212.165, 199.480 - NOC 55248) and
(11) CTS - POSSESS PORTABLE TELECOMMUNICATION DEVICE BY
A PRISONER (Category D Felony - NRS 212.165 - NOC 58368)

As to Defendant PLUNKETT:
(2) CTS - CONSPIRACY TO UNLAWFULLY POSSESS PORTABLE
TELECOMMUNICATIONS DEVICE BY A PRISONER (Gross
Misdemeanor - NRS 212.165, 199.480 - NOC 55248) and
(12) CTS - POSSESS PORTABLE TELECOMMUNICATION DEVICE BY
A PRISONER (Category D Felony - NRS 212.165 - NOC 58368)

Def. Counsel(s): AREVALO - LISA RASMUSSEN, ESQ.
PLUNKETT - MICHAEL BECKER, ESQ.

WARRANT (1 WEEK):

AREVALO -

SUMMONS (1 WEEK):

PLUNKETT -

42K } 7.13 @ 8:30 DC17

DEFT AREVALO IS IN CUSTODY @ CCDC; DEFT PLUNKETT IS NOT
IN CUSTODY (17F08821A-B PH 7/13 JC7)

Exhibits:

1. Proposed Indictment
2. Jury Instructions
3. Visitor Log
4. Visitor Log
5. Acknowledgment Forms
6. Surveillance Clip Disc
7. Photo
8. Photo
9. Photo

Exhibits 1 - 9 to be lodged with the Clerk of the Court.

Exhibits:

- 1. Proposed Indictment**
- 1a. Proposed Superseding Indictment**
- 2. Jury Instructions**
- 3. Visitor Log**
- 4. Visitor Log**
- 5. Acknowledgment Forms**
- 6. Surveillance Clip Disc**
- 7. Photo**
- 8. Photo**
- 9. Photo**

Exhibits 1 – 9 were previously lodged.

Exhibit 1a to be lodged with the Clerk of the Court.



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

STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89155-2212

DATE: October 3, 2017
CASE: C-17-324821-2

RE CASE: STATE OF NEVADA vs. ALEXIS PLUNKETT

NOTICE OF APPEAL FILED: September 29, 2017

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

STATE'S NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ALEXIS PLUNKETT,

Defendant(s).

Case No: C-17-324821-2

Dept No: XVII

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 3 day of October 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk