

1 NOASC
2 ADAM L. GILL, ESQ.
3 Nevada State Bar No. 11575
4 WALEED ZAMAN, ESQ.
5 Nevada State Bar No. 13993
6 Aisen, Gill, & Associates
7 723 South Third Street
8 Las Vegas, NV 89101
9 P: (702) 750-1590
10 F: (702) 548-6884
11 Attorneys for Defendant

Electronically Filed
Oct 17 2017 03:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 EIGHTH JUDICIAL DISTRICT COURT

8 CLARK COUNTY, NEVADA

9 STATE OF NEVADA,)
10) CASE NO.: C-16-313118-1
11 Plaintiff,)
12 vs.) DEPT. NO.: VII
13)
14 CASIMIRO VENEGAS,)
15 Defendant.)

16 NOTICE OF APPEAL

17 TO: THE STATE OF NEVADA
18 TO: STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and,
19 TO: DEPARTMENT VII OF THE EIGHTH JUDICIAL DISTRICT COURT.

20 NOTICE is hereby given that CASIMIRO VENEGAS appeals to the Supreme Court of the
21 State of Nevada from the Judgment of Conviction entered against him in the above-listed case, on
22 September 21, 2017.

23 DATED this 10th day of October, 2017

24 /s/Adam L. Gill
25 ADAM L. GILL, ESQ.
26 Nevada Bar No. 11575
27 723 S. Third St.
28 Las Vegas, Nevada 89101
(702) 750-1590

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Casimiro Venegas
#1024122
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 10th day of October 2017.

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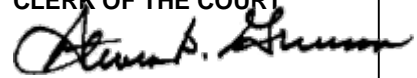
CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Eighth Judicial District Court by using the Wiznet E-Filing system. I certify that the following parties or their counsel of record are registered as e-filers and that they will be served electronically by the system:

DISTRICT ATTORNEY, PDMotions@clarkcountyda.com

DATED this 10th day of October 2017.

/s/Waleed Zaman
An attorney working for Adam L. Gill



1 **ASTA**
ADAM L. GILL, ESQ.
Nevada State Bar No. 11575
2 WALEED ZAMAN, ESQ.
Nevada State Bar No. 13993
3 Aisen, Gill, & Associates
723 South Third Street
4 Las Vegas, NV 89101
P: (702) 750-1590
5 *Attorneys for Defendant*

6 **EIGHTH JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 STATE OF NEVADA,)
9) CASE NO.: C-16-313118-1
Plaintiff,)
10) DEPT. NO. VII
11 vs.)
12 CASIMIRO VENEGAS,)
13 Defendant.)

14 **CASE APPEAL STATEMENT**

- 15
- 16 1. **Appellant filing this case Docket Statement:** Casimiro Venegas.
- 17 2. **Judge issuing the decision, judgment, or order appealed from:** Honorable Judge
- 18 Linda Bell.
- 19 3. **All parties to the proceedings in the district court:** The State of Nevada,
- 20 Plaintiff; Casimiro Venegas, Defendant.
- 21 4. **All parties involved in this appeal:** Casimiro Venegas, Petitioner; The State of
- 22 Nevada, Respondent.
- 23

24 ///

25 ///

26 ///

27 ///

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

3 ADAM L. GILL, ESQ.
4 Nevada Bar No. 11575
5 723 S. Third Street.
6 Las Vegas, Nevada 89101
7 (702) 750-1590
8 Attorney for Petitioner

STEVEN B. WOLFSON
Clark County, Nevada District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89101
Counsel for Respondent

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

11 6. **Whether appellant was represented by appointed or retained counsel in the**
12 **district court:** Appointed – Adam L. Gill.

14 7. **Whether appellant is represented by appointed or retained counsel on appeal:**
15 Appointed – Adam L. Gill.

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

18 9. **Date proceedings commenced in the district court (e.g., date complaint,**
19 **indictment, information, or petition was filed):** Information filed on March 24, 2016.

20
21 DATED this 10th day of October, 2017

22
23 /s/ Adam L. Gill
24 ADAM L. GILL, ESQ.
25 Nevada Bar No. 11575
26 WALEED ZAMAN, ESQ.
27 Nevada Bar No. 13993
28 723 S. Third St.
Las Vegas, Nevada 89101
(702) 750-1590

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Casimiro Venegas
#1024122
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P.O. Box 650
Indian Springs, Nevada 89070-0650

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DATED this 10th day of October, 2017.

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1 **CERTIFICATE OF SERVICE**

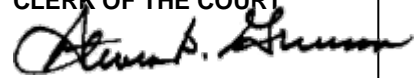
2 I hereby certify that I electronically filed the foregoing document with the Eighth Judicial
3 District Court by using the Wiznet E-Filing system. I certify that the following parties or their
4 counsel of record are registered as e-filers and that they will be served electronically by the
5 system:

6 DISTRICT ATTORNEY, PDMotions@clarkcountyda.com

7 DATED this 10th day of October 2017.

8 /s/Waleed Zaman

9 An attorney working for Adam L. Gill



REQT

ADAM L. GILL, ESQ.
Nevada State Bar No. 11575
WALEED ZAMAN, ESQ.
Nevada State Bar No. 13993
Aisen, Gill, & Associates
723 South Third Street
Las Vegas, NV 89101
P: (702) 750-1590
F: (702) 548-6884
Attorneys for Defendant

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA,)	
)	CASE NO.: C-16-313118-1
Plaintiff,)	
)	DEPT. NO. VII
vs.)	
)	
CASIMIRO VENEGAS,)	
)	
Defendant.)	
)	

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: COURT RECORDER – DEPT. NO. VII

COMES NOW, Defendant, CASIMIRO VENEGAS, by and through his attorney ADAM L. GILL, ESQ., and hereby requests preparation of a rough draft transcript of certain portions of the proceedings before the District Court at the State's expense, and as follows:

March 13, 2017

March 14, 2017

March 15, 2017

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1 The following portions of Transcript are respectfully requested: Trial Transcripts, opening
2 statements, closing statements, all testimony, matters heard outside the presence of the jury, and
3 settling of instructions only.

4 This application is based upon the Points and Authorities herein and the Declaration of
5 Counsel attached hereto.

6 DATED this 10th day of October, 2017

7 /s/ Adam L. Gill

8 Adam L. Gill, Esq.
9 Nevada Bar No. 11575
10 Waleed Zaman, Esq.
11 Nevada Bar No. 13993
12 Attorney for Defendant

11 **POINTS AND AUTHORITIES**

12 Nevada Revised Statute 7.135 states in pertinent part:

13 The attorney appointed by a magistrate or district court to represent a
14 defendant is entitled, in addition to the fee provided by NRS 7.125 for his
15 services, to be reimbursed for expenses reasonably incurred by him in
16 representing the defendant and may employ, subject to prior approval by
17 the magistrate or the district court in an ex parte application, such
18 investigative, expert, or other expenses as may be necessary for an
19 adequate defense. Compensation to any person furnishing such
20 investigative, expert or other services must not exceed \$500, exclusive of
21 reimbursement for expenses reasonably incurred, unless payment in
22 excess of that limit is:

23 . . .

- 24 2. Approved by the presiding judge of the judicial district in which the
25 attorney was appointed.

26 Here, Counsel was appointed to represent Mr. Venegas in the above-referenced matter. Mr.
27 Venegas is appealing this conviction with the assistance of counsel. Further, as he is indigent and
28 cannot afford representation, appointed counsel will represent Mr. Venegas in this the case
through completion of his appeal. To provide effective counsel through the appeals process,
maintain a complete record, and to prepare proper pleadings, counsel requests the above-
mentioned transcripts be provided to Mr. Venegas at the State's expense.

Based on the above, Mr. Venegas respectfully requests that the court reporter deliver

1 copies of the transcripts requested herein.

2 DATED this 10th day of October, 2017

3

4

/s/ Adam L. Gill

5

Adam L. Gill, Esq.

6

Nevada Bar No. 11575

7

Waleed Zaman, Esq.

8

Nevada Bar No. 13993

9

723 S. Third St.

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Las Vegas, Nevada 89101

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(702) 750-1590

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Eighth Judicial District Court by using the Wiznet E-Filing system. I certify that the following parties or their counsel of record are registered as e-filers and that they will be served electronically by the system:

DISTRICT ATTORNEY, PDMotions@clarkcountynvda.com

I further certify that on October 11th 2017, I served a true and correct copy of the foregoing request for Rough Draft Transcripts on:

Court Recorder
District Court, Department No. VII
200 Lewis Avenue
Las Vegas, NV 89101

DATED this 10th day of October, 2017.

/s/Waleed Zaman
An Attorney working for Adam L. Gill

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Adam L. Gill being first duly sworn, upon oath, declares under penalty of perjury:

1. That Declarant is a duly licensed attorney practicing law in the State of Nevada and is appointed counsel for the Defendant.
2. That Declarant is preparing an appeal in this matter, and will need the aforementioned transcripts to adequately prepare said appeal.
3. That Defendant is financially unable to obtain transcription services on his own behalf.
4. That this request is not made unnecessarily or to delay resolution of this case.

FURTHER DECLARANT SAYETH NAUGHT.

Signed in conformity with N.R.S. 53.045 this
10th day of October, 2017 in Las Vegas, Nevada

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

State of Nevada
vs
Casimiro Venegas

§ Location: **Department 7**
§ Judicial Officer: **Bell, Linda Marie**
§ Filed on: **03/03/2016**
§ Case Number History:
§ Cross-Reference Case **C313118**
§ Number:
§ Defendant's Scope ID #: **2666143**
§ ITAG Booking Number: **0**
§ ITAG Case ID: **1864132**
§ Lower Court Case # Root: **16F00568**
§ Lower Court Case Number: **16F00568A**
§ Metro Event Number: **1601120494**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court				
1. CONSPIRACY TO COMMIT ROBBERY PCN: 0025601938 ACN: 1601120494 Arrest: 01/12/2016 MET - Metro	F	01/12/2016	Case Flags:	Bail Set Appealed to Supreme Court Custody Status - Nevada Department of Corrections Charge Description Updated JC Custody Status at Time of B/O <i>MAR 7 2016 10:00AM: IN</i> <i>CUSTODY</i> Bail Setting <i>NO BAIL</i>
2. BURGLARY WHILE IN POSSESSION OF A FIREARM	F	01/12/2016		
3. ROBBERY WITH USE OF A DEADLY WEAPON	F	01/12/2016		
4. BURGLARY WHILE IN POSSESSION OF A FIREARM	F	01/12/2016		
5. ROBBERY WITH USE OF A DEADLY WEAPON	F	01/12/2016		
6. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	01/12/2016		
7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	01/12/2016		
8. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	01/12/2016		
9. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	01/12/2016		
10. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	01/12/2016		
11. AIMING A FIREARM AT A HUMAN BEING	G	01/12/2016		
12. COERCION WITH USE OF A DEADLY WEAPON	F	01/12/2016		
13. BATTERY WITH INTENT TO COMMIT A CRIME	F	01/12/2016		

Related Cases
C-16-313118-2 (Multi-Defendant Case)

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-16-313118-1
Court	Department 7
Date Assigned	02/28/2017
Judicial Officer	Bell, Linda Marie

PARTY INFORMATION

Defendant **Venegas, Casimiro**




Lead Attorneys
Gill, Adam
Retained
702-750-1590(W)

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

Plaintiff

State of Nevada

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

DATE	EVENTS & ORDERS OF THE COURT	INDEX
03/03/2016	 Criminal Bindover Packet Las Vegas Justice Court	
03/04/2016	 Information <i>Information</i>	
03/07/2016	 Initial Arraignment (10:00 AM) (Judicial Officer: De La Garza, Melisa)	
03/07/2016	Plea (Judicial Officer: Bell, Linda Marie) <ol style="list-style-type: none">1. CONSPIRACY TO COMMIT ROBBERY Not Guilty PCN: 0025601938 Sequence:2. BURGLARY WHILE IN POSSESSION OF A FIREARM Not Guilty PCN: Sequence:3. ROBBERY WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:4. BURGLARY WHILE IN POSSESSION OF A FIREARM Not Guilty PCN: Sequence:5. ROBBERY WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:6. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: Sequence:7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:8. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: Sequence:9. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: Sequence:10. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: Sequence:11. AIMING A FIREARM AT A HUMAN BEING Not Guilty PCN: Sequence:	

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

12. COERCION WITH USE OF A DEADLY WEAPON

Not Guilty


PCN: Sequence:

13. BATTERY WITH INTENT TO COMMIT A CRIME


Not Guilty

PCN: Sequence:

03/15/2016

 Order for Production of Inmate
Order for Production of Inmates


04/08/2016

 Notice of Witnesses and/or Expert Witnesses
Notice of Expert Witnesses

04/21/2016

 Motion to Continue
Motion to Continue Trial Date

04/25/2016

 **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

04/29/2016

 Reporters Transcript
Reporter's Transcript of Preliminary Hearing 3/3/2016


05/02/2016

CANCELED Jury Trial (1:30 PM) (Judicial Officer: Cadish, Elissa F.)
Vacated

05/04/2016

CANCELED Motion to Continue Trial (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated
Defendant's Motion to Continue Trial Date


09/19/2016

 **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)


09/26/2016

CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated


12/22/2016

 Notice of Witnesses and/or Expert Witnesses
Amended Notice of Expert Witnesses [NRS 174.234(2)]


12/30/2016

 Receipt of Copy
Receipt of Copy


01/06/2017

 Supplemental Witness List
Supplemental Notice of Witnesses

01/20/2017

 Receipt of Copy
Receipt of Copy


02/06/2017

 **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
02/06/2017, 02/08/2017
















02/13/2017

CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated

02/22/2017

 **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

02/27/2017	 Minute Order (3:00 AM) (Judicial Officer: Herndon, Douglas W.)
02/27/2017	 Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
02/27/2017	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i>
03/06/2017	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i>
03/07/2017	 Status Check (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Status Check: Trial</i>
03/13/2017	 Jury Trial (12:00 PM) (Judicial Officer: Bell, Linda Marie) 03/13/2017-03/15/2017
03/13/2017	 Jury List
03/13/2017	 Amended Information <i>Amended Information</i>
03/13/2017	 Amended Information <i>Second Amended Information</i>
03/14/2017	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated - Set in Error</i>
03/15/2017	 Instructions to the Jury
03/15/2017	 Verdict
03/15/2017	 Amended Information <i>Third Amended Information</i>
05/04/2017	 Order <i>Order to Reschedule Hearing Date</i>
06/01/2017	 PSI
06/08/2017	 Stipulation and Order Filed by: Plaintiff State of Nevada <i>Stipulation to Continue Sentencing Hearing</i>
08/15/2017	 Motion to Continue Filed By: Defendant Venegas, Casimiro <i>Motion To Continue Sentencing</i>
08/17/2017	 Sentencing (8:30 AM) (Judicial Officer: Bell, Linda Marie) 08/17/2017, 09/07/2017
08/31/2017	CANCELED Motion to Continue (8:30 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated - Previously Decided</i>

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

Defendant's Motion to Continue Sentencing

09/05/2017



Memorandum

Filed By: Defendant Venegas, Casimiro
Sentencing Memorandum

09/06/2017



Memorandum

Filed By: Plaintiff State of Nevada
State's Sentencing Memorandum

09/06/2017



Memorandum

Filed By: Defendant Venegas, Casimiro
Amended Memorandum For Casimiro Venegas

09/07/2017

Disposition (Judicial Officer: Bell, Linda Marie)

1. CONSPIRACY TO COMMIT ROBBERY

Guilty

PCN: 0025601938 Sequence:

2. BURGLARY WHILE IN POSSESSION OF A FIREARM

Guilty

PCN: Sequence:

3. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

4. BURGLARY WHILE IN POSSESSION OF A FIREARM

Guilty

PCN: Sequence:

5. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

6. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: Sequence:

7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

8. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: Sequence:

9. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: Sequence:

10. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: Sequence:

11. AIMING A FIREARM AT A HUMAN BEING

Guilty

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

PCN: Sequence:

12. COERCION WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

13. BATTERY WITH INTENT TO COMMIT A CRIME

Guilty

PCN: Sequence:

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

1. CONSPIRACY TO COMMIT ROBBERY

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:24 Months, Maximum:60 Months

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

2. BURGLARY WHILE IN POSSESSION OF A FIREARM

Adult Adjudication

Comment (Under the Mandatory Habitual Felon Enhancement Statute)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:10 Years, Maximum:25 Years

Concurrent: Charge 1

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

3. ROBBERY WITH USE OF A DEADLY WEAPON

Adult Adjudication

Comment (Under the Mandatory Habitual Felon Enhancement Statute)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:10 Years, Maximum:25 Years

Concurrent: Charge 1 and 2

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

4. BURGLARY WHILE IN POSSESSION OF A FIREARM

Adult Adjudication

Comment (Under the Mandatory Habitual Felon Enhancement Statute)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:10 Years, Maximum:25 Years

Consecutive: Charge 1,2, and 3

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

5. ROBBERY WITH USE OF A DEADLY WEAPON

Adult Adjudication

Comment (Under the Mandatory Habitual Felon Enhancement Statute)

Sentenced to Nevada Dept. of Corrections

Term: Minimum:10 Years, Maximum:25 Years

Consecutive: Charge 1,2, and 3

Comments: Concurrent to count 4

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

6. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:24 Months, Maximum:120 Months

Concurrent: Charge 1,2,3,4, and 5

09/07/2017

Sentence (Judicial Officer: Bell, Linda Marie)

7. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON


Adult Adjudication

Comment (Under the Mandatory Habitual Felon Enhancement Statute)




Sentenced to Nevada Dept. of Corrections

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

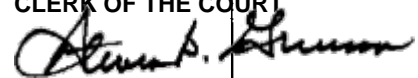
Term: Minimum:10 Years, Maximum:25 Years
Consecutive: Charge 1,2,3,4,5 and 6

09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 8. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:120 Months Concurrent: Charge 1,2,3,4,5,6, and 7										
09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 9. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 1,2,3,4,5,6,7, and 8										
09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 10. BATTERY WITH USE OF DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 1,2,3,4,5,6,7,8, and 9										
09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 11. AIMING A FIREARM AT A HUMAN BEING Adult Adjudication Sentenced to CCDC Term: 364 Days Concurrent: Charge 1,2,3,4,5,6,7,8,9, and 10										
09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 12. COERCION WITH USE OF A DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Consecutive: Charge 1,2,3,4,5, and 7 Comments: concurrent to counts 6,8,9,10, and 11										
09/07/2017	Sentence (Judicial Officer: Bell, Linda Marie) 13. BATTERY WITH INTENT TO COMMIT A CRIME Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 1,2,3,4,5,6,7,8,9,10,11,and 12 Credit for Time Served: 476 Days Fee Totals: <table border="0" style="margin-left: 40px;"><tr><td>Administrative Assessment Fee</td><td style="text-align: right;">25.00</td></tr><tr><td>\$25 Genetic Marker Analysis AA Fee</td><td style="text-align: right;">3.00</td></tr><tr><td>\$3 Indigent Defense Civil Assessment</td><td style="text-align: right;">350.00</td></tr><tr><td>Fee - ASK</td><td></td></tr><tr><td>Fee Totals \$</td><td style="text-align: right;">378.00</td></tr></table>	Administrative Assessment Fee	25.00	\$25 Genetic Marker Analysis AA Fee	3.00	\$3 Indigent Defense Civil Assessment	350.00	Fee - ASK		Fee Totals \$	378.00
Administrative Assessment Fee	25.00										
\$25 Genetic Marker Analysis AA Fee	3.00										
\$3 Indigent Defense Civil Assessment	350.00										
Fee - ASK											
Fee Totals \$	378.00										
09/21/2017	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>										

DEPARTMENT 7
CASE SUMMARY
CASE NO. C-16-313118-1

10/10/2017	 Notice of Appeal (criminal) Party: Defendant Venegas, Casimiro <i>Notice of Appeal</i>	
10/10/2017	 Case Appeal Statement Filed By: Defendant Venegas, Casimiro <i>ASTA - Venegas, Jory</i>	
10/10/2017	 Request Filed by: Defendant Venegas, Casimiro <i>Request for Rough Draft Transcript</i>	

DATE	FINANCIAL INFORMATION	
	Defendant Venegas, Casimiro	
	Total Charges	378.00
	Total Payments and Credits	0.00
	Balance Due as of 10/13/2017	378.00



JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASIMIRO VENEGAS
#2666143

Defendant.

CASE NO. C-16-313118-1

DEPT. NO. VII

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNTS 2 and 4 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category B Felony) in violation of NRS 205.060; COUNTS 3 and 5 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNTS 6, 8, 9 and 10 – BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481; COUNT 7 – ATTEMPT MURDER WITH USE OF A

1 DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330,
2 193.165, of COUNT 11 – AIMING A FIREARM AT A HUMAN BEING (Gross
3 Misdemeanor) in violation of NRS 202.290; COUNT 12 – COERCION WITH USE OF A
4 DEADLY WEAPON (Category B Felony) in violation of NRS 207.190, 193.165; and
5 COUNT 13 – BATTERY WITH INTENT TO COMMIT A CRIME (Category B Felony) in
6 violation of NRS 200.400.2; and the matter having been tried before a jury, and the
7 Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO
8 COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480;
9 COUNTS 2 and 4 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category
10 B Felony) in violation of NRS 205.060; COUNTS 3 and 5 – ROBBERY WITH USE OF A
11 DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165;
12 COUNTS 6 and 8 – BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN
13 SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481;
14 COUNT 7 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B
15 Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165, COUNTS 9 and 10 –
16 BATTERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
17 NRS 200.481; COUNT 11 – AIMING A FIREARM AT A HUMAN BEING (Gross
18 Misdemeanor) in violation of NRS 202.290; COUNT 12 – COERCION WITH USE OF A
19 DEADLY WEAPON (Category B Felony) in violation of NRS 207.190, 193.165; and
20 COUNT 13 – BATTERY WITH INTENT TO COMMIT A CRIME (Category B Felony) in
21 violation of NRS 200.400.2; thereafter, on the 7th day of September, 2017, the
22 Defendant was present in court for sentencing with counsel ADAM GILL, ESQ., and
23 good cause appearing,

1 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in
2 addition to the \$25.00 Administrative Assessment Fee and \$350.00 Court Appointed
3 Attorney Fee plus \$3.00 DNA Collection Fee, the Defendant is SENTENCED to the
4 Nevada Department of Corrections (NDC) as follows: **COUNT 1** – a MAXIMUM of
5 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-FOUR (24)
6 MONTHS; **COUNT 2** - a MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM
7 parole eligibility of TEN (10) YEARS, CONCURRENT with COUNT 1; **COUNT 3** – a
8 MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10)
9 YEARS; CONCURRENT with COUNTS 1, 2; **COUNT 4** - a MAXIMUM of TWENTY-
10 FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS,
11 CONSECUTIVE to COUNTS 1, 2, 3; **COUNT 5** – a MAXIMUM of TWENTY-FIVE (25)
12 YEARS with a MINIMUM parole eligibility of TEN (10) YEARS, CONSECUTIVE to
13 COUNTS 1, 2, 3 and CONCURRENT with COUNT 4; **COUNT 6** - a MAXIMUM of ONE
14 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-
15 FOUR (24) MONTHS, CONCURRENT with COUNTS 1, 2, 3, 5; **COUNT 7** – a
16 MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10)
17 YEARS, CONSECUTIVE to COUNTS 1, 2, 3 and CONCURRENT with COUNTS 4, 5,
18 6; **COUNT 8** - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a
19 MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
20 COUNTS 1, 2, 3, 4, 5, 6, 7; **COUNT 9** – a MAXIMUM of SIXTY (60) MONTHS with a
21 MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
22 COUNTS 1, 2, 3, 4, 5, 6, 7, 8; **COUNT 10** - a MAXIMUM of SIXTY (60) MONTHS with
23 a MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS, CONCURRENT with
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1 COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9; **COUNT 11** – THREE HUNDRED SIXTY-FOUR (364)
2 DAYS in the Clark County Detention Center, CONCURRENT with COUNTS 1, 2, 3, 4,
3 5, 6, 7, 8, 9, 10; **COUNT 12** - a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM
4 parole eligibility of TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNTS 1, 2,
5 3, 4, 5, 7 and CONCURRENT to COUNTS 6, 8, 9, 10, 11; **COUNT 13** - a MAXIMUM of
6 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-FOUR (24)
7 MONTHS, CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; with FOUR
8 HUNDRED SEVENTY-SIX (476) DAYS credit for time served. As the \$150.00 DNA
9 Analysis Fee and Genetic Testing have been previously imposed, the Fee and Testing
10 in the current case are WAIVED. The AGGREGATE TOTAL sentence is SIX
11 HUNDRED SIXTY (660) MONTHS MAXIMUM with a MINIMUM PAROLE ELIGIBILITY
12 of TWO HUNDRED SIXTY-FOUR (264) MONTHS or MAXIMUM OF FIFTY-FIVE (55)
13 YEARS with a MINIMUM PAROLE ELIGIBILITY of TWENTY-TWO (22) YEARS.
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17 DATED this 20th day of September, 2017.

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19 
20 LINDA MARIE BELL
21 DISTRICT COURT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 07, 2016

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

March 07, 2016 10:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK:
Kory Schlitz

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Gill, Adam Attorney
Venegas, Casimiro Defendant

JOURNAL ENTRIES

- Deputized Law Clerk, Vivian Luong, appearing for the State.

DEFT. VENEGAS ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY (COC)

4/25/16 9:30 AM CALENDAR CALL (DEPT. 6)

5/2/16 10:00 AM JURY TRIAL (DEPT. 6)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 25, 2016

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

April 25, 2016 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed
 Louisa Garcia

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Mr. Gill, Esq., present on behalf of Casimiro Venegas; Tom Boley, Esq., present on behalf of Jose Fernando Monay-Pina.

Mr. Gill stated he filed a Motion to Continue to conduct further investigation, noting Defendant waived his right to a speedy trial and had no objection. At the request of counsel, COURT ORDERED, Defendant remanded on this case, if not already remanded.

Mr. Boley substituted in as counsel on behalf of Deft. Monay-Pina and stated he would be seeking a continuance as well, noting Defendant waived. COURT ORDERED, trial date VACATED and RESET.

CUSTODY (COC-NDC) (VENEGAS)

PRINT DATE: 10/13/2017

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Minutes Date: March 07, 2016

CUSTODY (MONAY-PINA)

9/19/16 9:30 AM CALENDAR CALL (BOTH)

9/26/16 10:00 AM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2016

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

September 19, 2016 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Also present, Co Defendant JOSE MONAY-PINA, with counsel Thomas Boley.

Mr. Gill advised there are further investigations to conduct, negotiations have been discussed, and requested the trial be rescheduled. Ms. Holthus stated she is not opposed to the continuance, provided the cases remain together. Mr. Boley stated he is not opposed to the request. Colloquy regarding the continuation of the 1 week trial. Mr. Gill stated he would like to make sure Defendant Venegas is remanded in this case. Court noted the believe that Defendant Venegas is in custody in this case, and another, and there being no opposition, ORDERED, trial CONTINUED.

CUSTODY(COC-NDC)

2-6-17 9:30 AM CALENDAR CALL

C-16-313118-1

2-13-17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

February 06, 2017 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Also present, Defendant Jose Monay-Pina, with counsel Thomas Boley.

Mr. Gill and Mr Boley stated they are ready for trial. Mr. Schwartz announced the state is ready to proceed to trial; it's not overflow eligible. Mr. Gill stated the trial will last 4-5 days, can safely say will not go into another week. Colloquy regarding the case. COURT ORDERED, matter CONTINUED to check with overflow, and other courts to determine if they can hear the case.

CUSTODY(COC-NDC)

2-8-17 8:30 AM CALENDAR CALL

2-13-17 10:00 AM JURY TRIAL

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

February 08, 2017 8:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Also present Defendant Jose Fernando Monay-Pina with counsel Thomas Boley

Court stated it's been confirmed with the overflow Judge, and after providing them with the information they are confident a Judge can be found to hear the case. Mr. Gill advised the Defendant is not confident they are ready to proceed to trial, although they had announced ready; there are further investigations the Defendant would like done and he's not comfortable going to trial; the state has been informed of this, but there's not been an opportunity to mention it to Mr. Boley; a 30-45 day continuance is requested. Colloquy regarding a continuation of the trial. Mr. Schwartz objected to the request, arguing Mr. Gill announced ready, and the Defendant is attempting to delay the trial; mentioned to Mr. Gill a 2 week continuance with the witnesses being available on a short setting for February 28th, if not April. Mr. Gill stated 2 weeks does not work. CONFERENCE AT BENCH. Court noted discussions were had regarding specific investigations that may need to be completed by Mr. Gill, and the time frame. At this point, Mr. Boley stated he does not want to oppose any further

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investigations, he is ready to proceed to trial, and his only objection is to his client remaining in jail a whole year; which is a light objection. Court noted defendant Venegas would like counsel to follow up on investigative matters, and other than the items the defendant would like to be looked into, counsel is ready for trial. COURT ORDERED, trial CONTINUED to have the investigator follow up on a couple of things; at the calendar call it will be discussed when the trial starts, or if it's sent to overflow.

CUSTODY(COC-NDC)

2-22-17 9:30 AM CALENDAR CALL

2-27-17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 22, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

February 22, 2017 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Also present, Defendant Jose Fernando Monay-Pina, with counsel Thomas Boley. Ms. Holthus, Mr. Arnold, and Mr. Boley all announced they are ready to proceed to trial. Ms. Holthus stated the 6-7 day trial is not over flow eligible; 20-25 witnesses. Mr. Boley stated it's believed the case is over flow eligible. Colloquy regarding the eligibility of cases to be sent to over flow. Court stated it's probable another court can preside over this trial whether it goes to over flow or not. CONFERENCE AT BENCH. Court noted that based upon conversations at the bench, the Court will make inquiries to determine if someone can preside over the 6-7 day trial the week of March 6, 2017 and ORDERED, trial CONTINUED. Ms. Holthus inquired if the subpoenas remain in effect. Court stated yes.

CUSTODY(COC-NDC)

2-27-17 9:30 AM CALENDAR CALL

C-16-313118-1

3-6-17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

February 27, 2017 3:00 AM Minute Order

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

COURT CLERK: Deborah Miller

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The instant case is assigned to District Court Department 6 and is currently set for trial. The parties are ready to proceed to trial. Due to another scheduled trial, Department 6 is unable to preside over the trial in this case at this time.

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

This court finds that convenience and necessity justify the reassignment of the instant matter for trial since Department 6 is unable to hear the trial. District Court Department 7 is available to preside over the trial. Therefore, based on the totality of circumstances present, this Court, as Criminal Presiding Judge, ORDERS, pursuant to EDCR 1.31, the reassignment of the instant case for trial to Department 7. The matter will proceed to trial Monday, March 13, 2017, at 9:00 am. The attorneys are directed to

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contact Department 7 for further instructions.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

February 27, 2017 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Also present, Defendant Jose Fernando Monay-Pina, with counsel Thomas Boley. Court noted due to this Court's trial schedule, another Judge was sought to preside over this case, which is not over flow eligible; Judge Bell has agreed to take the trial, but needs to start March 13, 2017; parties are to contact Department VII to discuss the setting. Ms. Holthus concurred, advising she has not contacted all of the witnesses, but has verified with the victim they will not be leaving town; it's not 100% confirmed, but it's anticipated that's ok. Mr. Boley stated he has no preference; sooner is better. COURT ORDERED, matter SET for trial March 13, 2017 @ 9:00 AM in Dept. VII; Judge Herndon will prepare the actual minute order reassigning the case, and this Court will arrange for the case to be reassigned to Judge Bell; parties are to contact Dept. VII in regards to the details of their scheduling.

CUSTODY(COC-NDC)

3-13-17 9:00 AM JURY TRIAL (DEPT. VII)

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DISTRICT COURT
CLARK COUNTY, NEVADA

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

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

March 07, 2017 9:00 AM Status Check Status Check: Jury Trial

HEARD BY: Bell, Linda Marie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sylvia Perry**RECORDER:** Renee Vincent**REPORTER:****PARTIES**

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant Venegas not present. COURT ORDERED, presence WAIVED as there was no order to transport.

Mr. Boley not present, Mr. Gill present on his behalf.

Colloquy regarding scheduling as parties requested to begin the trial Monday afternoon. Court advised concerns as to starting the trial too late in the day. Further, Mr. Gill advised Mr. Boley requested a Tuesday start date. COURT ORDERED, trial set to proceed March 13, 2017 at 12:00 pm. Additionally, Court informed the parties the DC VII law clerk was recently hired by the District Attorney's office for a clerkship starting in September and will have nothing to do with the case. Mr. Gill so noted.

3/13/17 12:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

March 13, 2017 12:00 AM Jury Trial

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Jury Trial

Also present, Mr. T. Boley Esq., present on behalf of Defendant Monay-Pina.

OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

AMENDED INFORMATION FILED IN OPEN COURT. Colloquy regarding scheduling. Court advised counsel as to peremptory challenges. COURT ORDERED, Defendant Venegas REMANDED to the custody of the Clark County Detention Center for the duration of the trial.

INSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Counsel advised no challenge to the jury panel as a whole. Perspective jury panel polled.

Introductions by Court and counsel. Voir Dire conducted. SECOND AMENDED INFORMATION

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FILED IN OPEN COURT. Clerk read the Information to the jury and stated the defendant's plea thereto. Jury selected and sworn. Recess, COURT ORDERED, jury trial CONTINUED.

CONTINUED TO 3/14/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 14, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

March 14, 2017 10:00 AM Jury Trial

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Jury Trial Continues

Appearances continued: Mr. T. Boley Esq., present on behalf of Defendant Monay-Pina. Ms. N. Tatten, Spanish court interpreter.

INSIDE THE PRESENCE OF THE JURY:
Conference at the Bench.

OUTSIDE THE PRESENCE OF THE JURY:
Juror #8 present. Colloquy regarding juror possibly knowing both a witness and Defendant Monay-Pina. EXCLUSIONARY RULE INVOKED. Counsel stipulated to the admission of exhibits.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding proposed jury instructions. Mr. Gill clarified a sidebar objection as it was to ongoing hearsay. Court so noted and ORDERED, jury trial CONTINUED.

CONTINUED TO 3/15/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

March 15, 2017 9:00 AM Jury Trial

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Jury Trial Continued

Also present, Mr. T. Boley Esq., counsel for Defendant Jose Fernando Monay-Pina.

OUTSIDE THE PRESENCE OF THE JURY:

THIRD AMENDED INFORMATION FILED IN OPEN COURT. Court advised Defendants of their right not to testify.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits continued (See worksheets). State and Defense REST.

OUTSIDE THE PRESENCE OF THE JURY:

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Jury instructions settled.

INSIDE THE PRESENCE OF THE JURY:

Court read the instructions to the Jury. Closing arguments by Counsel. Jury retired for deliberations at the hour of 3:51 pm. Jury returned for the court to answer a question. Deliberation continued.

At the hour of 5:43 pm, the Jury returned with a VERDICT for Defendant Venegas and Defendant Monay-Pina of:

As to COUNT 1 - GUILTY of Conspiracy to Commit Robbery

As to COUNT 2 - GUILTY of Burglary While in Possession of a Firearm

As to COUNT 3 - GUILTY of Robbery with Use of a Deadly Weapon

As to COUNT 4 - GUILTY of Burglary While in Possession of a Firearm

As to COUNT 5 - GUILTY of Robbery with Use of a Deadly Weapon

As to COUNT 6 - GUILTY of Battery with Use of a Deadly Weapon Resulting in Substantial Bodily Harm

As to COUNT 7 - GUILTY of Attempt Murder With Use of a Deadly Weapon

As to COUNT 8 - GUILTY of Battery with Use of a Deadly Weapon Resulting in Substantial Bodily Harm

As to COUNT 9 - GUILTY of Battery with Use of a Deadly Weapon Resulting in Substantial Bodily Harm

As to COUNT 10 - GUILTY of Battery with Use of a Deadly Weapon

As to COUNT 11 - GUILTY of Aiming a Firearm at a Human Being

As to COUNT 12 - GUILTY of Coercion with Use of a Deadly Weapon

As to COUNT 13 - GUILTY of Battery with Intent to Commit a Crime

Jury polled (unanimous). Court thanked and excused the jury.

OUTSIDE THE PRESENCE OF THE JURY:

Sentencing date SET.

6/15/17 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 17, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

August 17, 2017 8:30 AM Sentencing

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- Sentencing

Also present: Mr. T. Boley Counsel for Defendant Monay-Pina.

Upon the Court's inquiry, Mr. Gill requested to continue sentencing thirty (30) days as he has a scheduled meeting with his Defendant 8/29/17; further stating there is no opposition from both co-deft's counsel and the State. Mr. Schwartz advised he does not oppose a continuance and informed victim witnesses not to appear in the event the sentencing was continued. Court stated a continuance has not been granted and State is not prepared to proceed today. Colloquy regarding if Defendant's needed to be sentenced together as Mr. Boley advised no opposition to moving forward today. COURT ORDERED, matter CONTINUED as requested and to allow the victim witnesses the opportunity to share. Parties so noted.

C-16-313118-1

CUSTODY

CONTINUED TO 9/7/17 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2017

C-16-313118-1 State of Nevada
 vs
 Casimiro Venegas

September 07, 2017 8:30 AM Sentencing

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry
 Kory Schlitz

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Gill, Adam	Attorney
	Holthus, Mary Kay	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff
	Venegas, Casimiro	Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Defendant Monay-Pina present in custody represented by Thomas Boley Esq.

Ms. Holthus provided certified copies of Defendant's previous JOC's from case numbers C284885-1, C246550, C244224. (See Worksheet). Arguments by counsel. Statement by Defendant. Victim Witnesses sworn and testified. (See Worksheet). DEFENDANT VENEGAS ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 2, 4 - BURGLARY WHILE IN POSSESSION OF FIREARM (F), COUNTS 3, 5 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNTS 6, 8, 9, 10 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F), COUNT 7 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 11 - AIMING A FIREARM AT A HUMAN BEING (GM), COUNT 12 -

PRINT DATE: 10/13/2017

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Minutes Date: March 07, 2016

COERCION WITH USE OF A DEADLY WEAPON (F), COUNT 13 - BATTERY WITH INTENT TO COMMIT A CRIME (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$3.00 DNA Collection fee, and \$350.00 Court Appointed Attorney fee, Defendant SENTENCED in

COUNT 1 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC);

and Under the Mandatory Habitual Felon Enhancement Statute in COUNT 2 - to a MAXIMUM term of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS in the NDC, CONCURRENT with COUNT 1;

and Under the Mandatory Habitual Felon Enhancement Statute in COUNT 3 - to a MAXIMUM term of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS in the NDC, CONCURRENT WITH COUNT 1 and COUNT 2;

and Under the Mandatory Habitual Felon Enhancement Statute in COUNT 4 - to a MAXIMUM term of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS in the NDC, CONSECUTIVE to COUNT 1, COUNT 2, COUNT 3;

and Under the Mandatory Habitual Felon Enhancement Statute in COUNT 5 - to a MAXIMUM term of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS in the NDC, CONSECUTIVE to COUNT 1, COUNT 2, COUNT 3 and CONCURRENT to COUNT 4;

and in COUNT 6 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the NDC, CONCURRENT WITH COUNT 1, COUNT 2, COUNT 3, COUNT 4, and COUNT 5;

and Under the Mandatory Habitual Felon Enhancement Statute in COUNT 7 - to a MAXIMUM term of TWENTY-FIVE (25) YEARS with a MINIMUM parole eligibility of TEN (10) YEARS in the NDC, CONSECUTIVE to COUNT 1, COUNT 2, COUNT 3, CONCURRENT to COUNT 4, COUNT 5, COUNT 6;

and in COUNT 8 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the NDC, CONCURRENT WITH COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 6, and COUNT 7;

and in COUNT 9 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the NDC, CONCURRENT WITH COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 6, COUNT 7, COUNT 8;

and in COUNT 10 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY

(60) MONTHS in the NDC, CONCURRENT WITH COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 6, COUNT 7, COUNT 8, COUNT 9;

and in COUNT 11 - to Clark County Detention Center (CCDC) for THREE HUNDRED SIXTY-FOUR (364) DAYS, CONCURRENT WITH COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 6, COUNT 7, COUNT 8, COUNT 8, COUNT 10;

and in COUNT 12 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the NDC, CONSECUTIVE to COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 7, CONCURRENT TO COUNT 6, COUNT 8, COUNT 9, COUNT 10, COUNT 11;

and in COUNT 13 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (6) MONTHS in the NDC, CONCURRENT TO COUNT 1, COUNT 2, COUNT 3, COUNT 4, COUNT 5, COUNT 6, COUNT 7; COUNT 8; COUNT 9; COUNT 10; COUNT 11; COUNT 12;

for an AGGREGATE TOTAL of a MINIMUM of TWO HUNDRED SIXTY-FOUR (264) MONTHS and a MAXIMUM of SIX HUNDRED SIXTY (660) MONTHS in the NDC, WITH FOUR HUNDRED SEVENTY-SIX (476) DAYS credit for time served.

COURT STATED ITS FINDINGS with regards to the Deadly Weapon Enhancement and Habitual Criminal Treatment. COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted. BOND, if any, EXONERATED.

NDC

CLERK'S NOTE: The above minute order has been updated to reflect the correct concurrent counts for Count 13. (9-18-17 ks)

STATE'S EXHIBITS

C313118 1.2

#	DESCRIPTION	OBJECTION	ADMITTED	DATE
1.	Photo - front of 711	NO	Y	3/14/17
2.	Photo - inside 711, 2 dollar bills			
3.	Photo - inside 711, 2 dollar bills angle 2			
4.	Photo - 2 dollar bills close up			
5.	Photo - cash register 2			
6.	Photo - cash register 1			
7.	Photo - inside 711, behind cash registers			
8.	Photo - Richard Decamp			
9.	Photo - front of 504 Brush St.			
10.	Photo - close up of 504 Brush St.			
11.	Photo - room with ax on floor			
12.	Photo - blood on floor in room with ax			
13.	Photo - ax in doorway			
14.	Photo - close up of ax in doorway			
15.	Photo - close up of ax in doorway #2			
16.	Photo - Ax			
17.	Photo - head of ax			
18.	Photo - Ax #2			
19.	Photo - head of ax #2			
20.	Photo - outside of Javier's room			
21.	Photo - inside Javier's room facing outside			
22.	Photo - door of Javier's room			
23.	Photo - door knob are of Javier's door			
24.	Photo - Javier's bed and window			
25.	Photo - Javier's other window			
26.	Photo - blood on floor in Javier's room			
27.	Photo - blood on wall of Javier's room			
28.	Photo - blood on bed			
29.	Photo - blood on bed #2			
30.	Photo - blood on bed #3			
31.	Photo - blood on bed #4			
32.	Photo - blood on bed #5			
33.	Photo - Front of 510 Brush St.			
34.	Photo - 510 Brush backyard (Jose)			
35.	Photo - mask, wallet, phones, keys, money			
36.	Photo - mask			
37.	Photo - mask #2			
38.	Photo - wallet keys, phone close up			
39.	Photo - phone and camera			
40.	Photo - phones and camera #2			
41.	Photo - wallet keys knife close up			
42.	Photo - wallet cash and glove in bushes			
43.	Photo - close up of wallet and cash			
44.	Photo - close up of glove			
45.	Photo - close up of glove #2			

C313118 1+2

		OBJ.	ADMITTED	DATE
46.	Photo – close up of Jose wallet	N	Y	3/14/17
47.	Photo – close up of Jose wallet #2			
48.	Photo – close up of Jose wallet #3 with cash			
49.	Photo – Javier's wallet			
50.	Photo – Javier's wallet #2			
51.	Photo – Javier's wallet #3			
52.	Photo – Javier's wallet #4			
53.	Photo – cash			
54.	Photo – cash #2			
55.	Photo – cash #3			
56.	Photo – planter with knife and gun			
57.	Photo – close up of planter with knife and gun			
58.	Photo – knife			
59.	Photo – Beretta BB gun			
60.	Photo – Beretta BB gun #2			
61.	Photo – 510 Brush St. backyard (Casimiro)			
62.	Photo – gloves and mask under shed			
63.	Photo – close up of gloves and mask			
64.	Photo – mask			
65.	Photo – red gloves			
66.	Photo – red gloves #2			
67.	Photo – knife and guns			
68.	Photo – close up of 2 BB guns			
69.	Photo – Daisy BB gun			
70.	Photo – Daisy BB gun #2			
71.	Photo – DX 17 BB gun			
72.	Photo – DX 17 BB gun #2			
73.	Photo – DX 17 BB gun with blood			
74.	Photo – knife with red handle			
75.	Photo – Casimiro			
76.	Photo – Casimiro #2			
77.	Photo – Jose			
78.	Photo – Jose #2			
79.	Photo – Javier face/body			
80.	Photo – Javier hand			
81.	Photo – Javier hand #2			
82.	Photo – Javier hand #3			
83.	Photo – Javier hand #4			
84.	Photo – Javier arm			
85.	Photo – Javier arm #2			
86.	Photo – Javier face			
87.	Photo – Javier profile			
88.	Photo – Javier ear			
89.	Photo – Javier head			
90.	Photo – Javier forehead			
91.	Map from 711 to 504 Brush St.			

C313118 122

		OBJ	ADMITTED	DATE
92.	Map of 504 Brush	N	Y	3/14/17
93.	Closer up map of 504 Brush			
94.	Surveillance still			
95.	Surveillance still			
96.	Surveillance still			
97.	Surveillance still			
98.	Surveillance still			
99.	Surveillance still			
100.	Surveillance still			
101.	Surveillance still			
102.	Surveillance still			
103.	Surveillance still			
104.	711 Surveillance video			
105.	911 Calls			
106.	SHOW UP WITNESS INSTRUCTIONS	N	Y	3/14/17
107.	Box & CONTENTS IE: BOX, AX, ZIP TIES & BROWN PAPER COVER	N	Y	3/15/17
108.	MONEY ACCOUNTING REPORT	N	Y	3/15/17
109.	LUMPD FORENSIC LABORATORY REPORT 4/27/16	N	Y	3/15/17
110.	LUMPD FORENSIC LABORATORY REPORT 8/17/16	N	Y	3/15/17
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125.				

DEFENDANT'S EXHIBITS

CASE NO. C-313118-1

Date Offered	Objection	Date Admitted
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[illegible]

COURT'S EXHIBITS

CASE NO. C313118 - 1 & 2

	Date Offered	Objection	Date Admitted
1. APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT SW2016 0859	3/14/17	N	3/14/17
2. APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT SW 2016 0860	3/14/17	N	3/14/17
3. QUESTION BY JUROR # 7			
4. " " " " #3			
5. " " " " #2			
6. QUESTION BY JUROR # 5	3/14/17	N	3/14/17
7. QUESTION BY JUROR # 4	3/14/17	N	3/14/17
8. " " " " #7			
9. " " " " #7			
10. " " " " #9			
11. " " " " #2			
12. QUESTION BY JUROR # 6	3/14/17	N	3/14/17
13. QUESTION BY JUROR # 11	3/14/17	N	3/14/17
14. QUESTION BY JUROR # 2	3/14/17	N	3/14/17
15. QUESTION BY JUROR # 8	3/14/17	N	3/14/17
16. QUESTION BY JUROR # 10	3/15/17	N	3/15/17
17. " " " " #7			
18. " " " " #6			
19. QUESTION BY JUROR # 5	3/15/17	N	3/15/17
20. QUESTION BY JUROR # 11	3/15/17	N	3/15/17

COURT'S EXHIBITS (ADDENDUM)

CASE NO. C313118 – 1&2

Date Offered

Objection

Date Admitted

[illegible]

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; REQUEST FOR
ROUGH DRAFT TRANSCRIPT; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF
CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

CASIMIRO VENEGAS,

Defendant(s).

Case No: C-16-313118-1

Dept No: VII

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 13 day of October 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk