

Electronically Filed
Nov 03 2017 03:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Patricia M. Erickson, Esq.
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Counsel for Defendant:
IVONNE CABRERA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

vs.

IVONNE CABRERA,

Defendant.

Case No.: C-12-283700-1
Dept No.: XXV

NOTICE OF APPEAL

Notice is hereby given that IVONNE CABRERA, defendant above named, hereby appeals to the Supreme Court of Nevada from her convictions of: conspiracy to commit murder, burglary while in possession of a deadly weapon, first degree murder with use of a deadly and attempt murder with use of a deadly weapon. Ms. Cabrera also appeals the sentences imposed as set forth in the Judgment of Conviction filed on September 22, 2017. The District Court imposed the controlling sentences of life without possibility of parole for the two convictions of first degree murder on September 11, 2017.

DATED this 23rd day of October, 2015.

Respectfully Submitted,

/s/ Patricia M. Erickson
Patricia M. Erickson, Esq.
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Counsel for Defendant IVONNE CABRERA

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CERTIFICATE OF MAILING

I hereby certify that on this 23rd day of October, 2017 a true and correct copy of the forgoing **NOTICE OF APPEAL** was deposited in the United States Mail, with postage prepaid, addressed to the following:

Steven B. Wolfson
District Attorney
200 Lewis Street. 3rd Floor
Las Vegas, NV 89155

Ivonne Cabrera #1026217
c/o Florence McClure Women's CC
4370 Smiley Rd
Las Vegas, NV 89115

/s/ Patricia M. Erickson

Patricia M. Erickson

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

State of Nevada
vs
Ivonne Cabrera

§ Location: **Department 25**
§ Judicial Officer: **Delaney, Kathleen E.**
§ Filed on: **08/24/2012**
§ Cross-Reference Case **C283700**
§ Number:
§ Defendant's Scope ID #: **1617623**
§ ITAG Case ID: **1379410**
§ Lower Court Case # Root: **12FN0864**
§ Lower Court Case Number: **12FN0864A**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Cabrera, Ivonne				
1. CONSPIRACY TO COMMIT MURDER	F	04/26/2012	Case Flags:	Appealed to Supreme Court
Filed As: CONSP MURDER	F	8/27/2012		Custody Status - Nevada
2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON	F	04/26/2012		Department of Corrections
Filed As: BURGLARY WHILE IN POSSESSION OF DEADLY WEAPON	F	8/27/2012		Death Penalty Case
3. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON	F	04/26/2012		Charge Description Updated
Filed As: MURDER WITH A DEADLY WEAPON	F	8/27/2012		
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	04/26/2012		
Filed As: ATT. MURDER WITH A DEADLY WEAPON	F	8/27/2012		
5. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON	F	04/26/2012		
Filed As: MURDER WITH A DEADLY WEAPON	F	8/27/2012		
6. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	04/26/2012		
Filed As: ATT. MURDER WITH A DEADLY WEAPON	F	8/27/2012		

Related Cases

C-12-283700-2 (Multi-Defendant Case)

Statistical Closures

09/12/2017 Jury Trial - Conviction - Criminal

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-12-283700-1
Court	Department 25
Date Assigned	08/24/2012
Judicial Officer	Delaney, Kathleen E.

PARTY INFORMATION

Defendant	Cabrera, Ivonne	Whipple, Bret O <i>Retained</i> 702-731-0000(W)
	Cabrera, Yvonne Removed: 06/20/2017 Data Entry Error	
	Cabrera, Yvonne	

CASE SUMMARY**CASE NO. C-12-283700-1**

Removed: 06/20/2017

Data Entry Error







Cabrera, Yvonne

Removed: 09/27/2017
















Data Entry Error

Plaintiff**State of Nevada****Wolfson, Steven B**

702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
08/21/2012	Bail Set \$2,170,000	
08/24/2012	 Criminal Bindover	
08/27/2012	 Information <i>Information</i>	
09/04/2012	 Initial Arraignment (10:30 AM) (Judicial Officer: De La Garza, Melisa) Events: 08/24/2012 Criminal Bindover	
09/06/2012	 Arraignment Continued (9:30 AM) (Judicial Officer: De La Garza, Melisa)	
09/06/2012	Plea (Judicial Officer: Delaney, Kathleen E.) Defendant: Cabrera, Ivonne 1. CONSPIRACY TO COMMIT MURDER Not Guilty PCN: Sequence: 2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON Not Guilty PCN: Sequence: 3. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 5. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 6. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:	
09/12/2012	 Status Check: Trial Setting (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 09/12/2012, 10/17/2012	
09/14/2012	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order Allowing Camera Access to Court Proceedings</i>	
09/21/2012		















DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

	 Motion to Sever Filed By: Defendant Cabrera, Ivonne <i>Defendant Ivonne Cabrera's Motio for Severance</i>
09/25/2012	 Notice <i>Notice of Evidence in Support of Aggravating Circumstances</i>
09/25/2012	 Opposition to Motion <i>State's Opposition to Defendant Cabrera's Motion To Sever</i>
10/01/2012	 Motion to Sever (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/21/2012 Motion to Sever <i>Defendant Ivonne Cabrera's Motion for Severance</i>
10/04/2012	 Motion <i>Notice of Motion and Motion to File Corrected Notice of Intent to Seek the Death Penalty</i>
10/17/2012	 Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/17/2012, 10/31/2012 <i>State's Notice of Motion and Motion to File Corrected Notice of Intent to Seek the Death Penalty</i>
10/17/2012	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
10/23/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Re: Arraignment</i>
10/25/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Re: Arraignment Continued September 6, 2012</i>
10/25/2012	 Opposition to Motion <i>Opposition to State's Motion to File Corrected Notice of Intent to Seek Death Penalty</i>
10/29/2012	 Receipt of Copy <i>Receipt of Copy</i>
10/31/2012	 Notice of Intent to Seek Death Penalty Filed By: Plaintiff State of Nevada <i>Corrected Notice Of Intent To Seek Death Penalty</i>
11/01/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of State's Motion to File Corrected Notice of Intent to Seek the Death Penalty</i>
11/05/2012	 Ex Parte Filed By: Defendant Cabrera, Ivonne <i>Exparte Application For Contact Visits</i>
11/13/2012	 Finding of Fact and Conclusions of Law <i>Finding of Fact and Conclusions of Law</i>
12/03/2012	




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	 Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
01/04/2013	 Motion <i>Notice of Motion and Motion to Take Depositions Pursuant to NRS 174.175</i>
01/14/2013	 Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 01/14/2013, 01/30/2013 <i>Notice of Motion and Motion to take Depositions Pursuant to NRS 174.175</i>
01/27/2013	 Opposition <i>Opposition to State's Motion to Depose Witnesses</i>
01/31/2013	 Recorders Transcript of Hearing <i>Recorded Transcript of Unconditional Waiver of Preliminary Hearing August 21, 2012</i>
02/05/2013	 Reporters Transcript <i>Reporter's Transcript of State's Motion to Take Depositions Pursuant to NRS 174.175 January 14, 2013</i>
02/05/2013	 Reporters Transcript <i>Reporter's Transcript of State's Motion to Take Depositions Pursuant to NRS 174.175; January 30, 2013</i>
02/14/2013	 Order Denying Motion Filed By: Defendant Cabrera, Ivonne <i>Order Denying State's Motion to Take Depositions Pursuant to NRS 174.175</i>
07/24/2013	 Motion to Continue Trial (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Defendant's Motion to Continue Trial Date</i>
08/21/2013	 Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Joinder to Renewed Motion to Continue Trial Date and Motion to File Declaration in Support Under Seal</i>
09/03/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion to Continue Trial Date</i>
09/23/2013	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i>
09/30/2013	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i>
10/01/2013	CANCELED Calendar Call (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i>
10/07/2013	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i>
04/28/2014	 Motion to Continue Trial (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Motion to Continue Trial</i>

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05/14/2014	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Reset Trial</i>
05/23/2014	 Reporters Transcript <i>Reporter's Transcript of Status Check: Reset Trial; 05/14/14</i>
06/16/2014	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
06/23/2014	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
11/12/2014	 Joinder <i>Motion to Join Co-Defendant's Motion for Disclosure of Evidence</i>
11/17/2014	 Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 11/17/2014, 12/22/2014 <i>Defendant's Motion to Join Co-Defendant's Motion for Disclosure of Evidence</i>
11/24/2014	 Receipt of Copy <i>Receipt of Copy</i>
11/24/2014	 Receipt of Copy <i>Receipt of Copy</i>
11/26/2014	 Opposition <i>State's Opposition to Defendant Ivonne Cabrera's Motion for Disclosure of Evidence</i>
01/30/2015	 Transcript of Proceedings <i>Reporter's Transcript of All Pending Motions, December 22, 2014</i>
02/27/2015	 Minute Order (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Minute Order re: Setting Status Check Date</i>
03/04/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Trial Readiness/Decision</i>
03/09/2015	 Opposition <i>State's Opposition to Defendant Cabrera's Motion for Severance</i>
03/11/2015	 Filing <i>Filing Re: Defendant Cabrera's Receipt of Documents From State</i>
03/16/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Trial Readiness</i>
03/23/2015	CANCELED Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Law Clerk</i> <i>Status Check: Final Trial Setting Determination</i>
03/31/2015	 Reporters Transcript <i>Reporter's Transcript of Status Check: Trial Readiness/Decision; 03/04/15</i>

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04/06/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Trial Setting</i>
04/12/2015	 Reporters Transcript <i>Reporter's Transcript of Proceedings; 04/06/15</i>
04/29/2015	 Receipt of Copy <i>Receipt of Copy</i>
05/04/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
05/11/2015	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
05/26/2015	 Order <i>Order Granting in Party and Denying in Part Motion for Disclosure of Evidence Filed by Jose Gonzales and Joinder Thereto Filed by Ivonne Cabrera</i>
07/22/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 07/22/2015, 08/19/2015, 08/26/2015 <i>Status Check: Trial Readiness</i>
07/24/2015	 Transcript of Proceedings <i>Reporter's Transcript of Status Check on Trial Readiness 7/22/2015 250 Rule</i>
07/30/2015	 Order <i>Filed By: Defendant Cabrera, Ivonne Ex Parte Order to Compel Production of Las Vegas Metropolitan Police Department's Records</i>
07/30/2015	 Order <i>Filed By: Defendant Cabrera, Ivonne Ex Parte Order to Compel Production of Las Vegas Metropolitan Police Department's Records</i>
08/07/2015	 Ex Parte Application <i>Party: Defendant Cabrera, Ivonne Ex Parte Application, Request and Court Order to Compel Production of Las Vegas Metropolitan Police Department Records</i>
08/07/2015	 Ex Parte Application <i>Party: Defendant Cabrera, Ivonne Ex Parte Application, Request and Court Order to Compel Production of Las Vegas Metropolitan Police Department Records for Jose Gonzalez</i>
08/10/2015	 Motion <i>Notice of Motion and Motion to Strike Aggravating Circumstances</i>
08/10/2015	 Motion <i>Notice of Motion and Motion Requesting Use of a Jury Questionnaire</i>
08/10/2015	 Motion <i>Notice of Motion and Motion to Preclude Introduction of Statement, or in The Alternative, to</i>

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Redact Statement

08/10/2015



Motion

Notice of Motion and Motion Requesting an Order Requiring the State Update The Addresses of the Witnesses That Will Be Called to Testify During Their Case in Chief

08/10/2015



Ex Parte Application

Party: Defendant Cabrera, Ivonne
Ex Parte Application and Request for Court Order to Compel Production of North Las Vegas Police Department Records

08/10/2015



Order

Filed By: Defendant Cabrera, Ivonne
Ex Parte Order to Compel Production of North Las Vegas Police Department Records as to Jose Alejandro Gonzales

08/10/2015



Ex Parte Application

Party: Defendant Cabrera, Ivonne
Ex Parte Application and Request for Court Order to Compel Production of North Las Vegas Police Department Records as to Ivonne Cabrera

08/10/2015



Order

Filed By: Defendant Cabrera, Ivonne
Ex Parte Order to Compel Production of North Las Vegas Police Department's Records

08/11/2015



Response

State's Response to Defendant's Motion Requesting Use of a Jury Questionnaire

08/14/2015



Response

State's Response to Defendant's Motion for an Order Requiring the State Update the Addresses of the Witnesses That Will Be Called to Testify During Their Case in Chief

08/16/2015



Reply

Reply to State's Response to Motion Requesting an Order Requiring the State Update the Addresses of the Witnesses That Will be Called to Testify During Their Case in Chief

08/17/2015



Reply

Reply to State's Response to Motion Requesting Use of a Jury Questionnaire

08/18/2015



Response

State's Response to Defendant's Motion to Preclude Introduction of Statement, or in the Alternative, to Redact Statement

08/18/2015



Response

State's Response to Defendant's Motion to Strike Aggravating Circumstances

08/19/2015

Motion to Strike (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/19/2015, 08/26/2015

Defendant's Motion to Strike Aggravating Circumstances

08/19/2015

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/19/2015, 08/26/2015

Defendant's Motion Requesting Use of a Jury Questionnaire

08/19/2015

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/19/2015, 08/26/2015


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Defendant's Motion to Preclude Introduction of Statement, or in The Alternative, to Redact Statement

08/19/2015 **Motion** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)


08/19/2015, 08/26/2015

Defendant's Notice of Motion and Motion Requesting an Order Requiring the State Update The Addresses of the Witnesses That Will Be Called to Testify During Their Case in Chief

08/19/2015  **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/20/2015  Media Request and Order


Media Request And Order Allowing Camera Access To Court Proceedings

08/21/2015  Reply


Reply to State's Response to Motion to Strike Aggravating Circumstances


08/26/2015  Notice of Witnesses and/or Expert Witnesses

Notice of Expert Witnesses (NRS 174.234 (2))

08/26/2015  Notice of Witnesses and/or Expert Witnesses

Notice of Witnesses (NRS 174.234 (1)(a))

08/26/2015  **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/26/2015  Exhibits

Filed By: Defendant Cabrera, Ivonne

Color Coded Exhibit to Motion to Preclude Introduction of Statement, or in the Alternative, to Redact Statement

08/27/2015  Reporters Transcript

Reporter's Transcript of Proceedings; 8/26/15

08/28/2015  Ex Parte Application

Party: Defendant Cabrera, Ivonne

Ex Parte Application and Request for Court Order to Compel Production of Eighth Judicial District Court, Family Division, Records from the Temporary Protective Order Department

08/28/2015  Ex Parte Order

Filed By: Defendant Cabrera, Ivonne

Ex Parte Order to Compel Production of Clark County District Court, Family Division-Temporary Protective Order Department's Records

08/31/2015  Supplemental Witness List


Supplemental Notice of Expert Witnesses

08/31/2015  Supplemental Witness List











Second Supplemental Notice of Expert Witnesses

08/31/2015  Notice of Witnesses and/or Expert Witnesses














Notice of Expert Witness [NRS 174.234]

08/31/2015  **Minute Order** (3:42 PM) (Judicial Officer: Delaney, Kathleen E.)

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09/03/2015	 Transcript of Proceedings <i>Reporter's Transcript on Trial Readiness- August 19, 2015</i>
09/03/2015	 Transcript of Proceedings <i>(Amended to include date) Reporter's Transcript of Trial Readiness 8/19/2015</i>
09/04/2015	 Notice <i>Amended Notice of Intent to Seek Death Penalty</i>
09/04/2015	 Notice of Motion <i>Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs, or Acts</i>
09/04/2015	 Request <i>State's Request for Witnesses to Appear by Simultaneous Audiovisual Transmission Equipment</i>
09/07/2015	 Motion to Continue <i>Notice of Motion and Motion to Continue Trial</i>
09/08/2015	 Motion <i>Notice of Motion and 2nd Motion to Strike Aggravating Circumstance and Objection to State's Amended Notice of Intent to Seek Death Penalty</i>
09/08/2015	 Order Shortening Time <i>Ex Parte Application for Order Shortening Time for Hearing of the Motion to Continue Trial</i>
09/09/2015	 Motion to Continue Trial (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 09/09/2015, 09/14/2015 <i>Notice of Motion and Motion to Continue Trial</i>
09/10/2015	 Opposition <i>State's Opposition to Defendant's Motion to Continue</i>
09/10/2015	 Order <i>Order for Daily Transcripts</i>
09/10/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
09/10/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
09/10/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
09/10/2015	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
09/10/2015	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
09/10/2015	 Order to Release Medical Records <i>Order Releasing Medical Records</i>

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09/11/2015	 Addendum <i>Addendum to Reply to Opposition to Motion to Continue Trial</i>
09/11/2015	 Reply <i>Reply to State's Opposition to Motion to Continue Trial</i>
09/12/2015	 Reporters Transcript <i>Reporter's Transcript of Motion to Continue Trial; 09/09/15</i>
09/12/2015	 Opposition <i>Opposition to State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>
09/13/2015	 Notice of Witnesses and/or Expert Witnesses <i>Defendant's List of Witnesses</i>
09/14/2015	Motion to Admit Evidence (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 09/14/2015, 11/20/2015 <i>State's Motion to Admit Evidence of Other Crimes, Wrongs, or Acts</i>
09/14/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
09/14/2015	Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.)
09/20/2015	 Transcript of Proceedings <i>Reporter's Transcript of Motion to Continue Trial 250 Rule 9/14/2015</i>
09/21/2015	CANCELED Motion to Strike (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i> <i>Defendant's 2nd Motion to Strike Aggravating Circumstance and Objection to State's Amended Notice of Intent to Seek Death Penalty</i>
09/21/2015	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
10/09/2015	 Minute Order (9:30 AM) (Judicial Officer: Delaney, Kathleen E.)
10/19/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/19/2015, 12/09/2015 <i>Status Check: Reset Trial</i>
10/19/2015	Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Petrocelli Hearing Setting & Other Pending Matters</i>
10/19/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
11/20/2015	Petrocelli Hearing (9:30 AM) (Judicial Officer: Delaney, Kathleen E.)
11/20/2015	 All Pending Motions (9:30 AM) (Judicial Officer: Delaney, Kathleen E.)
11/25/2015	 Reporters Transcript <i>Reporter's Transcript of Petrocelli Hearing; 11/20/15</i>
12/09/2015	 Motion

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CASE SUMMARY
CASE NO. C-12-283700-1
















Notice of Motion and Motion to Consolidate Cases C-12-283700-1 and C-12-283700-2

12/09/2015	CANCELED Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i> <i>Defendant's Notice of Motion and 2nd Motion to Strike Aggravating Circumstance and Objection to State's Amended Notice of Intent to Seek Death Penalty</i>
12/09/2015	CANCELED Status Check: Trial Setting (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - Duplicate Entry</i>
12/10/2015	 Notice <i>Second Amended Notice of Intent to Seek Death Penalty</i>
12/11/2015	 Transcript of Proceedings <i>Reporter's Transcript of Status Check on Trial Readiness 250 Rule December 9, 2015</i>
12/14/2015	 Opposition to Motion <i>Opposition to State's Motion to Consolidate Cases C-12-283700-1 and C-12-283700-2</i>
12/16/2015	Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Negotiations/Reset Trial</i>
12/16/2015	Motion to Consolidate (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>State's Motion to Consolidate cases C-12-283700-1 and C-12-283700-2</i>
12/16/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
12/18/2015	 Reporters Transcript <i>Reporter's Transcript of Proceedings; 12/16/15</i>
12/21/2015	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Trial Date</i>
12/22/2015	 Minute Order (12:00 PM) (Judicial Officer: Delaney, Kathleen E.)
12/31/2015	 Order Granting Motion <i>Order Granting State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>
01/10/2016	 Transcript of Proceedings <i>Reporter's Transcript of Status Check Trial Date 250 Rule 12/21/2015</i>
02/03/2016	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 02/03/2016, 03/14/2016, 05/25/2016 <i>Status Check: Trial Readiness</i>
03/23/2016	 Transcript of Proceedings <i>Reporter's Transcript of Status Check on Trial Readiness 3/14/2016</i>
04/25/2016	 Supplemental Witness List <i>Supplemental Notice of Witnesses[NRS 174.234(1)(a)]</i>
06/07/2016	 Motion <i>Notice of Motion and Motion to Place on Calendar for Status Check Trial Date and Expert Witness Disclosure</i>

















DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

06/07/2016	 Ex Parte Application <i>Ex Parte Application for Order Permitting Declaration of Patricia M. Erickson, in Support of Motion to Place on Calendar, to be Filed Under Seal</i>
06/09/2016	 Supplemental Witness List <i>Third Supplemental Notice of Expert Witnesses</i>
06/10/2016	 Expert Witness Disclosure <i>Amended Notice of Expert Witnesses [NRS 174.234]</i>
06/10/2016	 Expert Witness List <i>Second Amended Notice of Expert Witnesses [NRS 174.234]</i>
06/12/2016	 Motion <i>Notice of Motion and Motion for the Jury to be Taken to the Scene of the Crimes Alleged in the Information</i>
06/13/2016	 Ex Parte Order <i>Ex Parte Order Permitting Declaration of Patricia M Erickson, in Support of Motion to Place on Calendar, to be Filed Under Seal</i>
06/14/2016	 Opposition <i>State's Response to Defendant's Motion for a Jury View and Motion in Limine to Preclude Duress as a Defense to Murder</i>
06/16/2016	 Filed Under Seal Filed By: Defendant Cabrera, Ivonne <i>Declaration of Patricia M Erickson Submitted in Support of the Motion to Place on Calendar</i>
06/17/2016	 Notice <i>Notice of Evidence in Aggravation</i>
06/20/2016	Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/20/2016, 06/22/2016 <i>Defendant's Notice of Motion and Motion to Place on Calendar for Status Check Trial Date and Expert Witness Disclosure</i>
06/20/2016	Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/20/2016, 06/22/2016 <i>Defendant's Motion for the Jury to be Taken to the Scene of the Crimes Alleged in the Information</i>
06/20/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
06/21/2016	 Opposition <i>Opposition to State's Motion in Limine to Preclude Duress as a Defense to Murder</i>
06/22/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
06/22/2016	 Minute Order (5:07 PM) (Judicial Officer: Delaney, Kathleen E.)
06/22/2016	 Opposition to Motion in Limine <i>Opposition to State's Motion in Limine to Preclude Duress as a Defense to Murder</i>


















DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

06/22/2016	 Motion to Continue Trial
06/27/2016	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
06/29/2016	 Status Check (9:00 AM) (Judicial Officer: Becker, Nancy) <i>Status Check: Reset Trial</i>
07/06/2016	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge</i>
07/13/2016	 Motion <i>Notice of Motion and Motion in Limine to Preclude Duress as a Defense to all the Charges in the Information</i>
07/13/2016	 Status Check (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Status Check: Reset Trial</i>
07/27/2016	 Opposition to Motion <i>Opposition to State's Motion in Limine to Preclude Duress as a Defense to All the Charges in the Information</i>
08/01/2016	 Motion in Limine (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 08/01/2016, 08/08/2016 <i>State's Motion in Limine to Preclude Duress as a Defense to all the Charges in the Information</i>
12/01/2016	 Order <i>Order Granting State's Motion in Limine to Preclude Duress as a Defense to all the Charges in the Information</i>
12/20/2016	 Ex Parte Order <i>Ex Parte Order For Preparation of Transcripts</i>
12/26/2016	 Transcript of Proceedings <i>Reporter's Transcript on Status Check Trial Readiness 6/22/2016 250 Rule</i>
01/24/2017	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings August 8, 2016</i>
03/08/2017	 Notice of Witnesses and/or Expert Witnesses <i>Second Supplemental Notice of Witnesses(NRs 174.234(1)(a))</i>
03/08/2017	 Notice of Witnesses and/or Expert Witnesses <i>Third Supplemental Notice of Witnesses(NRS174.234(1)(a))</i>
04/11/2017	 Ex Parte Application <i>Ex Parte Application for Transcripts in this Capital Case</i>
05/15/2017	 Minute Order (3:00 AM) (Judicial Officer: Delaney, Kathleen E.)
05/22/2017	 Status Check: Trial Readiness (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

















DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

05/26/2017	 Ex Parte Application Party: Defendant Cabrera, Ivonne <i>Amended Ex Parte Application for Transcripts in This Capital Case</i>
05/31/2017	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Reporter's Transcript of Proceedings, April 28, 2014</i>
06/02/2017	 Reporters Transcript <i>Reporter's Transcript of Status Check 2/3/2016</i>
06/02/2017	 Reporters Transcript <i>Transcript of Status Check 5/25/2016</i>
06/02/2017	 Transcript of Proceedings <i>Transcript of Status Check 6/20/2016</i>
06/02/2017	 Transcript of Proceedings <i>Reporter's Transcript of Resetting of Trial Date 7/13/2016</i>
06/02/2017	 Transcript of Proceedings <i>Reporter's Transcript of Status Check 8/1/2016</i>
06/05/2017	 Order Filed By: Defendant Cabrera, Yvonne <i>Order for Preparation of Daily Transcripts</i>
06/05/2017	 Order Filed By: Defendant Cabrera, Yvonne <i>Ex Parte for Preparation of Transcripts in This Capital Case</i>
06/11/2017	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript of Proceedings, November 17, 2014</i>
06/18/2017	 Notice of Witnesses Party: Defendant Cabrera, Ivonne <i>Defendant's List of Witnesses</i>
06/19/2017	 Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.)
06/19/2017	 Reporters Transcript <i>Reporter's Transcript of Proceedings, October 19, 2015</i>
06/19/2017	 Reporters Transcript <i>Reporter's Transcript of Proceedings, June 29, 2016</i>
06/21/2017	 Further Proceedings (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Further Proceedings: Juror Excusals</i>
06/26/2017	 Jury Trial - FIRM (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/26/2017-06/28/2017, 07/05/2017-07/07/2017, 07/10/2017-07/13/2017, 07/17/2017-07/20/2017

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

06/26/2017	 Notice of Witnesses Party: Defendant Cabrera, Ivonne <i>Second Amended Defendant's List of Witnesses</i>
06/26/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial 6/26/2017</i>
06/27/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Voir Dire -- PM PROCEEDINGS June 26 2017</i>
06/27/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial 6/27/2017</i>
06/28/2017	 Minute Order (3:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Minute Order Striking Filing</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - B. Kircher</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - J. Dutcher</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - J. Martinez</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - C. Odle</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - B. Yi</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - J. Ingram</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - M. Scarborough</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - L. Schneiderman</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - T. Procter</i>
06/28/2017	 Order to Show Cause <i>Order to Show Cause Re: Contempt - C. Duchesneau</i>
06/28/2017	 Reporters Transcript <i>Jury Voir Dire</i>
06/28/2017	 Jury List

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

06/29/2017	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
06/29/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial 6/28/2017</i>
07/03/2017	 Notice of Expert Witnesses Filed By: Defendant Cabrera, Ivonne <i>Third Amended Notice of Expert Witnesses [NRS 174.234]</i>
07/03/2017	 Notice of Witnesses Party: Defendant Cabrera, Ivonne <i>Third Amended Defendant's List of Witnesses</i>
07/05/2017	 Notice of Witnesses Party: Defendant Cabrera, Ivonne <i>Fourth Amended Defendant's List of Witnesses</i>
07/05/2017	 Amended Information <i>Amended Information</i>
07/05/2017	 Amended Jury List
07/06/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial</i>
07/06/2017	 Transcript of Proceedings <i>Reporter's Transcript of Jury Trial 7/5/2017</i>
07/07/2017	 Transcript of Proceedings <i>Reporter's Transcript of Jury Trial 7/6/2017</i>
07/07/2017	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate Jose Alejandro Gonzales, BAC# 1016762</i>
07/07/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial - AM Proceedings</i>
07/08/2017	 Transcript of Proceedings <i>Reporter's Transcript of Jury Trial 7/7/2017</i>
07/09/2017	 Reporters Transcript <i>Reporter's Transcript of Proceedings, Friday July 7, 2017</i>
07/10/2017	 Notice of Witnesses Party: Defendant Cabrera, Ivonne <i>Fifth Amended Defendant's List of Witnesses</i>
07/10/2017	 Order for Production of Inmate <i>Ex Parte Order for Production of Inmate Alfredo Hernandez, BAC #1158978</i>













DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

07/10/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial 7/10/2017</i>
07/11/2017	 Order to Show Cause <i>Amended Order to Show Cause Re: Contempt - B. Yi</i>
07/11/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial, P.M. Part 2</i>
07/12/2017	 Transcript of Proceedings <i>Reporter's Transcript of Jury Trial 7/11/2017</i>
07/12/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial</i>
07/13/2017	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript of Jury Trial 7/12/2017</i>
07/13/2017	 Affidavit of Service <i>James Ingram</i>
07/13/2017	 Not Found Affidavit <i>Not Found Affidavit</i>
07/14/2017	 Reporters Transcript <i>Reporter's Transcript of Proceedings, Wednesday, July 12, 2017</i>
07/15/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial July 13, 2017</i>
07/17/2017	 Jury List
07/18/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial</i>
07/18/2017	 Jury Instructions
07/18/2017	 Verdict
07/19/2017	 Affidavit of Service <i>Brad Kircher</i>
07/20/2017	 Reporters Transcript <i>Reporter's Transcript of Trial 7/19/2017</i>
07/20/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Verdict</i>
07/20/2017	 Jury Instructions

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

07/20/2017	 Special Jury Verdict <i>Special Verdict</i>
07/21/2017	 Reporters Transcript <i>Reporter's Transcript of Penalty Phase - Part 1</i>
07/21/2017	 Reporters Transcript Filed By: Other Reporter, Court <i>Reporter's Transcript of Jury Trial July 20, 2017</i>
07/24/2017	CANCELED Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - On In Error</i>
07/24/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: B. Kircher</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: J. Dutcher</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: J. Martinez</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: C. Odle</i>
07/24/2017	CANCELED Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Judge B. Yi</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: J. Ingram</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: M. Scarborough</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: L. Schneiderman</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: T. Procter</i>
07/24/2017	Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: C. Duchesneau</i>
07/26/2017	 Affidavit of Service <i>L. Schneiderman</i>
07/26/2017	 Affidavit of Service <i>T. Procter</i>
07/26/2017	 Affidavit of Service <i>M. Scarborough</i>

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

07/26/2017	 Affidavit of Service <i>C. Duchesneau</i>
07/26/2017	 Affidavit of Service <i>J. Martinez</i>
07/26/2017	 Affidavit of Service <i>B. Yi</i>
07/26/2017	 Affidavit of Service <i>J. Dutcher</i>
07/31/2017	 Show Cause Hearing (11:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Show Cause Hearing: B. Yi</i>
08/03/2017	 Affidavit of Service <i>Bow Yi Affidavit of Service</i>
08/14/2017	 Reporters Transcript <i>Reporter's Transcript of Jury Trial</i>
08/14/2017	 Reporters Transcript <i>Reporter's Transcript of Penalty Hearing</i>
08/14/2017	 Reporters Transcript <i>Revised Jury Verdict Transcript (To Include Word Index)</i>
08/23/2017	 PSI
09/08/2017	 Memorandum Filed By: Defendant Cabrera, Yvonne <i>Sentencing Memorandum</i>
09/11/2017	 Sentencing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
09/11/2017	Disposition (Judicial Officer: Delaney, Kathleen E.) Defendant: Cabrera, Ivonne 1. CONSPIRACY TO COMMIT MURDER Guilty PCN: Sequence: 2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON Guilty PCN: Sequence: 3. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 5. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

PCN: Sequence:

6. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

1. CONSPIRACY TO COMMIT MURDER

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:48 Months, Maximum:120 Months

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

2. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:48 Months, Maximum:120 Months

Concurrent: Charge 1

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

3. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months,

Maximum:120 Months

Concurrent: Charge 2

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:48 Months, Maximum:240 Months

Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months,

Maximum:120 Months

Concurrent: Charge 3

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

5. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months,

Maximum:120 Months

Concurrent: Charge 4

09/11/2017

Sentence (Judicial Officer: Delaney, Kathleen E.)

Defendant: Cabrera, Ivonne

6. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Adult Adjudication

Sentenced to Nevada Dept. of Corrections

Term: Minimum:84 Months, Maximum:240 Months

Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months,




Maximum:120 Months

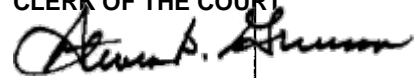
Concurrent: Charge 5

Comments: Total Aggregate Sentence if Life Without the Possibility of Parole.

Fee Totals:

DEPARTMENT 25
CASE SUMMARY
CASE NO. C-12-283700-1

	Administrative Assessment Fee \$25 Fee Totals \$ \$150 DNA Fees and Testing and \$3.00 DNA Collection Fee Waived. Other Fees 1. , \$50,118.25 (\$48,418.25 payable to Victim's of Crime and \$1,700.00 payable to to Eduardo Gutierrez for funeral expenses for Erik Quezada Morales), to be paid Jointly and Severally with Co-Defendant Jose Gonazales.	25.00 25.00
09/12/2017	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>	
09/22/2017	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>	
10/23/2017	 Notice of Appeal (criminal) Party: Defendant Cabrera, Ivonne <i>Notice of Appeal</i>	
DATE	FINANCIAL INFORMATION	
	Defendant Cabrera, Ivonne	
	Total Charges	63.50
	Total Payments and Credits	38.50
	Balance Due as of 10/24/2017	25.00



JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

IVONNE CABRERA
aka YVONNE CABRERA
#1617623

Defendant.

CASE NO. C-12-283700-1

DEPT. NO. XXV

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT MURDER (Category A Felony) in violation of NRS 199.480, 200.010, 200.030, COUNT 2 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060, COUNT 3 – MURDER WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030; COUNT 4 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 5 - MURDER WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030; and COUNT 6 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030,

SEP 20 2017

1 193.330, 193.165; and the matter having been tried before a jury and the Defendant
2 having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO COMMIT
3 MURDER (Category A Felony) in violation of NRS 199.480, 200.010, 200.030, COUNT
4 2 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B
5 Felony) in violation of NRS 205.060, COUNT 3 – FIRST DEGREE MURDER WITH
6 USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010,
7 200.030; COUNT 4 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
8 (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 5
9 – FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (Category A
10 Felony) in violation of NRS 200.010, 200.030; and COUNT 6 - ATTEMPT MURDER
11 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010,
12 200.030, 193.330, 193.165;; thereafter, on the 11th day of September, 2017, the
13 Defendant was present in court for sentencing with her counsel Patricia Ericson, Esq.,
14 and good cause appearing,

18 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
19 addition to the \$25.00 Administrative Assessment Fee, \$50,118.25 Restitution, to be
20 paid JOINTLY AND SEVERALLY with Co-Defendant, (\$1700.00 for Victim Erik
21 Morales, payable to Eduardo Gutierrez and \$48,418.25 payable to Victims of Crime -
22 \$12,714.25 Victim #1, \$34,000.00 Victim #2 and \$1,704.00 Victim #3), the Defendant is
23 SENTENCED to the Nevada Department of Corrections (NDC) as follows: **COUNT 1 -**
24 **a MAXIMUM of ONE HUNDRED AND TWENTY (120) MONTHS with a MINIMUM**
25 **Parole Eligibility of FORTY-EIGHT (48) MONTHS; COUNT 2 - to a MAXIMUM of ONE**
26 **HUNDRED AND TWENTY (120) MONTHS with a MINIMUM parole eligibility of**
27 **FORTY-EIGHT (48) MONTHS, CONCURRENT with COUNT 1; COUNT 3 – LIFE**
28

1 WITHOUT the possibility of parole, CONCURRENT with Count 2, plus a
2 CONSECUTIVE term of ONE HUNDRED AND TWENTY (120) MONTHS with a
3 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for the Use of a Deadly
4 Weapon, CONCURRENT WITH COUNT 2; **COUNT 4** - a MAXIMUM of TWO
5 HUNDRED AND FORTY (240) MONTHS with a MINIMUM Parole Eligibility of EIGHTY-
6 FOUR (84) MONTHS, plus a CONSECUTIVE term of TWO HUNDRED AND FORTY
7 (240) MONTHS with a MINIMUM parole eligibility of EIGHTY-FOUR (84) MONTHS for
8 the Use of a Deadly Weapon, CONCURRENT with Count 3, **COUNT 5** – LIFE
9 WITHOUT the possibility of parole, CONCURRENT with Count 4, plus a
10 CONSECUTIVE term of ONE HUNDRED AND TWENTY (120) MONTHS with a
11 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for the Use of a Deadly
12 Weapon; **COUNT 6** - a MAXIMUM of TWO HUNDRED AND FORTY (240) MONTHS
13 with a MINIMUM Parole Eligibility of EIGHTY-FOUR (84) MONTHS, plus a
14 CONSECUTIVE term of TWO HUNDRED AND FORTY (240) MONTHS with a
15 MINIMUM parole eligibility of EIGHTY-FOUR (84) MONTHS for the Use of a Deadly
16 Weapon, CONCURRENT with Count 5, with ONE THOUSAND NINE HUNDRED AND
17 SIXTY-FOUR (1964) DAYS credit for time served. As the \$150.00 DNA Analysis Fee
18 and Genetic Testing have been previously imposed, the Fee and Testing in the current
19 case are WAIVED. The AGGREGATE TOTAL sentence is LIFE WITHOUT THE
20 POSSIBILITY OF PAROLE.
21
22
23
24

25 DATED this 21st day of September 2017.

26
27
28

KATHLEEN DELANEY
DISTRICT COURT JUDGE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 04, 2012

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 04, 2012 10:30 AM Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Carole D'Aloia

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Cabrera, Ivonne Defendant
 Whipple, Bret O Attorney

JOURNAL ENTRIES

- Eric Jorgenson, Chief Dep. D.A., present on behalf of the State who advised Mr. Staudaher will be handling this matter. Matter TRAILED for Mr. Staudaher's presence.

Matter RECALLED, Mr. Whipple advised he has another court appearance to make and requested matter be continued. COURT ORDERED, matter CONTINUED.

CUSTODY

9/6/12 9:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 06, 2012

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 06, 2012 9:30 AM Arraignment Continued

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

COURT CLERK: Carole D'Aloia

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Cabrera, Ivonne Defendant
 Whipple, Bret O Attorney

JOURNAL ENTRIES

- Lynn Robinson, Chief Dep. D.A., present on behalf of the State. DEFENDANT CABRERA ARRAIGNED, PLED NOT GUILTY, AND INVOKED THE SIXTY (60) DAY RULE. Court ACCEPTED plea. Mr. Whipple requested matter be set in Department 25 next week for a status check on the trial setting and, COURT SO ORDERED.

CUSTODY

9/12/12 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 12, 2012 9:00 AM**Status Check: Trial Setting****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Mr. Patrick and Ms. Jackson, Special Public Defender's, present on behalf of co-defendant Gonzales

Mr. Patrick stated his client waived his right to a speedy trial and will not be able to proceed to trial within 60 days; further, do not know if the State will be going before the death review committee. Mr. Staudaher stated there has not been a submission to the death review committee but there is an intent to submit it as to both deft's and will not be able to predict the outcome. Upon Court's inquiry, Mr. Staudaher stated that he has thirty days to file the notice with the Court. Mr. Whipple stated his client invoked her right to a speedy trial and is ready to proceed; further, will be filing a motion to sever. COURT ORDERED, matter CONTINUED thirty days for a status check regarding the trial setting and for Mr. Whipple to file the motion to sever. Mr. Staudaher stated that in light of the process for going before the death review committee, if it turns out this case is reviewed around the time of the status check date, would possibly be requesting a continuance of the status check. Mr. Patrick stated that he would have no objection to having the status check date moved to after the committee meets. Mr. Whipple stated that he believes his motion will be set prior to the status check date and inquired as to when the invoked trial date is. Court Clerk advised counsel the invoked date

falls within the civil stack, therefore, the case will proceed on either October 1, 2012 or if the deft. is willing to waive her rights by one week, the trial can proceed on November 13, 2012.

CUSTODY

10/10/12 9:00 STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2012

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

October 01, 2012 9:00 AM Motion to Sever

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Arguments by counsel. Court stated its findings and ORDERED, Motion DENIED. Mr. Whipple requested the status check date of October 10, 2012 be RESET, COURT SO ORDERED.

CUSTODY

10/17/12 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 17, 2012

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

October 17, 2012 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: TRIAL SETTING...STATE'S NOTICE AND MOTION TO FILE CORRECTED NOTICE OF INTENT TO SEEK DEATH PENALTY

Ms. Erickson stated that she has been out of the jurisdiction and requested additional time to file an opposition to the State's Motion. There being no opposition, COURT ORDERED, State's Notice and Motion to File Corrected Notice of Intent to Seek Death Penalty is CONTINUED. Court DIRECTED Ms. Erickson to file the opposition by October 24, 2012.

Court inquired as to whether or not there was a resolution regarding one deft. invoking and the other waiving their rights to a speedy trial. Arguments by counsel. Court stated it is going to do a trial setting based on the information available to the Court and will set the trial date in August, 2014. Colloquy. COURT ORDERED, matter SET for trial. Ms, Erickson noted her continued objection to the trial date. Court noted ,for the record, that Deft. Cabrera did invoke and that the Court has grounds to pursue a trial date past that date.

C-12-283700-1

CUSTODY

9/30/13 9:30 AM CALENDAR CALL

10/07/13 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 31, 2012

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

October 31, 2012 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Arguments by counsel. Court stated its findings and ORDERED, Motion GRANTED. Notice of Intent to Seek Death Penalty FILED IN OPEN COURT. Ms. Erickson stated that she will be doing a writ of mandamus and requested the order be filed as soon as possible so that the issue can be taken care of in a timely manner before the trial date. Colloquy between Court and counsel regarding resetting the trial dates. COURT FURTHER ORDERED, Trial dates RESET. Court DIRECTED the State to prepare the order. Colloquy between Court and Mr. Whipple regarding the trial date and why it was set where it was. Mr. Whipple clarified that his client has never waived her rights to a speedy trial, COURT SO NOTED. Statements by counsel regarding discovery.

CUSTODY

9/23/13 9:30 AM CALENDAR CALL

9/30/13 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2013

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

January 14, 2013 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- Ms. Erickson stated she was not served with the motion but is now on the distribution list and requested time to file an opposition. Mr. Staudaher stated that Mr. Whipple was served with the motion but will have no opposition to the request. COURT ORDERED, matter CONTINUED. Court DIRECTED Ms. Erickson to file an opposition by January 25, 2013.

CUSTODY

1/30/13 9:00 AM STATE'S MOTION TO TAKE DEPOSITIONS PURSUANT TO NRS
174.175

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2013

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

January 30, 2013 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown
 Tia Everett

RECORDER:

REPORTER: Brenda Schroeder

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Micheal Staudaher, Deputy District Attorney, present on behalf of the State. Defendant Cabrera present in custody and represented by Bret Whipple Esq. and Patricia Erickson Esq. Defendant Gonzales present in custody and represented by Clark Patrick and Alzora Jackson, Deputy Special Public Defenders.

Following arguments by all parties, COURT ORDERED, Motion DENIED, as the Court believes the motion to premature as there is nothing at this time to warrant to order taking the depositions of these witnesses. Ms. Jackson to prepare and submit the appropriate order.

CUSTODY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2013

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

July 24, 2013 9:00 AM Motion to Continue Trial

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT: Cabrera, Ivonne Defendant
 Erickson, Patricia M. Attorney
 State of Nevada Plaintiff
 Staudaher, Michael V. Attorney
 Whipple, Bret O Attorney

JOURNAL ENTRIES

- Alzora Jackson and Clark Patrick, Deputy Special Public Defender, present on behalf of the co-deft, Jose Gonzales.

Arguments by counsel. Court stated counsel for the co-deft., Gonzales, has had this case for over one year and the reason for the request has nothing to do with the guilty phase, therefore, ORDERED, Motion DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 21, 2013

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

August 21, 2013 9:00 AM Joinder

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Clark Patrick and Alzora Jackson, present representing the co-deft. Gonzales.

Mr. Patrick advised the Court that parties agreed to a new trial date. Upon Court's inquiry, Deft. Cabrera and Gonzales stated they are aware of the new trial date requested. Statement by Ms. Erickson. Upon further inquiry of the Court, Deft. Cabrera WAIVED her right to a speedy trial. COURT ORDERED, Motion and Joinder GRANTED; Trial date VACATED and RESET.

CUSTODY

6/16/14 9:30 AM CALENDAR CALL

6/23/14 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2014

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

April 28, 2014 9:00 AM Motion to Continue Trial

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Appearances Continued: Special Deputy Public Defenders Clark Patrick and Alzora Jackson present with Co-Defendant Gonzales.

Mr. Patrick advised the Court that after reviewing newly obtained information, it is imperative that defense counsel travel to Mexico prior to the start of trial; noting that this would be a mitigation trip and would require several levels of approval beforehand. Mr. Patrick further advised that he has a capital murder trial calendared for June 2, 2014 in District Court Department 11.

Ms. Erickson objected to a continuance, arguing that her client invoked his right to a speedy trial from the beginning; further, she is ready to proceed, and requested this matter be bifurcated. Ms. Jackson and Ms. Wong opposed counsel's request to bifurcate. Further arguments by counsel.

COURT ORDERED, counsel's oral request to sever the parties is DENIED; trial date VACATED;

matter SET for a Status Check; trial to be scheduled prior to the end of this year.

CUSTODY

5/14/2014 9:30 am Status Check: Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

May 14, 2014**9:00 AM****Status Check****Status Check: Reset
Trial****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Andrea Natali**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Hetty Wong, Dep. D.A. present on behalf of the State; Brent Whipple, Esq. and Patricia Erickson, Esq. present on behalf of Deft. Cabrera who is also present in custody; Clark Patrick, Esq. and Alzora Jackson, Esq. present on behalf of Deft. Gonzales who is also present in custody.

Court noted the Defendant s memorandum was provided to the law clerk ten minutes before the beginning of today's calendar and noted that matter was already addressed; however, a time frame would be put in place. Mr. Patrick stated the parties could not agree on a date and noted he may not be able to announce ready for a December setting; therefore, requested another setting. Upon Court s inquiry, Mr. Gonzales stated he would not be ready based on the reasons indicated in the memorandum filed under seal. Colloquy regarding interviewing the witnesses, trial setting, whether a December setting would present an issue for potential jurors, and when counsel would be able to announce ready. COURT ORDER, Jury Trial SET.

CUSTODY (BOTH)

5/4/15 9:30 AM - CALENDAR CALL (BOTH)

5/11/15 10:30 AM - JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 17, 2014

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

November 17, 2014 9:00 AM Joinder

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Alzora Jackson and David Schieck, present representing the co-deft. Gonzales.

Ms. Jackson advised the Court that the District Attorney is requesting this matter be CONTINUED, COURT SO ORDERED.

CUSTODY

12/22/14 9:00 AM DEFT'S MOTION TO JOIN CO-DEFENDANT'S MOTION FOR
DISCLOSURE OF EVIDENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 22, 2014

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

December 22, 2014 9:00 AM Joinder

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Leah Armendariz

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Alzora Jackson and Clark Patrick of the Special Public Defender's office, present representing the co-deft. Gonzalez.

Court noted that it appears that there are about 3 requests within the motion and joinder that are in dispute. Counsel concurred. Arguments by counsel regarding request requests 13, 15, 19 and 10A-G. COURT ORDERED, Motion taken UNDER ADVISEMENT and will issue a written ruling that will stated what will allow to be disclosed, what caveats might be allowed and what the Court will ultimately require of the State.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

February 27, 2015 9:00 AM Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, matter placed on calendar for a status check to discuss the parties trial readiness and to address the outstanding decision on the Deft's Motion for Disclosure of Evidence filed by Deft. Gonzales and the Joinder thereto, filed by Deft. Cabrera.

CUSTODY

3/04/15 9:00 AM STATUS CHECK: TRIAL READINESS/DECISION

CLERK'S NOTE: A copy of this minute order was emailed to the attorney(s) of: Michael V. Staudaheer, Esq., (Chief Deputy District Attorney) and Brett O. Whipple, Esq., (Justice Law Center).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 04, 2015**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

March 04, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Bond, Jeb	Attorney
	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- Also Present: Special Public Defenders David Schieck and Clark Patrick, counsel for Co-Defendant Gonzales.

Mr. Patrick advised the Court that Mr. Staudaher has been more than accommodating with counsel regarding file reviews; however, the Special Public Defender's Office is concerned that Detective Prieto's file is incomplete. Ms. Ericcson noted she visited the North Las Vegas Detective Bureau, and it appears the parties are in receipt of the entire file; further, she is in the process of securing a new investigator. Ms. Ericcson stated she will file a joinder to Defendant Cabrera's Motion to Sever.

Mr. Staudaher announced that the State is ready to proceed with trial, additionally, he will research the backup data; and there are no outstanding forensic issues in this case. Mr. Staudaher noted that Ms. Ericcson previously filed a Motion to Sever, which was previously denied in 2012.

COURT ORDERED, Ms. Ericcson to ensure there is new information for the Court to reconsider with respect to the Motion; matter SET for a Status Check.

CUSTODY

3/16/2015 9:00 am Status Check: Trial Readiness

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 16, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

March 16, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Billie Jo Craig

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT: Cabrera, Ivonne Defendant
 Erickson, Patricia M. Attorney
 State of Nevada Plaintiff
 Staudaher, Michael V. Attorney

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS (BOTH)...DEFENDANT JOSE GONZALES' MOTION TO SEVER DEFENDANTS

Deft #1 Cabrera present with Attorney Patricia Erickson

Deft #2 Gonzales present with Special Public Defenders Clark Patrick and Alzora Jackson

Colloquy regarding Trial readiness. Counsel advised they had all Discovery.

AS TO MOTION TO SEVER: Arguments by counsel. Court stated its findings, and ORDERED, Defendant Gonzales' Motion to Sever is GRANTED. Mr. Patrick submitted an Order, which was signed and returned for filing.

Colloquy regarding when the Trials to take place and how Trials to be set. As the Court was not prepared to Grant any Motion to Continue Trial, COURT ORDERED, matter SET for Status Check: Final Trial Setting Determination. Court directed counsel to meet this week to discuss possible back

to back dates before the Court makes a determination.

CUSTODY

3/23/15 9:00 AM STATUS CHECK: FINAL TRIAL SETTING DETERMINATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

April 06, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Also Present: Special Deputy Public Defenders - Clark Patrick, Esq., and Alzora Jackson, Esq.; counsel for Co-Defendant Gonzales.

Court NOTED, an in-camera discussing with defense counsel was conducted regarding the circumstances taking place regarding mitigating factors as to Defendant Gonzales.

Mr. Patrick argued that this is more than a Motion to Continue, as the primary issues go to Defendant Gonzales' 6th, 8th, and 14th Amendment rights; and the defense has experienced difficulty obtaining records from Mexico. Mr. Patrick further argued that counsel must speak face-to-face with certain individuals who have great influence in Defendant's life; and without this information, his client will not have a fair trial unless counsel is able to conduct the constitutionally mandated mitigation it must do. Mr. Patrick requested the death penalty be stricken; or counsel given additional time.

Opposition by Mr. Staudaher, arguing there is no hope for political change in Mexico, and continuing this matter awaiting change in that country would continue this case indefinitely. Mr. Staudaher further argued there is no basis for defense counsel's requests, as the standard is reasonably objective choices by defense counsel in their mitigation options; such as hiring an investigator in Mexico to perform the interviews and obtain the information.

Ms. Erickson advised the Court she had an investigator meet with her client, Defendant Cabrera, and a September 2015 date is satisfactory for the defense.

COURT NOTED, these circumstances do not warrant this Court's extraordinary jurisdiction to strike the death penalty; however, this Court does acknowledge there can be difficulty conducting mitigating investigation in another country, and defense counsel have been diligent in their efforts.

COURT FURTHER NOTED, staying the proceedings pending some change in Mexico's political structure would be in appropriate; however, a continuance is warranted. Order Denying Stay SIGNED IN OPEN COURT.

Following a colloquy between the Court and counsel regarding scheduling, COURT ORDERED, trials for both Defendants VACATED and RESET; Status Check regarding trial readiness SET.

CUSTODY

7/8/2015	9:00 am	Status Check: Trial Readiness
9/14/2015	9:30 am	Calendar Call
9/21/2015	10:30 am	Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 22, 2015**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 22, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Also Present: Special Public Defenders David Schieck & Alzora Jackson, Esq., counsel for Co-Defendant Gonzales.

Court NOTED, Patricia Erickson, co-counsel for Defendant Cabrera indicated the defense is ready to proceed. Mr. Staudaher advised the Court there are no issues of which the State is aware, the parties have conducted multiple file reviews, there is no outstanding discovery; and as of last week, Ms. Erickson noted she had everything. Mr. Whipple concurred, and advised he is on schedule, and stated he wishes to discuss the jury questionnaires.

COURT FURTHER NOTED, the questionnaires will need to be mailed out approximately 4 weeks in advance of trial; and ORDERED, counsel to meet and confer to determine their respective disputes. Mr. Whipple stated that can be completed within the next few days. COURT SO NOTED.

Ms. Jackson advised that counsel for Defendant Gonzales will be ready for trial; however, she and

Mr. Schieck have a capital murder case scheduled on April 4, 2016 in District Court IV; further advised all discovery issues have been addressed, and although there are minor problems, none will create an impediment as to trial readiness.

COURT SO NOTED, and FURTHER ORDERED, Defendant Gonzales' trial RESCHEDULED to later in the same stack; Status Check CONTINUED thirty (30) days as to both Defendants.

CUSTODY

8/19/2015	9:00 am	Status Check: Trial Readiness
9/14/2015	9:30 am	Calendar Call
9/21/2015	10:30 am	Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 19, 2015

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

August 19, 2015 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS.....DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES.....DEFENDANT'S MOTION REQUESTING USE OF A JURY QUESTIONNAIRE.....DEFENDANT'S MOTION TO PRECLUDE INTRODUCTION OF STATEMENT, OR IN THE ALTERNATIVE, TO REDACT STATEMENT.....DEFENDANT'S MOTION REQUESTING AN ORDER REQUIRING THE STATE UPDATE THE ADDRESSES OF THE WITNESSES THAT WILL BE CALLED TO TESTIFY DURING THEIR CASE IN CHIEF

Following a conference at the Bench, COURT NOTED, counsel was advised that the Court was unable to review the latest oppositions to the motions; further, Ms. Ericsson indicated she needed additional time to file a brief response. Therefore, COURT ORDERED, matters CONTINUED one (1) week, as this Court wishes to have reviewed and be prepared to hear all matters simultaneously.

Mr. Whipple requested this matter be called early on the next hearing, as he will be in a trial in

Department 11. COURT SO NOTED.

CUSTODY

Continued to: 8/26/2015 9:00 am

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 26, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

August 26, 2015 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Shelley Boyle
 Robin Thomas
 Anntoinette Naumec-Miller

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Regarding DEFENDANT'S MOTION REQUESTING USE OF A JURY QUESTIONNAIRE; Following arguments by counsel, COURT ORDERED, Motion GRANTED; the Court will make its determination as to the four questions in dispute (36, 37, 44 and 53) in Chambers. Counsel can review the questionnaire before submission to jury services.

Regarding DEFENDANT'S NOTICE OF MOTION AND MOTION REQUESTING AN ORDER REQUIRING THE STATE UPDATE THE ADDRESSES OF THE WITNESSES THAT WILL BE CALLED TO TESTIFY DURING THEIR CASE IN CHIEF:

The Court advised it was unclear as to what information could not be found; adding, if the State comes into possession of information which is not accurate, that must be provided to opposing counsel. Ms. Erickson argued she has the right to interview witnesses, if they wish to be interviewed. Mr. Staudaher stated the State has just started the pre-trial process, and if there are issues they need

to be told what they are. Furthermore, the State has been told by two witnesses specifically they do not want to speak with the defense counsel. COURT ORDERED, Motion GRANTED IN PART, DENIED IN PART WITHOUT PREJUDICE; the State is to provide good contact phone numbers for witnesses by the end of business today. Adding, the matter can be readdressed in the future if needed.

Regarding DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES; Following argument by counsel, COURT ORDERED, Motion GRANTED IN PART, DENIED IN PART; DENIED as to aggravators 3,4,5 and 7, which are to be decided by a jury. Aggravators 1 and 2 should be considered as one aggravator, and should be under sub-section 12, not 2A. Motion GRANTED as to aggravators 1 and 2; the State can amend if they choose to do so.

Regarding DEFENDANT'S MOTION TO PRECLUDE INTRODUCTION OF STATEMENT, OR IN THE ALTERNATIVE, TO REDACT STATEMENT:

Ms. Erickson argued the Motion is to preclude hearsay, stating it is inappropriate for the Lead Detective to say Deft. is lying just because he didn't like Deft's responses during questioning. Mr. Staudaher argued the Detective's ensuing questions were based on Deft's prior responses, and there is no basis to say they stem from prior bad acts. COURT ORDERED, Motion GRANTED IN PART, DENIED IN PART; The statement regarding any prior bad acts of Deft. are to be redacted ; if needed, a Petrocelli Hearing can be held to address this issue. Furthermore, any statements by the Detective of any prior bad acts by Deft. and any statements that could be viewed by the jury as to view of the Detective are to be redacted. The Court RESERVES the right to hear argument during the trial. The Court finds the statements are not offered for the truth of the matter. Ms. Erickson advised she will prepare the orders, and provide them to opposing counsel to review.

Regarding STATUS CHECK: TRIAL READINESS:

Colloquy regarding photographs, witness testimony, reports and the medical examiner who will testify at the trial. The State advised it will not challenge the cause of death, and that it is on track for trial. Further discussions regarding the jury questionnaire and Deft's. counsel's need to obtain a copy of the transcript.

MATTER RECALLED. Mr. Staudaher no longer present. Ms. Erickson advised color coded exhibits were previously provided to the Court and State, as they can not be electronically filed.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 2015

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

August 31, 2015 3:42 PM Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Color Coded Exhibits to Motion to Preclude Introduction of Statement, or in the Alternative, to Redact Statement FILED IN OPEN COURT

In open court on Wednesday, August 26, 2015, Ms. Erickson provided the Court with the aforementioned document, and noted she was unable to have it electronically filed with Master Calendar; therefore, COURT ORDERED, the document will be retained and processed accordingly through Chambers.

On August 31, 2015, after receiving insight from Master Calendar, COURT FURTHER ORDERED, the first two pages of the document shall be backdated to August 26, 2015; and the color coded exhibit shall be lodged with the Vault.

CUSTODY

9/14/2015 9:30 am Calendar Call

PRINT DATE: 10/24/2017

Page 33 of 111

Minutes Date: September 04, 2012

9/21/2015 10:30a m Jury Trial

CLERK'S NOTE: A copy of this Minute Order has been electronically mailed to Deputy D.A. Michael Staudaher; and counsel for Defendant, Bret Whipple and Patricia Erickson. /db 8.31.2015

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 09, 2015 9:00 AM Motion to Continue Trial

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Mr. Staudaher advised the Court that the State opposes Defendant's motion, arguing this information is not new, the experts and discovery mention all of these things, counsel has been aware of it from the beginning; and on May 14, 2015, the co-Defendant's attorneys stated they had spoken with the individual in question. Mr. Staudaher further argued that Defendant admitted to using drugs at the time, the tools and car were part and parcel to how this case to be; additionally, the State has gone above and beyond in providing the information to Defendant's counsel, and there have been multiple opportunities to ferret out this information.

Ms. Erickson argued that the defense must submit a request for funding for investigation; and if this information had been important, the State would have done its motion in a timely manner. Ms. Erickson further argued that Defendant's statement is incomplete regarding the tools; moreover, this case has had no motive for years, now the State is claiming one. Ms. Erickson advised the Court that counsel does not investigate random facts, and at this point, it is difficult to ascertain what, exactly, is

going on. Further argument by Mr. Staudaher.

COURT ORDERED, motion CONTINUED; State to file a response on or before Thursday, September 10, 2015; defense to file a reply no later than Friday, September 11, 2015; FURTHER ORDERED, this Court expects the jury questionnaire deadlines to be met. COURT FURTHER ORDERED, the Motion to Strike calendared for September 21 STANDS.

COURT NOTED concerns regarding what has been brought to this Court's attention; and those concerns will be addressed at the next hearing.

Mr. Staudaher advised the Court that he will not be present on Monday; however, his co-counsel, Hetty Wong, will be arguing the matters. COURT SO NOTED.

CUSTODY

9/14/2015 9:00 am Motion to Continue Trial...State's Motion to Admit.....Calendar Call (9:30 am)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 14, 2015 9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- CALENDAR CALL.....STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS,
OR ACTS.....DEFENDANT'S MOTION TO CONTINUE TRIAL

As to Defendant's Motion to Continue Trial:

Argument in support of the motion by Ms. Erickson, stating she was able to conduct additional investigation, and the information she received was contrary to what Ms. Wantland said in her statements; further, the State has an obligation to provide the defense with any information regarding misconduct. Ms. Erickson further argued that if the information was provided, the defense would have known Ms. Wantland was incarcerated and could have visited her, as Defendant's own statement to the police refutes what the witness said.

Opposition by Ms. Wong, arguing that the witness was in custody, so the State did not know at that time it was the kind of misconduct that had to be turned over; additionally, the defense must investigate their own case, and counsel for the co-Defendant were able to do so accordingly. Ms.

Wong further argued that the State provided the defense with all necessary telephone numbers approximately one month ago, and the witness indicated that Ms. Erickson has not contacted her. Further arguments by counsel.

COURT ORDERED, motion GRANTED; and NOTED there have been legitimate reasons to request a continuance to allow additional time to conduct further investigation. Upon the Court's inquiry, Defendant advised she waives her right to a speedy trial. COURT SO NOTED, and FURTHER ORDERED, this trial will be a firm setting that will proceed prior to the co-Defendant's trial. FURTHER ORDERED, matter SET for Status Check to address trial and Petrocelli hearing; counsel to have their schedules ready.

CUSTODY

10/12/2015 9:00 am Status Check: Reset Trial...Status Check: Petrocelli Hearing & Other Pending Matters

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 09, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

October 09, 2015

9:30 AM

Minute Order

**Minute Order Re:
Court's Schedule**

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Denise Husted

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- STATUS CHECK: RESET TRIAL...STATUS CHECK: PETROCELLI HEARING SETTING AND
OTHER PENDING MOTIONS

Due to the Court's unavailability, the above matters are CONTINUED for Judge Delaney to hear.

CONTINUED TO: 10/21/15 9:00 AM

CLERK'S NOTE: Copies of the above minute order placed in the attorney folders of:

Bret Whipple (JUSTICE LAW CENTER);
Patricia Erickson;
Michael Staudaher (CHIEF DEPUTY DISTRICT ATTORNEY)
Hetty Wong (DEPUTY DISTRICT ATTORNEY, CRIMINAL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 19, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

October 19, 2015 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: JoAnn Melendez

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Engler, Alissa	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Wolfson, Steven B	Attorney

JOURNAL ENTRIES

- STATUS CHECK: PETROCELLI HEARING SETTING & OTHER PENDING MATTERS.....STATUS CHECK: RESET TRIAL

Ms. Erickson advised the Court that the defense submitted a motion on September 8, 2015; however, it does not appear to be calendared; further, the State has not filed a response. Mr. Staudaher requested that matter be heard after the Petrocelli Hearing has been set. Colloquy between the Court and counsel regarding trial setting, whereby Ms. Erickson advised of scheduling conflicts in February 2016.

COURT ORDERED, matter SET for a Petrocelli Hearing, Defendant's motion SET and the State will reply in the normal course; Status Check CONTINUED.

CUSTODY

11/20/2015	9:30 am	Petrocelli Hearing
12/9/2015	9:00 am	Deft.'s Notice of Motion and 2nd Motion to Strike Aggravating Circumstance and Objection to State's Amended Notice of Intent to Seek Death Penalty.....Status Check: Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

November 20, 2015 9:30 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- PETROCELLI HEARING.....STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS, OR ACTS

Testimony and exhibits presented (see worksheets).

Mr. DiGiacomo argued in support of the motion, stating that Miguel Villegas, who owns the home, was arrested on April 16, 2012; and the only cellular telephone located next to Eric's body is what the State believes is what the victim and Melissa used to communicate with Defendant; further the Las Vegas Metropolitan Police Department (LVMPD) is conducting a "data dump" on the device. Mr. DiGiacomo further argued that this Defendant made a threat about the deceased victims, and the witness testified to the Wal-Mart scam, the drugs being used, the vehicle, and unemployment card,

and the tools, which all provide motive. Mr. DiGiacomo argued that all of this information should be admitted, as it is corroborated by witness testimony.

Opposition by Mr. Whipple, arguing that the prior bad acts need to be identified, as this is evidence that will go both ways to both parties; additionally, the main issue is the allegation that Defendant broke into the building and stole construction tools. Mr. Whipple argued that there is no clear and convincing evidence, the State's arguments are overly prejudicial, not probative; and the issue comes down to Ms. Wantland's credibility. Further argument by Mr. DiGiacomo.

COURT FINDS, as to the scam, drugs, and unemployment card that evidence has been provided, there is clear and convincing evidence of these bad acts having been committed; and the probative value is not substantially outweighed by the danger of prejudice. COURT FURTHER FINDS, the real issue is what occurred when the tools disappeared from the home, the apartment was ransacked; and this Court does not see these as bad acts; additionally, there is no clear and convincing evidence that Defendant stole the tools, however, the development of how the people were there, what occurred, and what could have been the motive related to the non-payment for the tools. COURT FURTHER FINDS, there is no legal basis to preclude the State from addressing each of these facts and circumstances; the items in the motion are relevant, and have been proven by clear and convincing evidence; therefore, COURT ORDERED, motion GRANTED, the Court will allow the surrounding circumstances, and that the discussions in knowing that Mr. Villegas was away, as it is all relevant. State to prepare the order, counsel to approve as to form and content.

Following a colloquy as to Defendant's upcoming Motion to Strike Aggravating Circumstance and Objection to State's Amended Notice of Intent to Seek Death Penalty calendared for December 9, 2015, COURT FURTHER ORDERED, motion VACATED without prejudice to Ms. Erickson if there is something else to address, as the State advised it will not be proceeding on Count 7. FURTHER ORDERED, Status Check date STANDS.

CUSTODY

12/9/2015 9:00 am Status Check: Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

December 09, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Also Present: Special Public Defenders Clark Patrick and Alzora Jackson, Esqs.; counsel for Co-Defendant Jose Gonzales.

Mr. DiGiacomo advised the Court that after last week's hearing, he realized there were 2 cellular telephones in evidence, which he provided to defense counsel; additionally, the Motion to Consolidate he prepared was inadvertently not filed. Mr. DiGiacomo further advised that an offer was conveyed to both Defendants.

Ms. Jackson stated that she is surprised by the discussion regarding consolidation, as everything the defense has done since the Motion to Sever was granted was based upon the Court's ruling; moreover, the defense has been steadfast in adhering to its obligations and responsibilities. Ms. Erickson argued that the new discovery seems to be an on-going issue in this case, and she is unsure of what is in the State's latest motion, as she has not had an opportunity to review it.

COURT NOTED it is not excusing the facts regarding the cellular telephones; however, counsel knew there would be a trial date next year; FURTHER NOTED, no inclination at this time to re-consolidate without the motion, and ORDERED, trial date for Defendant Gonzales STANDS.

Mr. Patrick added that the defense is moving toward the trial date at this time, great strides are being made in getting the mitigating efforts completed; and should be ready in May 2016. COURT SO NOTED, and ORDERED, matter SET for Status Check regarding negotiations and trial setting.

CUSTODY

12/16/2015 9:00 am Status Check: Negotiations/Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

December 16, 2015 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: NEGOTIATIONS/RESET TRIAL.....STATE'S MOTION TO CONSOLIDATE CASES C-12-283700-1 AND C-12-283700-2

Also Present: Deputy Special Public Defenders Alzora Jackson & Clark Patrick, Esqs., counsel for Co-Defendant Jose Gonzales.

As to the Status Check: Negotiations/Reset Trial:

Mr. Patrick advised the Court that Defendant Gonzales wishes to proceed to trial. Mr. DiGiacomo noted that the offer extended was not responded to; however, the State will not revoke it at this time, as he understands it may take time for a Defendant to fully consider it. COURT SO NOTED; and ORDERED, matter SET for a Status Check to address trial dates and scheduling.

As to the State's Motion to Consolidate:

Mr. DiGiacomo argued in support of the motion, stating that all of the facts are the same, Defendants' guilt is overwhelmingly obvious, there is no change in the evidence; and it would be in the interest of judicial economy to try the cases together.

Opposition by Mr. Patrick, arguing that there are Bruton issues present; and if Defendant Cabrera's testimony is utilized, there is no way to redact or change it. Mr. Patrick further argued that there are antagonistic defense; and both Defendants would not receive a fair trial if the cases are consolidated. Mr. Whipple concurred with counsel's arguments. Ms. Jackson noted that the defense has done its due diligence in preparing for individual trials, these are serious charges with the death penalty; and there is no legal way possible Defendant will have a fair trial.

COURT ORDERED, Motion to Consolidate DENIED, and NOTED although the Court is cognizant of judicial economy, the matters will be tried separately to ensure the trials are fair for both Defendants.

CUSTODY

12/21/2015 9:00 am Status Check: Trial Date

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 21, 2015

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

December 21, 2015 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Also Present: Deputy Special Public Defenders Alzora Jackson & Clark Patrick, Esqs., counsel for Co-Defendant Jose Gonzales.

Ms. Jackson advised the Court that the defense met with Mr. Gonzales last week regarding the trial date, and everything has been resolved. Upon the Court's inquiry, Defendant Gonzales stated he concurs with his counsel's representations. COURT ORDERED, trial date STANDS, noting Defendant's request to proceed after Co-Defendant Gonzales.

Following a colloquy between the Court and counsel regarding scheduling for Defendant Cabrera and the jury selection process, COURT ORDERED, matter SET for trial.

CUSTODY

6/20/2016	9:30 am	Calendar Call
6/27/2016	10:30 am	Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 22, 2015**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

December 22, 2015 12:00 AM Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A
RJC Courtroom 15A

COURT CLERK:

Dania Batiste

RECORDER:**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Due to the Court's unavailability, COURT ORDERED, jury trial RESCHEDULED to commence on Wednesday, July 6, 2016 at 1:30 pm. COURT FURTHER ORDERED, matter SET for Status Check to address trial readiness.

CUSTODY

2/3/2016	9:00 am	Status Check: Trial Readiness
6/27/2016	9:30 am	Calendar Call
7/6/2016	1:30 pm	Jury Trial

CLERK'S NOTE: A copy of this Minute Order has been electronically mailed to Deputy District Attorneys Marc DiGiacomo & Hetty Wong, Esqs.; and counsel for Defendant, Bret Whipple & Patricia Erickson, Esqs. /db 12.22.2015

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2016

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

February 03, 2016 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT: Burns, J Patrick Attorney
 Cabrera, Ivonne Defendant
 Erickson, Patricia M. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Also Present: Special Deputy Public Defenders Alzora Jackson and Clark Patrick, Esqs., counsel for Co-Defendant Gonzales.

Mr. Patrick advised the Court that the defense is on track to be ready for trial. Ms. Erickson concurred. As to jury questionnaires, Mr. Patrick further advised that counsel will work together with the State, and provide the Court with any disputed proposed questions.

COURT SO NOTED, and ORDERED, matter CONTINUED; parties to discuss jury questionnaire deadlines at the next hearing.

CUSTODY

Continued to: 3/14/2016 9:00 am

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 14, 2016**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

March 14, 2016 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Also Present: Deputy Special Public Defenders Clark Patrick & Jeremy Storms, Esqs; counsel for Co-Defendant Gonzales.

Mr. Palal advised the Court that the State is ready for trial. COURT SO NOTED. As to the jury questionnaires, Mr. Patrick noted that the parties will confer and provide the Court with a completed version. Mr. Patrick advised that in September 2015, former Deputy D.A. Michael Staudaher sent an e-mail regarding Brady material found, particularly, witness Ms. Marin had felony convictions from Texas; and although the defense was unable to locate that information, they did find convictions that go to veracity, as Ms. Marin testified under oath that she did not have any. Mr. Patrick stated that the defense needs help to ascertain if those are felony convictions of Ms. Marin or not; other than that, the defense is ready to proceed with trial as to Mr. Gonzales.

COURT SO NOTED, and ORDERED, Status Check as to trial readiness, jury questionnaires, and discovery completion of Ms. Marin SET for Defendant Gonzales; Status Check CONTINUED for

Defendant Cabrera.

CUSTODY

5/25/2016	9:00 am	Status Check: Trial Readiness
6/27/2016	9:30 am	Calendar Call
7/6/2016	1:30 pm	Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 25, 2016**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

May 25, 2016 9:00 AM Status Check

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Engler, Alissa	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Ms. Erickson advised the Court that the defense is ready for trial; however, she does intend to file a motion tomorrow regarding some of the evidence. Ms. Wong noted that this is her first time hearing of said motion; however, the State is also ready. COURT SO NOTED.

COURT referenced Page 7 of the jury questionnaire and NOTED there are 4 forms of punishment outlined with a number of questions related to that, and when the questionnaire was completed by a previous panel, many potential jurors circled their responses. Following a conference at the Bench, COURT NOTED the necessary corrections will be made and provided to Jury Services.

Ms. Wong advised the Court that the State extended the following offer to Defendant: 2 counts of First Degree Murder With Use of a Deadly Weapon, State will have the right to argue; and the offer will remain open until June 3, 2016.

COURT SO NOTED, and ORDERED, no further Status Checks will be set at this time.

CUSTODY

7/6/2016 1:30 pm Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2016

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 20, 2016

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR THE JURY TO BE TAKEN TO THE SCENE OF THE CRIMES ALLEGED IN THE INFORMATION.....DEFENDANT'S NOTICE OF MOTION AND MOTION TO PLACE ON CALENDAR FOR STATUS CHECK TRIAL DATE AND EXPERT WITNESS DISCLOSURE

COURT ORDERED, matter CONTINUED to the next calendar; NOTING the parties met in Chambers prior to the start of calendar, as the State needs additional time to be advised of the underlying motion and prepare an opposition.

C-12-283700-1

CUSTODY

Continued to: 6/22/2016 9:00 am

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 22, 2016

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 22, 2016

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
Erickson, Patricia M. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR THE JURY TO BE TAKEN TO THE SCENE OF THE CRIMES ALLEGED IN THE INFORMATION.....DEFENDANT'S NOTICE OF MOTION AND MOTION TO PLACE ON CALENDAR FOR STATUS CHECK TRIAL DATE AND EXPERT WITNESS DISCLOSURE

Opposition to State's Motion in Limine to Preclude Duress as a Defense to Murder FILED IN OPEN COURT.....Motion to Continue FILED IN OPEN COURT

Mr. DiGiacomo argued that duress is not a defense to murder; and the question is if it could possibly be a defense to the two attempted murder counts, and the burglary count. Mr. DiGiacomo argued that the law does not allow the defense to present duress to defend these murder charges. Opposition by Ms. Erickson, stating that Defendant never had a gun, she never shot anyone, she never intended for anyone to die; and the statute is clear as to specific intent. Both counsel advised the Court that this matter will be taken up on a writ after Court's ruling. COURT SO NOTED, and

ORDERED, matter TAKEN UNDER ADVISEMENT; a decision will be rendered later this afternoon.

Following a colloquy between the Court and counsel regarding jury questionnaires, COURT FURTHER ORDERED, the responses are due no later than Thursday, June 24th by the close of business. FURTHER ORDERED, calendar call VACATED; matter SET for Status Check to reset the trial.

CUSTODY

6/29/2016 9:00 am Status Check: Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 22, 2016**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 22, 2016**5:07 PM****Minute Order****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

-

This matter, having come before the Court on June 22, 2016 for a hearing on Defendant's Motion for the Jury to be Taken to the Scene of the Crimes Alleged in the Information ("Motion for Jury View"), the State's Counter-Motion in Limine to Preclude Duress as a Defense to Murder ("Motion in Limine"), and the Defendant's Motion to Continue Trial ("Motion to Continue"), and after further review and consideration of the written pleadings and arguments of counsel at the time of the hearing, as well as all relevant case law, COURT ORDERS State's Motion in Limine is GRANTED; Defendant's Motion for Jury View is DENIED. COURT FURTHER confirms its oral ruling that Defendant's Motion to Continue Trial is GRANTED to allow Defendant the opportunity to seek writ relief based on the Court's ruling, as well as to consider and prepare additional defense(s).

Defendant is charged with six (6) criminal counts, two (2) of which are Murder With Use of a Deadly Weapon, wherein the State asserts Defendant aided or abetted the co-Defendant in his direct commission of these crimes. Defendant argued in her Motion for Jury View that her guilt phase theory of defense is specifically based upon the alleged coercion and duress of her co-Defendant and that a view of the area was necessary to support her theory of defense. The State argued in opposition that duress is not a defense to murder, pursuant to NRS 194.010(8). NRS 194.010(8) is clear and unambiguous, and by its own terms precludes a duress defense where the crime is

punishable by death. As the State points out, the statute was enacted at a time when all murder was punishable by death, and, as common law has never recognized duress as a defense to intentional murder, the Court is confident that duress would not be an available defense to the Defendant even if she were charged with murder not punishable by death. The Court is also confident that because duress cannot, as a matter of law, negate the elements of a first degree murder, it would not be possible for it to negate the requisite intent for one charged with aiding and abetting a first degree murder. See, e.g., *People v. Vieira*, 35 Cal.4th 264, 290 (2005) (citing *People v. Anderson*, 28 Cal.4th 767, 784 (2002)).

Accordingly, the State's Motion in Limine is GRANTED and Defendant is precluded from arguing duress as to Counts 3 and 5 of the Information, Murder With Use of a Deadly Weapon, during the guilt phase of the trial. The Court's review of persuasive case law from other jurisdictions also raises a concern regarding the availability of the defense of duress in the guilt phase of the trial as regards Count 1 of the Information, Conspiracy to Commit Murder (see, e.g., *People v. Vieira*, 35 Cal.4th at 290), and Counts 4 and 6 of the Information, Attempt Murder With Use of a Deadly Weapon (see, e.g., *State v. Mannering*, 150 Wash.2d 277, 282-283 (2003)), the State has not asked the Court to undertake this analysis at this time. The question of whether the defense of duress would be available to the Defendant as regards Count 2 of the Information, Burglary While in Possession of a Deadly Weapon, would be a question for the jury. See, e.g., *McMillan v. State*, 428 Md. 333, 355 (2012)).

In light of the foregoing, the Court declines to exercise its discretion to allow the jurors to view the crime scene, and Defendant's Motion for Jury View is DENIED. The Court further declines to consider the Defendant's Motion to Continue based on the unavailability of the Defendant's expert regarding the duress defense as the Court already determined at the time set for hearing, and hereby confirms, Defendant's Motion to Continue is GRANTED based on oral representations of both counsel for the Defendant and counsel for the State that the Court's determination on the State's Motion in Limine would be subject to a writ challenge either way, as well as the understanding that counsel for the Defendant would need additional time to prepare the defense to Counts 3 and 5 of the Information, in the event the Court's ruling was unfavorable.

COURT FURTHER ORDERS the TRIAL DATE vacated, matter set for status check on June 29, 2016 at 9:00 a.m. for purposes of re-setting trial. Counsel for Defendant to provide the Court with available trial dates no later than 12:00 noon on Monday, June 27, 2016.

Mr. DiGiacomo is directed to prepare the Order in accordance with the Court's findings.

CUSTODY

CLERK'S NOTE: A copy of this Minute Order has been electronically mailed to Deputy D.A.s Hetty

Wong and Marc DiGiacomo, Esqs.; and counsel for Defendant: Patricia Erickson & Bret Whipple,
Esqs. /db 6.22.2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 29, 2016**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 29, 2016 9:00 AM Status Check

HEARD BY: Becker, Nancy**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** JoAnn Melendez**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Ms. Erickson advised the Court that the District Attorney's Office has requested this trial be set in 2017; additionally, Ms. Erickson stated she does not have her co-counsel's schedule, and she also has a capital case set in November 2016.

COURT NOTED if this matter is not set in November 2016, the next available dates would be in June 2017. Ms. Erickson stated the defense has no objection to setting the trial in June 2017.

Ms. Wong advised that the parties are in agreement to set a Status Check for all counsels' presence with their schedules. COURT SO ORDERED.

CUSTODY

7/13/2016 9:00 am Status Check: Reset Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2016

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

July 13, 2016 9:00 AM Status Check

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT: Cabrera, Ivonne Defendant
 Erickson, Patricia M. Attorney
 State of Nevada Plaintiff
 Whipple, Bret O Attorney
 Wong, Hetty O. Attorney

JOURNAL ENTRIES

- Counsel advised the Court that the parties have agreed to a June 2017 trial date. COURT SO ORDERED.

CUSTODY

6/19/2017 9:30 am Calendar Call
6/26/2017 10:30 am Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2016

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

August 01, 2016 9:00 AM Motion in Limine

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

JOURNAL ENTRIES

- Ms. Erickson advised the Court that the State was unavailable today; therefore, the defense is not opposed to continuing this matter one week. COURT SO ORDERED.

CUSTODY

Continued to: 8/8/2016 9:00 am

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2016

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

August 08, 2016 9:00 AM Motion in Limine

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER: JoAnn Melendez

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Mr. DiGiacomo argued in support of the motion, stating that duress does not provide a defense, other courts have analyzed this issue; and all of these charges require intent to kill, which duress does not involve. Opposition by Ms. Erickson, arguing that this is a doctrine based on the common law; further, there is no intent element. Further argument by the State.

COURT ORDERED, motion GRANTED; as this Court does not find that duress is available to negate the intent; and the intent element is available. State to prepare the order, counsel to approve as to form and content.

CUSTODY

6/19/2017	9:30 am	Calendar Call
6/26/2017	10:30 am	Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

May 15, 2017 3:00 AM Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED: Matter placed on calendar on May 22, 2017 at 9:00 a.m. to discuss the parties trial readiness.

CUSTODY

05/22/17 9:00 A.M. STATUS CHECK: TRIAL READINESS

CLERK'S NOTE: A copy of this minute order was provided to: Deft's. counsel Brett Whipple, Esq. (admin@justice-law-center.com and bretwhipple@gmail.com), and Patricia Erickson, Esq. (pme@pmericksonlaw.com), Deputy District Attorney Hetty Wong, Esq. (hetty.wong@clarkcountyda.com), and Deputy District Attorney Marc DiGiacomo, Esq. (marc.digiacomo@clarkcountyda.com). / sb 05/15/17

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

**May 22, 2017 9:00 AM Status Check: Trial
Readiness**

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Kory Schlitz

RECORDED:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney

JOURNAL ENTRIES

- Mr. Whipple indicated parties were ready. Mr. Merback requested this matter be trailed for Ms. Wong's presence. MATTER TRAILED.

MATTER RECALLED. Ms. Erickson and Mr. Di Gacomo present, Mr. Merback not present. Mr. Di Gacomo stated parties are ready however they still need to resubmit to the Court the questionnaire with the proper dates for it to be provided to the Jury Commissioner. Colloquy regarding jury questionnaire and schedule of trial. Court directed parties to submit their changes by Friday May 26, 217. COURT ORDERED, trial date STANDS.

CUSTODY

6/19/17 9:30 A.M. CALENDAR CALL

6/26/17 10:30 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 19, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 19, 2017 9:30 AM Calendar Call

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, counsel jointly announced ready to proceed to trial. Colloquy regarding Voir Dire starting 06/26/17, and the commencement of witness testimony and the presentation of exhibits is expected to begin 07/05/17 after the holiday weekend. Colloquy regarding the 06/21/17 hearing regarding Juror Excusals and counsel providing their lists to the Court. COURT ADVISED, Trial date CONFIRMED.

CUSTODY

06.26.17 9:00 A.M. JURY TRIAL (FIRM)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 21, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

June 21, 2017

11:00 AM

Further Proceedings

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Renee Silvaggio

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Following arguments and colloquy by counsel, COURT ORDERED, the following potential Jurors EXCUSED:

Badge number 21-0286, 21-0561, 21-0661, 21-0680, 21-0752, 21-1762, 11-0004, 11-0020, 11-052, 11-0184, 11-0231, 21-0897, 11-0015, 11-0047, 11-0101 and 11-0131.

The following potential Jurors were NOT EXCUSED:

Badge number 21-0382, 21-0716, 21-0763, 21-1494, 21-1598, 11-0024, 21-0571, 21-0587, 11-0006, 11-0011, and 11-0203.

COURT ADVISED, it will qualify 4 alternate jurors, Voir Dire will be completed in groups of 20 prospective jurors until enough jurors are qualified. Ms. Erickson stated she contact the State on 06/05/17 regarding impeachment documents; if the State intends to use documents for impeachment they will need to be redacted prior to the trial. Ms. Wong stated she will inform Mr. Digiacomo. Ms. Erickson further stated she only received audio of Defts. interview with North Las Vegas Police, she was informed there is no video. Additionally, portions of Deft's. interview with Dr. Bradley will need to be redacted if Deft. takes the stand. COURT STATED a formal list of the stipulated and excused potential Jurors will be circulated to counsel for review; excusals are still being received by

the Court and will be forwarded as received. COURT FURTHER ORDERED, Trial date CONFIRMED.

CUSTODY

06/26/17 9:00 A.M. JURY TRIAL

CLERK'S NOTE: Subsequent to Court, COURT CLARIFIED, the discussions regarding potential Juror Badge number 21-0705 were in error as this potential Juror was previously excused in advance of the trial pursuant to the stipulation of the parties. Counsel were informed of this information by the Court's Judicial Executive Assistant. /sb 06/23/17

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 26, 2017 9:00 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Renee Silvaggio not present. COURT ADVISED, it will ORDER a Show Cause Hearing for the Prospective Juror's that failed to report for service today; Court will qualify 36 prospective juror's, counsel will receive 10 peremptory challenges each, 16 juror's will be seated, there will be 4 alternates.

PROSPECTIVE JURY PANEL PRESENT:

Prospective jury panel SWORN IN. Roll call, introductions by counsel. Voir Dire begins. Sharon Howard no longer present, Renee Silvaggio now present. Voir Dire CONTINUES. CONFERENCES AT BENCH. COURT ORDERED, Trial CONTINUED, and DIRECTED the qualified Prospective Jurors to RETURN to Jury Services on 06/28/17.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Court made A separate inquiry of Prospective Juror # 329, Mr. Norris. COURT DIRECTED Mr. Norris is to report to Jury Services on 06/28/17. COURT MADE A RECORD regarding excusal's of Prospective Jurors. COURT FURTHER ADVISED, Prospective Juror's badge number's 630, Garcia and 332, Ching are EXCUSED from service as they contacted Jury Services and relayed valid reasons for their non-appearance today.

CUSTODY

CONTINUED TO: 06/27/17 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

June 27, 2017 9:00 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- PROSPECTIVE JURY PANEL PRESENT:

Renee Silvaggio not present. First Prospective Jury panel SWORN IN. Roll call, introductions by Court and counsel. Voir Dire begins. Sharon Howard no longer present, Renee Silvaggio now present. CONFERENCES AT BENCH. Voir Dire CONTINUES. COURT DIRECTED the qualified Prospective Jurors to RETURN to Jury Services on 06/28/17.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

COURT ADVISED, with the joint STIPULATION of counsel, Prospective Juror badge number 675, Parcel, EXCUSED and REPLACED with Prospective Juror 871, Navarro; Order's to Show Cause ISSUED with regard to Prospective Juror's 869, 541 and 881 who failed to report for service.

PROSPECTIVE JURY PANEL PRESENT:

PRINT DATE: 10/24/2017

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Minutes Date: September 04, 2012

Second Prospective Jury Panel SWORN IN. Introductions by Court and counsel. CONFERENCE AT BENCH. Roll call. Voir Dire begins. COURT ORDERED, Trial CONTINUES.

CUSTODY

CONTINUED TO: 06/28/17 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 28, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

June 28, 2017

3:00 AM

Minute Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Minute Order Striking Filing

It being brought to the Court's attention that the Order to Show Cause Re: Contempt B. Kircher, which was filed on June 27, 2017, was inadvertently set on the Court's regular criminal docket on Monday, July 24, 2017 at 9:00 a.m., rather than being offset at 11:00 a.m., COURT ORDERS the Order to Show Cause Re: Contempt B. Kircher shall be STRICKEN, and a revised order shall be filed.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 28, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

June 28, 2017 9:00 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- PROSPECTIVE JURY PANEL PRESENT:

Voir Dire CONTINUES. CONFERENCES AT BENCH. COURT EXCUSED the unqualified Prospective Juror's. All qualified Prospective Jurors from all panels now present. Peremptory Challenges EXECUTED. Jury SELECTED. COURT thanked and excused the remaining Prospective Jurors, and ORDERED, Trial CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding counsel providing their exhibits in a timely manner.

CUSTODY

CONTINUED TO: 07/05/17 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 05, 2017**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 05, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:**

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Amended Information and Amended Jury List FILED IN OPEN COURT.

OUTSIDE THE PRESENCE OF THE JURY:

Sharon Howard not present. Ms. Erickson stated her objections to the State filing of an Amended Information. Argument by counsel. COURT ADVISED, it will allow the Amended Information to be FILED, and STATED ITS FINDINGS. Mr. Whipple stated he inadvertently had contact with Juror Nelson Araujo while in Federal Court earlier in the morning by saying "good morning" to him; Mr. Araujo disclosed during Voir Dire his employment is at the Federal Courthouse. The State made no objection. COURT NOTED, the Court's Marshal was informed of the contact by Mr. Araujo, it appears Juror Araujo is aware of his duties; no further inquiry is required. COURT MADE A RECORD of the excusals of Prospective Jurors from panels two and three, the Order to Show Cause's issued for the Prospective Jurors who did not appear, and the Bench Conference regarding Its inquiry

of counsel regarding a potential Batson Challenge after the Peremptory Challenges. COURT FURTHER ADVISED, Its Marshal was provided an Affidavit by Juror 4, Jake Brechlin; Mr. Brechlin is stating he would suffer financial hardship if he remains on the jury. COURT CANVASSED Mr. Brechlin. COURT ORDERED, Mr. Brechlin EXCUSED from the Jury Panel; the remaining Juror's will be reseated; seat number 16 will be VACANT.

JURY PRESENT:

Jury Panel SWORN IN. Information read. Opening statements by Mr. Digiacomo and Mr. Whipple. CONFERENCE AT BENCH. Sharon Howard now present, Renee Silvaggio no longer present. Witness TESTIMONY, exhibits ADMITTED (see worksheets). COURT ORDERED, trial CONTINUES.

CUSTODY

CONTINUED TO: 07/06/17 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 06, 2017**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 06, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:****REPORTER:** Sharon Howard**PARTIES**

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES**- JURY PRESENT:**

Sharon Howard not present. Witness TESTIMONY, exhibits ADMITTED (see worksheets).

CONFERENCES AT BENCH. Sharon Howard now present, Renee Silvaggio no longer present.

Testimony CONTINUES. COURT provided Tavares Instruction to Jury, and ORDERED, Trial CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

COURT MADE A RECORD of the CONFERENCES AT BENCH. Argument regarding Deft's.

proposed exhibit (T) offered during testimony. Ms. Erickson requested the Court order the State to provide copies of their exhibits to defense; she has made several requests directly to the State with no response. Mr. Digiacomo argued Ms. Erickson has had the exhibits in her possession for the last five years. COURT DECLINED Ms. Erickson's request, STATED ITS FINDINGS, and NOTED the parties did not STIPULATE to any exhibits. Ms. Erickson made an Oral Motion for Mistrial, arguing the

timing of the reading of the Tavares Instruction to the Jury. Mr. Digiacomo stated the Jury received the Instruction, the timing of the instruction is harmless. COURT DENIED Ms. Erickson's Oral Motion for Mistrial, and STATED FURTHER FINDINGS. Colloquy regarding future readings of the Tavares Instruction to the Jury, and scheduling.

CUSTODY

CONTINUED TO: 07/07/17 9:30 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 07, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 07, 2017 9:30 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Sharon Howard not present. Ms. Erickson made additional argument regarding the Court's reading of the Tavares Instruction to the Jury after the testimony of Witness Ashley Wantland. COURT ADVISED It thought it appropriate to give the instruction when the witnesses' testimony was completed; It did not want to give the instruction multiple times during testimony. Colloquy regarding scheduling and witnesses to appear.

JURY PRESENT:

Witness TESTIMONY, exhibits ADMITTED (see worksheets). CONFERENCES AT BENCH. Sharon Howard now present, Renee Silvaggio no longer present. Testimony CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

PRINT DATE: 10/24/2017

Page 88 of 111

Minutes Date: September 04, 2012

COURT made a RECORD regarding the CONFERENCES AT BENCH. Colloquy and argument regarding exhibits, when evidence was provided and received, and scheduling. COURT NOTED, defense counsel had DNA evidence however, they were not aware they were in possession of it.

JURY PRESENT:

Witness TESTIMONY, exhibits ADMITTED (see worksheets). COURT ORDERED, Trial CONTINUES.

CUSTODY

CONTINUED TO: 07/10/17 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 10, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

July 10, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Renee Silvaggio not present. Colloquy regarding scheduling, settling Jury Instructions; argument regarding redacting Deft's. statement to Detective Prieto and the versions each party wishes to submit for use if Deft's. testifies.

JURY PRESENT:

Witness TESTIMONY, exhibits ADMITTED (see worksheets). Sharon Howard no longer present, Renee Silvaggio now present. Testimony CONTINUES. State RESTS. COURT ORDERED, Trial CONTINUES.

CUSTODY

CONTINUED TO: 07/11/17 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 11, 2017**

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 11, 2017 1:00 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:**

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Renee Silvaggio not present. Co-Deft. Jose Gonzales present. Deputy Public Defender Alzora Jackson, Esq. present, Pro Bono, on behalf of Co-Deft. Jose Gonzales. Colloquy regarding the testimony of Co-Deft. Jose Gonzales. Upon Court's inquiry, Co-Deft. Gonzales REFUSED to be SWORN IN or answer any of the Court's questions regarding his potential testimony. COURT ORDERED, Co-Deft. Gonzales RETURNED to the Nevada Department of Corrections. Deft. Gonzales and Ms. Jackson no longer present.

Colloquy and argument regarding counsel's opposing submissions for redaction of Deft's statement to the police and adaptable admission. COURT ADVISED, it will review the competing copies of Deft. statement provided by counsel and will provide a version It deems acceptable to be used during examination of Deft. if she testifies. COURT ADVISED Deft. of their 5th Amendment Right not to

testify. Upon Court's inquiry, Deft. WAIVED her 5th Amendment Right, she would like to testify on her own behalf.

JURY PRESENT:

Testimony PRESENTED, exhibits ADMITTED (see worksheets). Sharon Howard no longer present, Renee Silvaggio now present. Testimony CONTINUES. CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:

COURT PROVIDED counsel with what It determines to be an appropriately redacted copy of Deft's statement to police, and STATED ITS FINDINGS.

JURY PRESENT:

Testimony PRESENTED, exhibits ADMITTED (see worksheets). COURT ORDERED, Trial CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

COURT made a RECORD of the CONFERENCES AT THE BENCH. Colloquy regarding Deft's. proposed exhibits and settling Jury Instructions.

CUSTODY

CONTINUED TO: 07/12/17 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 12, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 12, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Renee Silvaggio not present. Colloquy regarding defense exhibits to be presented and use of a BB gun during Deft's testimony for demonstrative purposes. COURT ADMONISHED counsel for failing to comply with Its ruling regarding the redacted version of Deft's. statement to be used during her testimony. Colloquy regarding the redacted statement, differences between the transcript and audio recording, and settling Jury Instructions.

JURY PRESENT:

Testimony PRESENTED, exhibits ADMITTED (see worksheets). CONFERENCES AT BENCH. Sharon Howard no longer present, Renee Silvaggio now present. Testimony CONTINUES. COURT ORDERED, trial CONTINUES.

C-12-283700-1

CUSTODY

CONTINUED TO: 07/13/17 10:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 13, 2017 10:00 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- JURY PRESENT:

Testimony CONTINUES, exhibits ADMITTED (see worksheets). CONFERENCES AT BENCH.
COURT ORDERED, Trial CONTINUES

OUTSIDE THE PRESENCE OF THE JURY:

COURT MADE A RECORD of the CONFERENCES AT BENCH. Argument regarding exhibits
Defense proposes to admit. COURT FURTHER ORDERED, Defense's request to admit Proposed
Exhibit (MM1) DENIED at this time. Jury Instructions argued.

CUSTODY

CONTINUED TO: 07/17/17 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 17, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 17, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Colloquy and argument regarding Jury Instructions. Jury Instructions SETTLED. Colloquy regarding scheduling and the Verdict Form.

JURY PRESENT:

Defense RESTS. JURY INSTRUCTED. Closing argument by Ms. Wong. Defense closing argument by Ms. Erickson and Mr. Whipple. State's rebuttal by Mr. Digiacomo. At the hour of 4:59 the Jury retired to begin deliberations. COURT ORDERED, Trial CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding the Burglary instruction. COURT ADVISED It will consider the issue momentarily. Colloquy regarding the penalty phase.

CUSTODY

CONTINUED TO: 07/18/17 12:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 18, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 18, 2017 12:30 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER:

Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- JURY PRESENT:
Jury deliberations CONTINUE.

OUTSIDE THE PRESENCE OF THE JURY:

Spanish Interpreter Ricardo Pico present. Jury Foreperson requested translation of text messages ADMITTED into evidence from Spanish to English;. With the assistance of the Spanish Interpreter, Mr. Pico, Court provided written translation of the texts in question. Jury question and the Court's answer ADMITTED as Court's exhibits (see worksheets). Mr. Pico no longer present.

JURY PRESENT:

At the hour of 4:52 p.m. the Jury returned with a Verdict as follows:

COUNT 1 - Conspiracy To Commit Murder, GUILTY

COUNT 2 - Burglary While In Possession Of A Deadly Weapon, GUILTY

COUNT 3 - Murder with Use of a Deadly Weapon (James Headrick), First Degree Murder With Use of a Deadly Weapon

Special Verdict

The Jury unanimously finds the murder willful, deliberate and premeditated

The Jury unanimously finds the murder was committed during the perpetration of a burglary

COUNT 4 - Attempt Murder with Use of a Deadly Weapon (Ashley Wantland), GUILTY

Count 5 - Murder With Use Of A Deadly Weapon (Erik Quezada-Morales), First Degree Murder With Use Of A Deadly Weapon

Special Verdict

The Jury unanimously finds the murder willful, deliberate and premeditated

The Jury unanimously finds the murder was committed during the perpetration of a burglary

COUNT 6 - Attempt Murder With Use Of A Deadly Weapon (Melissa Marin), GUILTY

CONFERENCE AT BENCH. COURT ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding scheduling, witnesses and the penalty phase Jury Instructions.

CUSTODY

CONTINUED TO: 07/19/18 1:30 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 19, 2017 1:30 PM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:**

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Sharon Howard not present. Ms. Erickson renewed her objection to Strike Aggravating Circumstances, noting she previously filed an objection in 2016 which was over ruled by the Court, and arguing a constitutional violation of Deft's rights. COURT NOTED, Ms. Erickson's objection will be DEFERRED until the settling of Penalty Phase Jury Instructions. Colloquy regarding scheduling, witnesses, and exhibits to be presented. Mr. Digiacomo requested an unredacted version of the defense's expert examination of Deft; a redacted version was filed with the Expert Notice. Upon Court's inquiry, Ms. Erickson stated she did not expect to call the expert witness. COURT ORDERED if the expert witness testifies defense counsel is to provide the State with an unredacted version of the expert's examination report at lease TWO (2) HOURS prior to the witness being called. Ms. Erickson orally objected to use of the State's proposed photo exhibits during the penalty phase as overly prejudicial. COURT ADVISED, over the oral objection of Ms. Erickson, It will allow the State's

proposed photo's to be used during witness testimony.

JURY PRESENT:

Penalty Phase opening statements by Mr. Digiacomo and Ms. Erickson. Witness TESTIMONY, exhibits ADMITTED (see worksheets). Spanish Interpreter Maria Gomez present on behalf of witnesses Guadalupe Gutierrez and Claudia Bernal. Spanish Interpreter Maria Gomez no longer present. Testimony CONTINUES. COURT FURTHER ORDERED, Trial CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY:

Renee Silvaggio no longer present, Sharon Howard now present. Colloquy and argument regarding Penalty Phase Jury Instructions, redaction of State's exhibits 173 and 174, and the Special Verdict form. Jury Instructions SETTLED. COURT DIRECTED Mr. Digiacomo to prepare a redacted versions of State's exhibits 173 and 714; exhibits provisionally ADMITTED pending the appropriate redactions (see worksheets).

CUSTODY

CONTINUED TO: 07/20/17 10:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 20, 2017

C-12-283700-1 State of Nevada
vs
Ivonne Cabrera

July 20, 2017 10:00 AM Jury Trial - FIRM

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard
Renee Silvaggio

PARTIES

PRESENT:	Cabrera, Ivonne	Defendant
	Di Giacomo, Marc P.	Attorney
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Whipple, Bret O	Attorney
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Reporter Renee Silvaggio present, Sharon Howard not present. Colloquy regarding additional mitigating circumstances. Colloquy regarding redacted versions of State's exhibits 173 and 174, Court's exhibits 20 and 21, and Deft's. proposed exhibits KKK, LLL, MMM and NNN; Ms. Erickson requested Deft's. proposed exhibit 3 be WITHDRAWN. COURT SO ORDERED. Colloquy regarding scheduling.

JURY PRESENT:

State RESTS. Spanish Interpreter Alex Andrade present on behalf of Deft's. witnesses Raul Cabrera and Ana Martinez. Testimony PRESENTED and exhibits ADMITTED (see worksheets).
CONFERENCES AT BENCH. Ms. Andrade no longer present.

OUTSIDE THE PRESENCE OF THE JURY:

Reporter Sharon Howard present, Renee Silvaggio no longer present. Ms. Erickson objected to the State using the word "justice" during closing argument; this is the penalty phase, the convictions are justice. Mr. Digiacomo argued this is Deft's. judgment day, there is no basis to object and say this is about anything else. NOTING the objections of Ms. Erickson, COURT ADVISED, it will not preclude the State from saying the word "justice" during closing arguments and STATED ITS FINDINGS. Upon Court's inquiry, Deft. stated she understands her rights and obligations when providing her allocution. CONFERENCE AT BENCH.

JURY PRESENT:

Spanish Interpreter Noel Tatten present on behalf of Deft's. Witness Maria Cabrera. Ms. Tatten no longer present. Statement by Deft. CONFERENCE AT BENCH. Defense RESTS. Jury INSTRUCTED. Closing arguments by Ms. Wong, Mr. Whipple and Ms. Erickson. State's final rebuttal by Mr. Digiacomo. At the hour of 3:25 p.m. the Jury retired to begin deliberations.

At the hour of 6:29 p.m. the Jury returned with a Special Verdict in accordance with the written Special Verdict which was FILED IN OPEN COURT, JURY FOUND as follows:

COUNT 3 - MURDER WITH USE OF A DEADLY WEAPON (JAMES HEADRICK)
AGGRAVATING CIRCUMSTANCE OR CIRCUMSTANCES OUTWEIGH ANY MITIGATING
CIRCUMSTANCES OR CIRCUMSTANCES
LIFE WITHOUT THE POSSIBILITY OF PAROLE

COUNT 5 - MURDER WITH USE OF A DEADLY WEAPON (ERIK QUEZADA-MORALES)
AGGRAVATING CIRCUMSTANCE OR CIRCUMSTANCES OUTWEIGH ANY MITIGATING
CIRCUMSTANCES OR CIRCUMSTANCES
LIFE WITHOUT THE POSSIBILITY OF PAROLE

Court thanked and EXCUSED the Jury.

OUTSIDE THE PRESENCE OF THE JURY:

COURT ORDERED, Deft. REMANDED into CUSTODY, a Sentencing date SET.

CUSTODY

09/11/17 9:00 A.M. SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

July 24, 2017

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

JOURNAL ENTRIES

- Deft. and their counsel not present, State counsel not present. COURT ADVISED, each party present failed to appear as directed for Jury Service, therefore a Show Cause Hearing was set.

TINA PROCTER, present with counsel, Anthony Abbatangelo, Esq.

Upon Court's inquiry as to why sanctions should not issue, Mr. Abbatangelo stated Deft. is a nurse who works 5 days a week, her shift is 12 hours. Ms. Proctor stated due to the hours she works and the timeframe of when she filled out the Jury Questionnaire she simply forgot to return to Court. COURT ADVISED, no sanctions to issue, and DISMISSED Ms. Proctor.

BRAD KIRCHER, present.

Upon Court's inquiry as to why he failed to appear as required, Mr. Kircher stated he had been traveling the weekend prior to the trial; he forgot jury duty was coming up. Colloquy regarding Mr. Kircher's employment as a summer school teacher during the time of the trial. COURT ORDERED, Mr. Kircher will be REFERRED to Jury Services for future service; no sanctions to issue.

JEFF DUTCHER, present.

COURT NOTED, Mr. Dutcher indicated he had travel plans; supporting documentation was not received. Mr. Dutcher stated he faxed proof of his travel plans. Upon Court's inquiry, Mr. Dutcher

stated he did not have confirmation that fax was sent or received, adding, he was told that the case was dismissed. COURT REVIEWED Mr. Dutcher's proof of travel plans, FURTHER NOTED, juror stated he was provided misinformation, and DISMISSED Mr. Dutcher without sanction.

JOHN MARTINEZ, present.

COURT NOTED, Deft. is not dressed in a manner that is typical or preferred when appearing before a Court; Juror was present for service on 06/26/17 and told to return 06/27/17 but did not. Mr. Martinez stated he had a very important appointment for a job interview on 06/27/17; he faxed proof of such but does not have proof with him. COURT ORDERED, Mr. Martinez REFERRED to Jury Services for future service, no sanctions to issue.

COLLEEN ODLE, present.

COURT NOTED, juror entered on her questionnaire she had concerns regarding an animal she had to care of however, she was not excused from service. Ms. Odle stated she simply forgot to report for service and did not remember until she received the letter regarding the Show Cause Hearing; noting she recently had two family members pass away. Ms. Odle further stated the Sheriff did not ask for her when she was served; her security camera recording shows the officer asked for Ms. Ivonne Cabrera. COURT NOTED the recent losses by Ms. Odle and confusion when she was served, and DISMISSED her; no sanctions to issue.

JAMES INGRAM, present.

COURT NOTED, Deft. expressed concerns in his questionnaire due to his prior criminal history. Mr. Ingram stated he thought he was disqualified from service as he had a Felony conviction. Colloquy regarding Mr. Ingram's rights being restored, and the need to a qualified, diverse, intelligent selection of people in the jury pool to choose from. COURT DIRECTED Mr. Ingram to find out if his rights have been restored and if he would qualify for jury service, and DISMISSED him; no sanctions to issue.

MARK SCARBOROUGH, present.

Mr. Scarborough stated he was diagnosed as possibly having cancer; he was overwhelmed due to all the medical procedures he had to undergo. Mr. Scarborough further stated on the day he called Jury Services he was told to report on June 30th. COURT ADMONISHED Mr. Scarborough in the future if called for service he is to provide proof of any medical issues or appointments, he must follow the instructions provided and call on the date he is instructed to call, and in the event of an emergency he is to speak with a live person from Jury Services. COURT DISMISSED Mr. Scarborough, no sanctions to issue.

LAURA SCHNEIDERMAN, present.

COURT NOTED Ms. Schneiderman indicated on her Jury Questionnaire she would have hardship due to her employment. Colloquy regarding Ms. Schneiderman's employment and staffing issues that would have occurred had she appeared for service. Ms. Schneiderman stated she has issues when calling the automated system for Jury Services and the information provided did not appear to be accurate. COURT ADMONISHED Ms. Schneiderman to make all the efforts necessary in the

future to appear or speak with a live person from Jury Services, and DISMISSED her; no sanctions to issue.

CINDY DUCHESNEAU, present.

Ms. Duchesneau had indicated that she was informed by Jury Services that she would be contacted directly if she needed to appear, acknowledging she called Jury Services after her reporting date. Further stating she too encountered communications and thought that she would be contacted directly if she need to appear. COURT ACCEPTED Ms. Duchenseau's representations, ADMONISHED her to follow the exact jury instructions in the future, and DISMISSED her; no sanctions to issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

July 31, 2017 11:00 AM Show Cause Hearing

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15A

COURT CLERK: April Watkins

RECORDER:

REPORTER: Brenda Schroeder

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Prospective Juror Bom Yi present.

COURT NOTED, there may have been some language issues for Prospective Juror Yi. Upon Court's inquiry, Mr. Yi stated he did not pay adequate attention when instructions were provided for his return date. COURT ADMONISHED Mr. Yi regarding the importance of jury service and DISMISSED him, NOTING, no sanctions to issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 11, 2017

C-12-283700-1 State of Nevada
 vs
 Ivonne Cabrera

September 11, 2017 9:00 AM Sentencing

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:	Cabrera, Yvonne	Defendant
	Erickson, Patricia M.	Attorney
	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

JOURNAL ENTRIES

- Argument by counsel. By virtue of Jury verdict, DEFT CABRERA ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F), COUNTS 3 and 5 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON, COUNTS 4 and 6 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, and Restitution of \$50,118.25 (\$48,418.25 payable to Victim's of Crime and \$1,700.00 payable to Eduardo Gutierrez for funeral expenses for Erik Quezada Morales), to be paid Joint and Severally with Co-Deft. Jose Gonzales, Deft. SENTENCED as follows, STATING ITS FINDINGS regarding the Deadly Weapon Enhancements:

COUNT 1 - a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC)

COUNT 2 - a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the NDC, COUNT 2 to run CONCURRENT WITH COUNT 1

COUNT 3 - LIFE WITHOUT THE POSSIBILITY OF PAROLE, COUNT 3 to run CONCURRENT WITH COUNT 2, PLUS a CONSECUTIVE TERM of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS for the Deadly Weapon Enhancement.

COUNT 4 - a MINIMUM of EIGHTY-FOUR (84) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the NDC, COUNT 4 to run CONCURRENT WITH COUNT 3, PLUS a CONSECUTIVE TERM of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS for the Deadly Weapon Enhancement.

COUNT 5 - LIFE WITHOUT THE POSSIBILITY OF PAROLE, COUNT 5 to run CONCURRENT WITH COUNT 4, PLUS a CONSECUTIVE TERM of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS for the Deadly Weapon Enhancement.

COUNT 6 - a MINIMUM of EIGHTY-FOUR (84) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the NDC, COUNT 6 to run CONCURRENT WITH COUNT 5, PLUS a CONSECUTIVE TERM of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS for the Deadly Weapon Enhancement.

COURT NOTED, the AGGREGATE sentence is LIFE WITHOUT THE POSSIBILITY OF PAROLE, and FURTHER ORDERED, the \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection Fee, WAIVED. Ms. Erickson stated Deft. would like her to handle her appeal. COURT STATED, the Office of Appointed Counsel will address that issue. BOND, if any, EXONERATED.

NDC

STATE'S EXHIBITS (PETROCELLI HEARING)

CASE NO. C302833-1

[illegible]

DEFENDANT'S EXHIBITS (PETROCELLI HEARING)

CASE NO. C302833-1

[illegible]

EXHIBIT(S) LIST

Case No.: **C283700-1**

Trial Date:

June 26, 2017

Dept. No.: **DC 25**

Judge: **Kathleen Delaney**

Court Clerk: **Shelley Boyle**

Plaintiff: **STATE OF NEVADA**

Reporter:

Counsel for Plaintiff: **DDA Marc DiGiacomo &**

Hetty Wong

Defendant: **IVONNE CABRERA**

Counsel for Defendant: **Bret Whipple &**

Patty Erickson

vs.

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Crime Scene Diagram	7/6/17	no	7/6/17
2	Crime Scene Diagram			
3	Crime Scene Diagram			
4	Crime Scene Diagram			
5	Crime Scene Diagram			
6	Crime Scene Diagram			
7	Crime Scene Diagram			
8	Crime Scene Photo – Outside 2039 Webster			
9	Crime Scene Photo – Outside 2039 Webster			
10	Crime Scene Photo – Outside 2039 Webster			
11	Crime Scene Photo – Outside 2039 Webster			
12	Crime Scene Photo – Outside 2039 Webster			
13	Crime Scene Photo – Outside 2039 Webster			
14	Crime Scene Photo – Outside 2039 Webster			
15	Crime Scene Photo – Outside 2039 Webster			

EXHIBIT(S) LIST

16	Crime Scene Photo – Outside 2039 Webster	7/6/17	no	7/6/17
17	Crime Scene Photo – Outside 2039 Webster	1	1	1

EXHIBIT(S) LIST

C283700-1

STATE OF NEVADA

VS.

IVONNE CABRERA

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
18	Crime Scene Photo – Outside 2039 Webster	7/6/17	no	7/6/17
19	Crime Scene Photo – Outside 2039 Webster			
20	Crime Scene Photo – Outside 2039 Webster			
21	Crime Scene Photo – Outside 2039 Webster			
22	Crime Scene Photo – Outside 2039 Webster			
23	Crime Scene Photo – Outside 2039 Webster			
24	Crime Scene Photo – Outside 2039 Webster			
25	Crime Scene Photo – Inside Common Area 2039 Web. #C			
26	Crime Scene Photo – Inside Common Area 2039 Web. #C			
27	Crime Scene Photo – Inside Common Area 2039 Web. #C			
28	Crime Scene Photo – Inside Common Area 2039 Web. #C			
29	Crime Scene Photo – Inside Common Area 2039 Web. #C			
30	Crime Scene Photo – Inside Common Area 2039 Web. #C			
31	Crime Scene Photo – Inside Common Area 2039 Web. #C			
32	Crime Scene Photo – Inside Common Area 2039 Web. #C			
33	Crime Scene Photo – Inside Common Area 2039 Web. #C			
34	Crime Scene Photo – Inside Common Area 2039 Web. #C			
35	Crime Scene Photo – Inside Common Area 2039 Web. #C			
36	Crime Scene Photo – Inside Common Area 2039 Web. #C			
37	Crime Scene Photo – Inside Common Area 2039 Web. #C			
38	Crime Scene Photo – Inside Common Area 2039 Web. #C			
39	Crime Scene Photo – Inside Common Area 2039 Web. #C			
40	Crime Scene Photo – Inside Common Area 2039 Web. #C			
41	Crime Scene Photo – Inside Common Area 2039 Web. #C			
42	Crime Scene Photo – Inside Common Area 2039 Web. #C			
43	Crime Scene Photo – Inside Common Area 2039 Web. #C			

EXHIBIT(S) LIST

44	Crime Scene Photo – Inside Common Area 2039 Web. #C	7/6/17	no	7/6/17
45	Crime Scene Photo – Inside Common Area 2039 Web. #C			
46	Crime Scene Photo – Inside Common Area 2039 Web. #C			
47	Crime Scene Photo – Inside Common Area 2039 Web. #C			
48	Crime Scene Photo – Inside Common Area 2039 Web. #C			
49	Crime Scene Photo – Inside Common Area 2039 Web. #C			
50	Crime Scene Photo – NE Bedroom	7/5/17	no	7/5/17
51	Crime Scene Photo – NE Bedroom	7/6/17	no	7/6/17
52	Crime Scene Photo – NE Bedroom	7/5/17	no	7/5/17
53	Crime Scene Photo – NE Bedroom			
54	Crime Scene Photo – NE Bedroom			
55	Crime Scene Photo – NE Bedroom			
56	Crime Scene Photo – NE Bedroom	7/6/17	no	7/6/17
57	Crime Scene Photo – NE Bedroom			
58	Crime Scene Photo – NE Bedroom			
59	Crime Scene Photo – NE Bedroom			
60	Crime Scene Photo – NE Bedroom			
61	Crime Scene Photo – NE Bedroom			
62	Crime Scene Photo – NE Bedroom			
63	Crime Scene Photo – NE Bedroom	7/5/17	no	7/5/17
64	Crime Scene Photo – NE Bedroom	7/6/17	no	7/6/17
65	Crime Scene Photo – NE Bedroom	7/5/17	no	7/5/17
66	Crime Scene Photo – NE Bedroom			
67	Crime Scene Photo – NE Bedroom	7/6/17	no	7/6/17
68	Crime Scene Photo – SE Bedroom			
69	Crime Scene Photo – SE Bedroom			
70	Crime Scene Photo – SE Bedroom			
71	Crime Scene Photo – SE Bedroom			
72	Crime Scene Photo – SE Bedroom			
73	Crime Scene Photo – SE Bedroom			
74	Crime Scene Photo – SE Bedroom			

EXHIBIT(S) LIST

75	Crime Scene Photo – SE Bedroom	7/6/17	no	7/6/17
76	Crime Scene Photo – SE Bedroom			
77	Crime Scene Photo – SE Bedroom			
78	Crime Scene Photo – SE Bedroom			
79	Crime Scene Photo – SE Bedroom			
80	Crime Scene Photo – SE Bedroom			
81	Crime Scene Photo – SE Bedroom			
82	Crime Scene Photo – SE Bedroom			
83	Crime Scene Photo – SE Bedroom			
84	Crime Scene Photo – SE Bedroom			
85	Crime Scene Photo – SE Bedroom			
86	Crime Scene Photo – SE Bedroom			
87	Crime Scene Photo – SE Bedroom			
88	Crime Scene Photo – SE Bedroom			
89	Crime Scene Photo – SE Bedroom			
90	Crime Scene Photo – SE Bedroom			
91	Crime Scene Photo – Ashley @ Scene	7/5/17	no	7/5/17
92	Crime Scene Photo – Ashley @ Hospital	7/6/17	no	7/6/17
93	Crime Scene Photo – Ashley @ Hospital			
94	Crime Scene Photo – Ashley @ Hospital			
95	Crime Scene Photo – Ashley @ Hospital			
96	Crime Scene Photo – Ashley @ Hospital			
97	Crime Scene Photo – Ashley @ Hospital			
98	Crime Scene Photo – Ashley @ Hospital			
99	Crime Scene Photo – Ashley @ Hospital			
100	Crime Scene Photo – Ashley Bullet container			
101	Crime Scene Photo – Ashley Bullet			
102	Crime Scene Photo – Melissa @ Scene	7/5/17	no	7/5/17
103	Crime Scene Photo – Melissa @ Hospital	7/6/17	no	7/6/17
104	Crime Scene Photo – Melissa @ Hospital			
105	Crime Scene Photo – Melissa @ Hospital			

EXHIBIT(S) LIST

106	Crime Scene Photo – Grey Taurus	7/6/17	no	7/6/17
107	Crime Scene Photo – Grey Taurus			
108	Crime Scene Photo – Grey Taurus			
109	Crime Scene Photo – Grey Taurus			
110	Crime Scene Photo – Grey Taurus			
111	Crime Scene Photo – Blue Hyundai	7/6/17	no	7/6/17
112	Crime Scene Photo – Blue Hyundai			
113	Crime Scene Photo – Blue Hyundai			
114	Crime Scene Photo – Blue Hyundai			
115	Photo James's ID			
116	Photo Ashley's ID			
117	Photo Debit Card			
118	Photo Erik's ID			
119	Photo Melissa's ID			
120	CCME Photo - Erik	7-10-17	no	7-10-17
121	CCME Photo - Erik			
122	CCME Photo - Erik			
123	CCME Photo - Erik			
124	CCME Photo - Erik			
125	CCME Photo - Erik			
126	CCME Photo – Erik Bullets			
127	CCME Photo - James	7-10-17	no	7-10-17
128	CCME Photo - James			
129	CCME Photo - James			
130	CCME Photo - James			
131	CCME Photo - James			
132	CCME Photo - James			
133	CCME Photo - James			
134	CCME Photo - James			
135	CCME Photo - James			
136	CCME Photo - James			

EXHIBIT(S) LIST

137	CCME Photo - James	7-10-17	no	7-10-17
138	CCME Photo - James Bullets	1	1	1
139	Photo of Cabrera Stuff	7/6/17	no	7/6/17
140	Photo of Cabrera Stuff	1	1	1
141	Photo of Cabrera Stuff	1	1	1
142	Photo of Cabrera Stuff	1	1	1
143	Photo of Cabrera Stuff	1	1	1
144	Aerial Webster	7-5-17	no	7-5-17
145	Aerial Webster & Bassler	7-7-17	no	7-7-17
146	Photo of Cabrera signed by Ashley	7-6-17	no	7-6-17
147	Photo of Gonzales signed by Ashley	1	1	1
148	Photo of Cabrera signed by Melissa	7-7-17	no	7-7-17
149	Photo of Gonzales signed by Melissa	1	1	1
150	Photo of Loka	7/6/17	no	7/6/17
151	Photo of Miguel Villegas	1	1	1
152	Photo of Cabrera	1	1	1
153	CFL texts between Cabrera/Erik/Melissa	7-7-17	no	7-7-17
154	CFL Texts between Cabrera & Loka	7-10-17	no	7-10-17
155 155A	DVD of CFL of LG & Samsung Phones DVD Sleeve	NOT OFFERED —		
156	Photo of Erik at Scene	7/5/17	no	7/5/17
157	Envelope - ^{Latent left card #11 and} Jose Gonzales 10 Prints	7/6/17	no	7/6/17
157A	Jose Gonzales 10 Print card - 3 pages	1	1	1
157B	Jose Gonzales - print (3 fingers)	1	1	1
157C	Jose Gonzales - print 11	1	1	1
157D	Jose Gonzales - full hand print	1	1	1
* 158	Envelope - Samsung phone and contents	7/6/17	N	7/6/17
159	Envelope - projectile collected - ^{victim} 2 and Contents	not	offered	—
158A	Cell phone	7/6/17	no	07/06/17

EXHIBIT(S) LIST

Case No: _____

VS. _____

State

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
160	Envelope - Projectile collected - ^{victim} and contents	not offered		
161	Envelope - one projectile and contents	7/6/17	no	7/6/17
162	Envelope - Casings, N/E bedroom and contents	7/6/17	no	7/6/17
163	Envelope - casings, hallway and contents	7/6/17	no	7/6/17
164	Envelope - casings - S/E bedroom and contents	7/6/17	no	7/6/17
165	Envelope - cellphone, S/E bedroom	7/6/17	no	7/6/17
165A	Cell phone			
165B	Cell phone charger			

EXHIBIT(S) LIST

Case No: C2837001State of NevadaVS. Ivonne CabreraState of Nevada EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
166	Envelope - vehicle #1 and contents	not offered		
167	Envelope - gel left - bath tub and contents	7/6/17	no	7/6/17
168	Quezada - Morales / Cabrera DNA Chart	7-7-17	no	7-7-17
169	text message 4/26/12 12:04 a.m.	7-10-17	no	7-10-17
170	text message - 2 pgs 4/22/12 11:48 a.m.	7-10-17	no	7-10-17
171	Photo - Felecia Montiel	7-12-17	no	7-12-17
172	Dvd sleeve	7-13-17	no	7-13-17
172A	Dvd	1	1	1
Penalty phase —				
173	DBFN0433A-B Compliant	7-19-17	4	7-19-17

EXHIBIT(S) LIST

Case No: C283700-1

State of Nevada
State

VS. Ivonne Cabrera

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
174	08F14999X Compliant -	7.19.17	Y	7.19.17
175	Photo - Xmas - Headneck / teen	7.19.17	Y	7.19.17
176	" - child / " "			
177	" - child - green hands			
178	" - baby / Adults			
179	" - Xmas / Santa			
180	" - baby / Adults / sofa			
181	- " - Headneck / woman			
182	" - Headneck			
183	" - " / child			
184	" - " / woman			
185	" - " / woman / child			
186	" - " " "			
187	" - child (boy)			
188	" - " (girl)			
189	" - group			
190	" - group / wedding			
191	" group (ERIK MORALES)	7.19.17	Y	7.19.17
192	" " / newborn			
193	" Morales / baby			
194	" Morales / boy	7.19.17	Y	7.19.17
195	" morales - damaged photo			
196	" morales - portrait			
197	" Baby			
198	" Morales - Xmas	7.19.17	Y	7.19.17

EXHIBIT(S) LIST

Case No: C283700-1

State of Nevada

VS. *Ivonne Cabrera*

Stati

EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **C283700-1**

Trial Date: 6/26/17

Dept. No.: **DC 25**

Judge: K. Delaney

Plaintiff: **STATE OF NEVADA**

Court Clerk: S. Boyle

Reporter: S. Howard / Renee Salvaggio

Counsel for Plaintiff: Hetty Wong / Marc DiGiorgio

vs.

Defendant: **IVONNE CABRERA**

Counsel for Defendant: Patricia Erickson /

Bret Whipple

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
A	Calendar for April 2012	not offered	—	—
* B	LVMPD Booking Photo of Jose Alejandro Gonzales	7.11.17	OBT	7.11.17
C	Certified Judgment of Conviction for Jose Alejandro Gonzales	not offered	—	—
D	Certified Criminal Complaint State v. Mackenzie Lee	not offered	—	—
E	Certified Minute for 04.22.2015 State v. Mackenzie Lee	not offered	—	—
F	Case Summary State v. Mackenzie Lee	not offered	—	—
G	2039 Webster Apt C Frontview	7/6/17	N	7/6/17
H	2039 Webster building	7/5/17	N	7/5/17
I	2039 Webster apt C side view	7/6/17	N	7/6/17
J	2039 Webster apt C back & rear view			
K	Crime scene Webster apt C frontview			
L	Crime scene Webster apt C rear view			
M	Crime scene Webster apt w/ latents			
N	Crime scene Webster bathroom window			
O	Crime scene Webster tub			
P	Crime scene w/ latents 12-15			

* Requested w/D by P. Erickson 7/20/17

EXHIBIT(S) LIST

C283700-1

STATE OF NEVADA

VS.

IVONNE CABRERA

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
Q	Crime scene SE bedroom	7/6/17	N	7/6/17
R	Samsung phone			
S	Tennis shoes & socks			
* T	Diagram 2039 Webster #C (computer)	7-6-17	Y	N/A
U	Measurements of Webster #C	7/6/17		7/6/17
V	Hand drawn diagram 2039 Webster #C			
W	photo - Streetview Bonanza	7-7-17	no	7-7-17
X	photo - 1834 Bonanza			
Y	photo - driveway / house Bonanza			
Z	Testing / Resulting / inconclusive ^{mixture} profile			
AA	Timeline of phone (exhibit 158A)	not offered	—	—
BB	4/23 - 4/28 phone - (exhibit 158A)	not offered	—	—
CC	call log 4/26 (exhibit 158A)	not offered	—	—
DD	Extraction Report (overall exhb 165A)	7/10/17	no	7/10/17
EE	Linden St	not offered	—	—
FF	Linden St / 19 th intersection	not offered	—	—
GG	cell phone record 4/21 pg 160 of 257	7-13-17	no	7-13-17
HH	" " " 4/21 pg 164 of 257			
II	" " " pg 158 of 257			
JJ	" " " pg 207 of 257			
KK	19 th / towards Linden	7-12-17	no	7-12-17
LL	alley taking toward 1834 Bonanza	not offered	—	—
* BBI	Cell phone Chronology 4/25 - 4/29	7-12-17	no	7-12-17
* TI	Interior diagram 2039 Webster	7/10/17	no	7/10/17

EXHIBIT(S) LIST

Case No: C 283700-1

State of Nevada

vs. Ivonne Cabrera

Defts

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
MM	Transcript Jose Gonzales plea	not offered	—	—
MMI	Transcript Jose Gonzales plea - redacted	not offered	—	—
penalty phase				
NN	photo - group - children	7.20.17	N	7.20.17
OO	photo - group - adults (Dads)	7.20.17	N	7.20.17
PP	photo - group Adults + kids	7.20.17	N	7.20.17
QQ	" - group woman + kids			
RR	" group @ party			
SS	" group @ graduation			
TT	" group, girl white dress			
UU	" group - 3 girls			
VV	" group 6 girls			
WW	" group - b'day (Suzy)	not offered	—	—
XX	" lady w/ baby (Mom)	7.20.17	N	7.20.17
YY	" b'day / kids			
ZZ	" group / 5 kids			
AAA	" 2 small kids			
BBB	" 2 young kids			
CCC	" portrait			
DDD	" 3 kids / 1mas			
EEE	" wedding group			
FFF	" 3 girls @ 15 th b'day	7.20.17	N	7.20.17
GGG	" Δ w/ 2 kids + woman			
HHH	" Δ in living room			
III	" group 5 woman	7.20.17	N	7.20.17

Case No: C28375D-1

C28375D-1

vs. *Ivonne Cabrera*

Deft's

[illegible]

EXHIBIT(S) LIST

Case No:

283700

State of Nevada vs. Ivonne Cabrera

COURT'S

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Affidavit of Jake Brechlin	_____	_____	7/5/17
2+2A	State opening Powerspoint ^{DVD +} _{Slide}	_____	_____	7/7/17
3	Jury question # 5 (asked)	_____	_____	1
4	Coloured-Judge copy A's Statement	_____	_____	7/12/17
5	clear copy A's Statement	_____	_____	7/12/17
6	Jury question - asked (JUROR 1)	_____	_____	7-13-17
7	" " - asked (JUROR 4)	_____	_____	
8	" " - asked (JUROR 6)	_____	_____	
9	" " - asked (JUROR 10)	_____	_____	
10	" " - asked (JUROR 11)	_____	_____	
11	colour coded version -	_____	_____	
12	Court's email - re Jury Instructions	_____	_____	7-17-17
13	Defense Opening Power Point	_____	_____	
14	Defense Closing Power Point (BW)	_____	_____	
15	Defense closing documents (PE)	_____	_____	
16	Jury question - deliberations 7-18-17	_____	_____	7-18-17
16A	ct's answer to jury question - Translation ^{of} _{texts}	_____	_____	
17	State closing Power Point	_____	_____	
penalty phase				
18	State Power Point Penalty Phase	_____	_____	7-19-17
19	Email chain re jury instructions ^{verdict form 1}	_____	_____	1
20	States ex. 173 - unredacted pg	_____	_____	7-20-17
21	States ex 174 - unredacted pg	_____	_____	
22	States closing Power Point ^{Penalty} _{phase}	_____	_____	



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

PATRICIA M. ERICKSON, ESQ.
601 S. TENTH ST., SUITE 108
LAS VEGAS, NV 89101

DATE: October 24, 2017
CASE: C-12-283700-1

RE CASE: STATE OF NEVADA vs. IVONNE CABRERA aka YVONNE CABRERA

NOTICE OF APPEAL FILED: October 23, 2017

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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



Case Appeal Statement

- NRAP 3 (a)(1), Form 2



Order



Notice of Entry of Order

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

IVONNE CABRERA aka YVONNE
CABRERA,

Defendant(s).

Case No: C-12-283700-1

Dept No: XXV

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 24 day of October 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk