

1 NOAS

2 PHILIP J. KOHN, PUBLIC DEFENDER
3 NEVADA BAR No. 0556
4 309 South Third Street, Suite 226
5 Las Vegas, Nevada 89155
6 (702) 455-4685
7 Attorney for Defendant

Electronically Filed
Nov 16 2017 10:20 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,)
11)
12 Plaintiff,) CASE NO. C-16-316081-1
13 v.) DEPT. NO. II
14 KEANDRE VALENTINE,)
15)
16 Defendant.)

17 NOTICE OF APPEAL

18 TO: THE STATE OF NEVADA

19 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,
20 NEVADA and DEPARTMENT NO. II OF THE EIGHTH JUDICIAL
21 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE
22 COUNTY OF CLARK.

23 NOTICE is hereby given that Defendant, Keandre
24 Valentine, presently incarcerated in the Nevada State Prison,
25 appeals to the Supreme Court of the State of Nevada from the
26 judgment entered against said Defendant on the 16th day of October,
27 2017, whereby he was convicted of Ct. 1 - Robbery With Use of a
28 Deadly Weapon; Ct. 2 - Burglary While in Possession of a Deadly
Weapon; Ct. 3 - Robbery With Use of a Deadly Weapon; Ct. 4 -
Robbery With Use of a Deadly Weapon; Ct. 5 - Burglary While in
Possession of Deadly Weapon; Ct. 6 - Robbery With Use of a Deadly
Weapon; Ct. 7 - Robbery With Use of a Deadly Weapon; Ct. 8 -
Attempt Robbery With Use of a Deadly Weapon; Ct. 9 - Robbery With
Use of a Deadly Weapon; Ct. 10 - Burglary While in Possession of a

1 Deadly Weapon; Ct. 11 - Robbery With Use of a Deadly Weapon; Ct.
2 12 - Possession of Document or Personal Identifying Information;
3 Ct. 13 - Possession of Credit or Debit Card Without Cardholder's
4 Consent; Ct. 14 - Possession of Credit or Debit Card Without
5 Cardholder's Consent and sentenced to \$25 Admin. Fee; \$1,000
6 restitution and \$150 DNA analysis fee; genetic markers plus \$3 DNA
7 collection fee; Ct. 1 - 2-5 years, plus a consecutive term of 1-3
8 years for the Use of a Deadly Weapon, total 3-8 years; Ct. 2 - 3-8
9 years to run concurrent with Ct. 1 and Ct. 3 - 2-5 years plus a
10 consecutive term of 1-3 years for Use of a Deadly Weapon to run
11 consecutive to Ct. 1, total 3-8 years. Ct. 4 - 2-5 years plus a
12 consecutive term of 1-3 years for Use of a Deadly Weapon to run
13 consecutive to Ct. 1 and 3, total 3-8 years; Ct. 5 - 3-8 years to
14 run concurrent with Cts. 1, 2, 3, and 4; Ct. 6 - 2-5 years plus a
15 consecutive term of 1-3 years for the Use of a Deadly Weapon; Ct.
16 7 - 2-5 years plus a consecutive term of 1-3 years for the Use of
17 a Deadly Weapon to run consecutive to Cts. 1, 3, 4, and 6, total
18 3-8 years; Ct. 8 - 3-8 years to run concurrent with Cts. 1, 2, 3,
19 4, 5, 6, and 7; Ct. 9 - 2-5 years plus a consecutive term of 1-3
20 years for the Use of a Deadly Weapon to run consecutive to Cts. 1,
21 3, 4, 6 and 7; total 3-8 years; Ct. 10 - 3-8 years to run
22 concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8 and 9; Ct. 11 - 2-5
23 years plus a consecutive term of 1-3 years for the Use of a Deadly
24 Weapon, total 3-8 years to run concurrent with Cts. 1, 3, 4, 6, 7,
25 8, 9 and 10; Ct. 12 - 1-3 years to run concurrent with Cts. 1, 2,
26 3, 4, 5, 6, 7, 8, 9, 10 and 11; Ct. 13 - 1-3 years to run
27 concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; Ct.
28 14 - 1-3 years to run concurrent with Cts. 1, 2, 3, 4, 5, 6, 7, 8,

1 9, 10, 11, 12, and 13 with 489 days CTS. The aggregate total
2 sentence is 18-48 years.

3 DATED this 6th day of November, 2017.

4 PHILIP J. KOHN
5 CLARK COUNTY PUBLIC DEFENDER

6
7 By: /s/ Howard S. Brooks
8 HOWARD S. BROOKS, #3374
9 Deputy Public Defender
309 S. Third Street, Ste. 226
Las Vegas, Nevada 89155
(702) 455-4685

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

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1 CERTIFICATE OF ELECTRONIC FILING

2 I hereby certify that service of the above and foregoing
3 was made this 6th day of November, 2017 by Electronic Filing to:

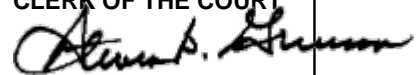
4 District Attorneys Office
5 E-Mail Address:

6 PDMotions@clarkcountya.com

7 Jennifer.Garcia@clarkcountya.com

8 Eileen.Davis@clarkcountya.com

9
10 /s/ Carrie M. Connolly
11 Secretary for the
12 Public Defender's Office
13
14
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CAS

PHILIP J. KOHN, PUBLIC DEFENDER
NEVADA BAR No. 0556
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

KEANDRE VALENTINE,

Defendant.

CASE NO. C-16-316081-1

DEPT. NO. II

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement:

Keandre Valentine.

2. Judge issuing the decision, judgment, or order
appealed from: Richard Scotti.

3. All parties to the proceedings in the district
court (the use of et al. To denote parties is prohibited): The
State of Nevada, Plaintiff; Keandre Valentine, Defendant.

4. All parties involved in this appeal (the use of
et. al. to denote parties is prohibited): Keandre Valentine,
Appellant; The State of Nevada, Respondent.

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

3 PHILIP J. KOHN
4 Clark County Public Defender
5 309 South Third Street, #226
6 Las Vegas, Nevada 89155-2610

STEVEN B. WOLFSON
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

7 Attorney for Appellant

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

9 Counsel for Respondent

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

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

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

17 9. Date proceedings commenced in the district court
18 (e.g., date complaint, indictment, information, or petition was
19 filed): Indictment filed 06/29/16.

20 DATED this 6th day of November, 2017.

21 PHILIP J. KOHN
22 CLARK COUNTY PUBLIC DEFENDER

23
24 By: /s/ Howard S. Brooks
25 HOWARD S. BROOKS, #3374
26 Deputy Public Defender
27 309 S. Third Street, Ste. 226
28 Las Vegas, Nevada 89155
 (702) 455-4685

1
2 CERTIFICATE OF ELECTRONIC FILING

3 I hereby certify that service of the above and
4 foregoing was made this 6th day of November, 2017, by Electronic
5 Filing to:

6 District Attorneys Office
7 E-Mail Address:
8 PDMotions@ccdanv.com

9 Jennifer.Garcia@ccdanv.com

10 Eileen.Davis@ccdanv.com

11 /s/ Carrie M. Connolly
12 Secretary for the
13 Public Defender's Office

DEPARTMENT 2
CASE SUMMARY
CASE NO. C-16-316081-1

State of Nevada
vs
Keandre Valentine

§ Location: Department 2
§ Judicial Officer: Scotti, Richard F.
§ Filed on: 06/29/2016
§ Case Number History:
§ Cross-Reference Case Number: C316081
§ Defendant's Scope ID #: 5090875
§ Grand Jury Case Number: 16AGJ046X
§ ITAG Case ID: 1796029

CASE INFORMATION

| Offense | Deg | Date | Case Type: | Felony/Gross Misdemeanor |
|---|-----|------------|---|--------------------------|
| 1. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/26/2016 | Case Flags: Appealed to Supreme Court Charge Description Updated Custody Status - In Custody (COC) | |
| 2. BURGLARY WHILE IN POSSESSION OF DEADLY WEAPON | F | 05/26/2016 | | |
| 3. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 4. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 5. BURGLARY WHILE IN POSSESSION OF DEADLY WEAPON | F | 05/28/2016 | | |
| 6. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 7. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 8. ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 9. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 10. BURGLARY WHILE IN POSSESSION OF DEADLY WEAPON | F | 05/28/2016 | | |
| 11. ROBBERY WITH USE OF A DEADLY WEAPON | F | 05/28/2016 | | |
| 12. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION | F | 05/28/2016 | | |
| 13. POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT | F | 05/28/2016 | | |
| 14. POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDERS CONSENT | F | 05/28/2016 | | |

Warrants

Indictment Warrant - Valentine, Keandre (Judicial Officer: Barker, David)
07/07/2016 1:44 PM Returned - Served
06/29/2016 11:45 AM Active
Hold Without Bond

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number C-16-316081-1
Court Department 2
Date Assigned 09/19/2017
Judicial Officer Scotti, Richard F.
















PARTY INFORMATION

| | | |
|------------------|---------------------------|---|
| Defendant | Valentine, Keandre | <i>Lead Attorneys</i> Public Defender <i>Retained</i> 702-455-4685(W) |
| Plaintiff | State of Nevada | Wolfson, Steven B 702-671-2700(W) |















DEPARTMENT 2
CASE SUMMARY
CASE NO. C-16-316081-1
EVENTS & ORDERS OF THE COURT

DATE












INDEX

| | |
|------------|---|
| 06/29/2016 |  Grand Jury Indictment (11:45 AM) (Judicial Officer: Barker, David) |
| 06/29/2016 |  Warrant <i>Indictment Warrant; Warrant for Arrest</i> |
| 06/29/2016 |  Indictment |
| 06/30/2016 |  Indictment Warrant Return |
| 07/07/2016 | Initial Arraignment (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/07/2016 | Indictment Warrant Return (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/07/2016 |  All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/11/2016 |  Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i> |
| 07/14/2016 |  Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, June 28, 2016</i> |
| 07/28/2016 |  Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i> |
| 08/12/2016 |  Notice of Witnesses and/or Expert Witnesses <i>Supplemental Notice of Witnesses and/or Expert Witnesses</i> |
| 08/19/2016 |  Motion for Discovery <i>Motion For Production Of Discovery</i> |
| 08/29/2016 |  Opposition <i>State's Response to Defendant's Motion for Production of Discovery</i> |
| 09/01/2016 | Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 09/01/2016 | Motion for Discovery (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Motion for Production of Discovery</i> |
| 09/01/2016 |  All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 09/06/2016 | CANCELED Jury Trial (10:00 AM) (Judicial Officer: Scotti, Richard F.) <i>Vacated - per Judge</i> |
| 09/20/2016 |  Notice of Witnesses and/or Expert Witnesses <i>Second Supplemental Notice of Witnesses and/or Expert Witnesses [NRS 174.234]</i> |
| 09/26/2016 |  Motion <i>Motion For Setting Of Reasonable Bail</i> |
| 10/03/2016 |  Opposition <i>State's Opposition to Defendant's Motion for Setting of Reasonable Bail</i> |















DEPARTMENT 2
CASE SUMMARY
CASE NO. C-16-316081-1

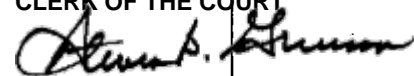
| | |
|------------|---|
| 10/04/2016 |  Motion to Set Bail (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Motion for Setting of Reasonable Bail</i> |
| 01/26/2017 |  Notice of Witnesses and/or Expert Witnesses <i>Third Supplemental Notice of Witnesses and/or Expert Witnesses [NRS 174.234]</i> |
| 01/27/2017 |  Notice <i>Notice of Intent to Seek Punishment as a Habitual Criminal</i> |
| 02/08/2017 |  Motion <i>Notice of Motion and Motion Outlining State's Discovery Compliance</i> |
| 02/16/2017 |  Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 02/21/2017 | Motion (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Motion Outlining State's Discovery Compliance</i> |
| 02/21/2017 | Status Check: Trial Setting (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 02/21/2017 |  All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 02/21/2017 | CANCELED Jury Trial (1:00 PM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i> |
| 06/06/2017 |  Request (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Defendant's Request Re: Stipulated Status Check - Trial Setting</i> |
| 06/06/2017 |  Receipt of Copy <i>List of Discovery Items Provided to Defense</i> |
| 06/30/2017 |  Notice of Expert Witnesses <i>Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i> |
| 07/07/2017 |  Motion Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Exclude Eyewitness Expert Testimony</i> |
| 07/13/2017 |  Notice Filed By: Defendant Valentine, Keandre <i>Defendant's Notice Of Witnesses, Pursuant To NRS 174.234</i> |
| 07/14/2017 |  Notice Filed By: Defendant Valentine, Keandre <i>Defendant's Notice Of Alibi Witness</i> |
| 07/14/2017 |  Supplemental <i>Defendant's Supplemental Notice of Expert Witnesses, Pursuant to NRS 173.234(2)</i> |
| 07/17/2017 |  Opposition to Motion Filed By: Defendant Valentine, Keandre <i>Opposition to State's Motion to Strike Defendant's Supplemental Notice of Expert Witness</i> |

DEPARTMENT 2
CASE SUMMARY
CASE NO. C-16-316081-1

| | |
|------------|---|
| 07/17/2017 |  Notice Filed By: Defendant Valentine, Keandre <i>Defendant's Notice of Non-Opposition to State's Motion to Compel Reciprocal Discovery</i> |
| 07/18/2017 |  Opposition Filed By: Defendant Valentine, Keandre <i>Opposition To State's Motion To Strike Alibi Notice</i> |
| 07/18/2017 |  Notice of Motion <i>Notice of Motion and Motion to Compel Reciprocal Discovery Procedural History</i> |
| 07/18/2017 |  Notice of Motion <i>Notice of Motion and Motion to Strike Alibi</i> |
| 07/18/2017 |  Notice of Motion Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Strike Defendant's Supplemental Notice of Expert Witnesses</i> |
| 07/19/2017 |  Opposition Filed By: Defendant Valentine, Keandre <i>Opposition To State's Motion To Exclude Eye-Witness Expert Testimony</i> |
| 07/20/2017 | Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/20/2017 | Motion to Exclude (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 07/20/2017-07/21/2017, 07/24/2017 <i>State's Motion to Exclude Eyewitness Expert Testimony</i> |
| 07/20/2017 |  All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/21/2017 | Motion (8:30 AM) (Judicial Officer: Herndon, Douglas W.) 07/21/2017, 07/24/2017 <i>State's Motion to Strike Alibi Notice</i> |
| 07/21/2017 | Motion (8:30 AM) (Judicial Officer: Herndon, Douglas W.) 07/21/2017, 07/24/2017 <i>State's Motion to Strike Defendants Supplemental Notice of Expert Witness</i> |
| 07/21/2017 | Overflow (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>OVERFLOW (3) A. LEXIS, M.DICKERSON/T. MACHNICH, 10-15 WITNESSES, 5 DAYS</i> |
| 07/21/2017 |  All Pending Motions (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) |
| 07/24/2017 |  All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 07/24/2017 | CANCELED Jury Trial (10:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i> |
| 07/24/2017 |  Jury Trial (10:00 AM) (Judicial Officer: Wiese, Jerry A.) 07/24/2017-07/28/2017, 07/31/2017-08/04/2017 |
| 07/24/2017 |  Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>Notice of Rebuttal Alibi Witnesses [NRS 174.234]</i> |

DEPARTMENT 2
CASE SUMMARY
CASE NO. C-16-316081-1

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|------------|--|
| 07/25/2017 |  Jury List |
| 07/28/2017 |  Amended Jury List |
| 07/31/2017 |  Motion in Limine <i>State's Motion In Limine to Limit Testimony of Dr. Steven Smith</i> |
| 08/03/2017 | CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i> <i>Notice of Motion and Motion to Compel Reciprocal Discovery Procedural History</i> |
| 08/03/2017 |  Amended Jury List <i>Second Amended Jury List</i> |
| 08/04/2017 |  Instructions to the Jury |
| 08/04/2017 |  Verdict |
| 08/21/2017 | Case Reassigned to Department 18 <i>Criminal Case Reassignment to Judge Mark B. Bailus</i> |
| 09/07/2017 |  PSI |
| 09/18/2017 |  Minute Order (3:00 AM) (Judicial Officer: Herndon, Douglas W.) |
| 09/19/2017 |  Notice of Department Reassignment <i>Notice of Department Reassignment</i> |
| 09/20/2017 |  Notice of Department Reassignment <i>Amended Notice of Department Reassignment</i> |
| 09/21/2017 | CANCELED Sentencing (9:00 AM) (Judicial Officer: Bailus, Mark B) <i>Vacated - per Judge</i> |
| 09/21/2017 |  Sentencing (11:00 AM) (Judicial Officer: Scotti, Richard F.) 09/21/2017, 09/28/2017 |
| 10/16/2017 |  Judgment of Conviction <i>Judgment of Conviction</i> |
| 11/06/2017 |  Notice of Appeal (criminal) Party: Defendant Valentine, Keandre <i>Notice of Appeal</i> |
| 11/06/2017 |  Case Appeal Statement Filed By: Defendant Valentine, Keandre <i>Case Appeal Statement</i> |



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C-16-316081-1

-vs-

DEPT. NO. II

KEANDRE VALENTINE
#5090875

Defendant.

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165, COUNT 2 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060, COUNT 3 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165, COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165, COUNT 5 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060; COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 7 - ROBBERY WITH USE OF

1 A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165;
2 COUNT 8 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B
3 Felony) in violation of NRS 200.380, 193.330, 193.165; COUNT 9 - ROBBERY WITH
4 USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380,
5 193.165; COUNT 10 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
6 (Category B Felony) in violation of NRS 205.060; COUNT 11 - ROBBERY WITH USE
7 OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165;
8 COUNT 12 – POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING
9 INFORMATION (Category E Felony) in violation of NRS 205.465; COUNT 13 –
10 POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT
11 (Category D Felony) in violation of NRS 205.690 and COUNT 14 - POSSESSION OF
12 CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D
13 Felony) in violation of NRS 205.690; and the matter having been tried before a jury and
14 the Defendant having been found guilty of the crimes of COUNT 1 – ROBBERY WITH
15 USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380,
16 193.165, COUNT 2 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
17 (Category B Felony) in violation of NRS 205.060, COUNT 3 – ROBBERY WITH USE
18 OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165,
19 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in
20 violation of NRS 200.380, 193.165, COUNT 5 – BURGLARY WHILE IN POSSESSION
21 OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060; COUNT 6 -
22 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
23 NRS 200.380, 193.165; COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON
24 (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 8 – ATTEMPT

1 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
2 NRS 200.380, 193.330, 193.165; COUNT 9 - ROBBERY WITH USE OF A DEADLY
3 WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 10 -
4 BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony)
5 in violation of NRS 205.060; COUNT 11 - ROBBERY WITH USE OF A DEADLY
6 WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 12 -
7 POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION
8 (Category E Felony) in violation of NRS 205.465; COUNT 13 - POSSESSION OF
9 CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D
10 Felony) in violation of NRS 205.690 and COUNT 14 - POSSESSION OF CREDIT OR
11 DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D Felony) in violation
12 of NRS 205.690; thereafter, on the 28th day of September, 2017, the Defendant was
13 present in court for sentencing with counsel Tegan Machnich, Deputy Public Defender,
14 and good cause appearing,

15
16
17
18 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
19 addition to the \$25.00 Administrative Assessment Fee, \$1,000.00 Restitution and
20 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00
21 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of
22 Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of FIVE (5) YEARS with a
23 MINIMUM Parole Eligibility of TWO (2) YEARS, plus a CONSECUTIVE term of THREE
24 (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR for the Use of a Deadly
25 Weapon, total 3-8 years; **COUNT 2** - a MAXIMUM of EIGHT (8) YEARS with a
26 MINIMUM parole eligibility of THREE (3) YEARS, to run CONCURRENT with COUNT
27 1; and **COUNT 3** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility
28

1 of TWO (2) YEARS, plus a CONSECUTIVE term of THREE (3) YEARS with a
2 MINIMUM parole eligibility of ONE (1) YEAR for the Use of a Deadly Weapon, to run
3 CONSECUTIVE to Count 1, total 3-8 years; **COUNT 4** - a MAXIMUM of FIVE (5)
4 YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS, plus a CONSECUTIVE
5 term of THREE (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR for the
6 Use of a Deadly Weapon, to run CONSECUTIVE to Count 1 and 3, total 3-8 years;
7 **COUNT 5** – a MAXIMUM of EIGHT (8) YEARS with a MINIMUM parole eligibility of
8 THREE (3) YEARS, to run CONCURRENT with Counts 1, 2, 3 and 4; **COUNT 6** - a
9 MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS,
10 plus a CONSECUTIVE term of THREE (3) YEARS with a MINIMUM parole eligibility of
11 ONE (1) YEAR for the Use of a Deadly Weapon, to run CONSECUTIVE to Count 1, 3
12 and 4, total 3-8 years; **COUNT 7** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM
13 Parole Eligibility of TWO (2) YEARS, plus a CONSECUTIVE term of THREE (3) YEARS
14 with a MINIMUM parole eligibility of ONE (1) YEAR for the Use of a Deadly Weapon, to
15 run CONSECUTIVE to Counts 1, 3, 4, and 6; total 3-8 years; **COUNT 8** - a MAXIMUM
16 of EIGHT (8) YEARS with a MINIMUM parole eligibility of THREE (3) YEARS, to run
17 CONCURRENT with Counts 1, 2, 3, 4, 5, 6 and 7; **COUNT 9** - a MAXIMUM of FIVE (5)
18 YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS, plus a CONSECUTIVE
19 term of THREE (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR for the
20 Use of a Deadly Weapon, to run CONSECUTIVE to Count 1, 3, 4, 6 AND 7, total 3-8
21 years; **COUNT 10** a MAXIMUM of EIGHT (8) YEARS with a MINIMUM parole eligibility
22 of THREE (3) YEARS, to run CONCURRENT with Counts 1, 2, 3, 4, 5, 6, 7, 8 and 9;
23 **COUNT 11** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility of
24 TWO (2) YEARS, plus a CONSECUTIVE term of THREE (3) YEARS with a MINIMUM
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1 parole eligibility of ONE (1) YEAR for the Use of a Deadly Weapon, total 3-8 years, to
2 run CONCURRENT with Counts 1, 3, 4, 6 7, 8, 9 and 10;; **COUNT 12** – a MAXIMUM
3 OF THREE (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR, to run
4 concurrent WITH Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11; **COUNT 13** - a MAXIMUM
5 OF THREE (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR, to run
6 concurrent WITH Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; **COUNT 14** - a
7 MAXIMUM OF THREE (3) YEARS with a MINIMUM parole eligibility of ONE (1) YEAR,
8 to run concurrent WITH Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 11, 12 and 13; with FOUR
9 HUNDRED AND EIGHTY-NINE (489) DAYS credit for time served. The AGGREGATE
10 TOTAL sentence is FORTY-EIGHT (48) YEARS MAXIMUM with a MINIMUM PAROLE
11 ELIGIBILITY OF EIGHTEEN (18) YEARS.
12
13

14 DATED this 10th day of October, 2017.
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19 RICHARD SCOTTI
20 DISTRICT COURT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2016

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

June 29, 2016 11:45 AM Grand Jury Indictment

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 14C

COURT CLERK: Nora Pena

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Cooper, Jonathan | Attorney |
| | Lexis, Agnes | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Wayne Cleveland, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16AGJ046X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C316081-1, Department 3. Ms. Lexis argued for a warrant without bail as Deft. is waiting for trial while out on bond and he picked up these offenses, therefore, Deft. is no longer entitled to bail. Ms. Lexis asked to set a date in one week and Deft. is in custody. COURT ORDERED, WARRANT ISSUED and NO BAIL; matter set for initial arraignment. FURTHER ORDERED, Exhibit(s) 1 - 19 lodged with the Clerk of District Court. At request of the State, COURT ORDERED, Las Vegas Justice Court case 16F08803X DISMISSED.

I.W. (CUSTODY)

7/07/16 9:00 AM INITIAL ARRAIGNMENT - DEPT 3 (16C)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 07, 2016

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

July 07, 2016

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Agnes Lexis, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Tegan Machnich, Deputy Public Defender.

DEFT. VALENTINE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, counsel has 21 days after receipt of copy of the Preliminary Hearing transcript to file a Writ. Ms. Machnich requested Discovery, pursuant to Statute. COURT SO ORDERED.

CUSTODY (COC)

9/1/16 9:00 AM CALENDAR CALL

9/6/16 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 01, 2016

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

September 01, 2016 9:00 AM Motion for Discovery

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Michael Dickerson, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Katrina Ross, Deputy Public Defender.

CALENDAR CALL...DEFENDANT'S MOTION FOR PRODUCTION OF DISCOVERY

Ms. Ross submitted on the discovery motion and requested to continue the trial. Mr. Dickerson opposed continuance as State is prepared to go forward with trial, noting defendant invoked his right to a speedy trial. Ms. Ross advised the case is assigned to Ms. Machnich who is currently in trial, noting trial was set quickly. Upon Court's inquiry, Defendant will waive his right to a speedy trial. Court GRANTED request to continue trial; trial VACATED and RESET, noting this is the first trial setting.

As to Motion for Production of Discovery, COURT ORDERED, motion GRANTED pursuant to Statute and Brady, noting there is an ongoing obligation to supplement items being requested.

CUSTODY (COC)

2/16/17 9:00 AM CALENDAR CALL

2/21/17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 01, 2016

C-16-316081-1 State of Nevada
vs
Keandre Valentine

September 01, 2016 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Michael Dickerson, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Katrina Ross, Deputy Public Defender.

CALENDAR CALL...DEFENDANT'S MOTION FOR PRODUCTION OF DISCOVERY

Ms. Ross submitted on the discovery motion and requested to continue the trial. Mr. Dickerson opposed continuance as State is prepared to go forward with trial, noting defendant invoked his right to a speedy trial. Ms. Ross advised the case is assigned to Ms. Machnich who is currently in trial, noting trial was set quickly. Upon Court's inquiry, Defendant will waive his right to a speedy trial. Court GRANTED request to continue trial; trial VACATED and RESET, noting this is the first trial setting.

As to Motion for Production of Discovery, COURT ORDERED, motion GRANTED pursuant to Statute and Brady, noting there is an ongoing obligation to supplement items being requested.

CUSTODY (COC)

2/16/17 9:00 AM CALENDAR CALL

2/21/17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 04, 2016

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

October 04, 2016 9:00 AM Motion to Set Bail

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- John Giordani, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Tegan Machnich, Deputy Public Defender.

Ms. Machnich provided representations as to why she believes there was a no bail setting. Court stated defendant had a bench warrant and picked up a new case. Ms. Machnich argued bail be set. Mr. Giordani submitted on State's opposition. COURT ORDERED, motion GRANTED; Bail SET at \$500,000.00. Ms. Machnich stated bench warrant was issued due to a California case. Statement by Defendant. Court stated ordered STANDS.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 16, 2017

| | |
|---------------|-------------------|
| C-16-316081-1 | State of Nevada |
| | vs |
| | Keandre Valentine |

February 16, 2017 9:00 AM Calendar Call

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller
Brynn Griffiths

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Agnes Lexis, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Cesely Westmoreland, Deputy Public Defender, present on behalf of Tegan Machnich, Deputy Public Defender.

Court stated he received the e-mail correspondence regarding Ms. Machnich being out on FMLA. Court stated he understands the need to continue, however, he would like another attorney to continue to work on case to ensure trial will be ready when Ms. Machnich returns. Ms. Lexis advised she filed a motion relating to discovery compliance due to Ms. Machnich's refusal to come in for a file review, sign the ROC, and her refusal to file a timely motion regarding continuing the trial. Discussion regarding intent of motion. Court requested Mr. O'Brien assign an attorney to continue working on case, noting motion hearing will stand and trial will be reset at that time. Upon Court's inquiry, defendant understands the need to continue trial and WAIVED his right to a speedy trial.

CUSTODY (COC)

2/21/17 9:00 AM MOTION OUTLINING STATE'S DISCOVERY COMPLIANCE...STATUS CHECK:
TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

February 21, 2017 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller
 Brynn Griffiths

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Michael Dickerson, Deputy District Attorney, present on behalf of the State.
Defendant Valentine present, in custody, represented by Justin Glasgow, Deputy Public Defender.

MOTION OUTLINING STATE'S DISCOVERY COMPLIANCE...STATUS CHECK..TRIAL SETTING

Court stated he understands after reviewing the motion that the State is requesting Court acknowledge the items requested have been provided although Ms. Machnich did not sign off. Mr. Glasgow opposed, stating law was not cited in the motion. Court FINDS discovery items were provided and ORDERED, motion GRANTED. Court stated defense may place back on calendar should there be any discrepancies. COURT FURTHER ORDERED, matter SET for trial.

CUSTODY (COC)

7/20/17 9:00 AM CALENDAR CALL

7/24/17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 06, 2017

C-16-316081-1 State of Nevada
vs
Keandre Valentine

June 06, 2017 9:00 AM Request

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- Receipt of Copy of Discovery FILED IN OPEN COURT.

Discussion regarding concern as to discs. Discussion regarding trial setting. COURT ORDERED, trial date STANDS. Upon Court's inquiry, Parties believes trial will last 5 -7 days.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 20, 2017**

C-16-316081-1 State of Nevada
vs
Keandre Valentine

July 20, 2017**9:00 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller
Kory Schlitz

RECORDER: Sara Richardson**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- STATE'S MOTION TO EXCLUDE EYEWITNESS EXPERT TESTIMONY...CALENDAR CALL

Mr. Glasgow requested matter be trailed for Ms. Machnich to be present. Matter RECALLED. Ms. Machnich now present. Ms. Machnich advised she filed an opposition to the Motion to Exclude Eyewitness Expert Testimony. Court stated he was unable to review the opposition, noting there were also a couple of motions filed that are not on calendar until August 3, 2017. Upon Court's inquiry, Ms. Machnich stated she has no legal basis to not announce ready, however, the defendant has indicated that he intends on hiring a new attorney. Further, Ms. Machnich stated the ruling on the motions could impact her being ready for trial. Ms. Lexis announced ready and anticipated 5 days for trial, with 10-15 witnesses. Court stated it is not his practice to send a matter to overflow with pending motions, however, due to him hearing Department 19's trial he is unable to rule on the motions today. COURT ORDERED, matter REFERRED and SET for Overflow. Court stated he will advise Judge Gonzalez of the motions. As to Motion to Compel Discovery scheduled to be heard on

August 3, 2017, COURT ORDERED, motion GRANTED, as unopposed, hearing date VACATED.

CUSTODY (COC)

7/21/17 8:30 AM (DEPT. 11) (A.LEXIS, M. DICKERSON//T. MACHNICH//
10-15 WITNESSES, 5 DAYS

7/21/17 8:30 AM (DEPT. 11) STATE'S MOTION TO EXCLUDE EYEWITNESS EXPERT
TESTIMONY..MOTION TO STRIKE ALIBI NOTICE MOTION TO STRIKE ALIBI NOTICE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 21, 2017

| | |
|---------------|-------------------|
| C-16-316081-1 | State of Nevada |
| | vs |
| | Keandre Valentine |

July 21, 2017

8:30 AM

All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- STATE'S MOTION TO EXCLUDE EYEWITNESS EXPERT TESTIMONY...STATE'S MOTION TO STRIKE ALIBI NOTICE...STATE'S MOTION TO STRIKE DEFENDANT'S SUPPLEMENTAL NOTICE OF EXPERT WITNESSES: Court noted it does not hear motions on the Overflow calendar and that Judge Herndon (originating Department) has agreed to hear them. COURT ORDERED, motions CONTINUED to Monday, July 24th, at 9 AM, to be heard by Judge Herndon.

OVERFLOW (03): LEXIS, A. & DICKERSON, M./ MACHNICH, T., 5 DAYS, 10-15 WITNESSES: Colloquy regarding number of hours anticipated for trial and available judges. COURT ORDERED, matter SET for trial on Monday, July 24th, at 10 AM in Department II, Judge Scotti.

Court inquired as to any offers that have been conveyed. Deft advised there was one months ago. Ms. Machnich stated that they had plea negotiations last fall and the plea was withdrawn. Mr. Gaston stated there was an offer that Deft did not want to accept, and Ms. Machnich stated it was 12 to 30

years. Ms. Lexis advised there was also a counter offer. Ms. Machnich concurred, stating it was a 6 on the bottom, 8 on the bottom, and 10 on the bottom. Ms. Lexis confirmed all counter offers were rejected.

CUSTODY (COC)

7-24-17 9:00 AM STATE'S MOTION TO EXCLUDE EYEWITNESS EXPERT
TESTIMONY...STATE'S MOTION TO STRIKE ALIBI NOTICE...STATE'S MOTION TO STRIKE
DEFENDANT'S SUPPLEMENTAL NOTICE OF EXPERT WITNESSES (DEPT III - Herndon)

7-24-17 10:00 AM JURY TRIAL (DEPT II - Scotti)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 24, 2017**

C-16-316081-1 State of Nevada
vs
Keandre Valentine

July 24, 2017**9:00 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Sara Richardson**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- STATE'S MOTION TO EXCLUDE EYEWITNESS EXPERT TESTIMONY... STATE'S MOTION TO STRIKE ALIBI NOTICE... STATES MOTION TO STRIKE DEFENDANTS SUPPLEMENTAL NOTICE OF EXPERT WITNESS...

Ms. Lexis stated she would submit on the Motion to Strike Defendants supplemental Notice of Expert Witness and argued regarding the Notice of Alibi stating pursuant to NRS 178.476 it allowed for the enlargement of time and stated if the timing stated by the Defense is accurate then the State's rebuttal notice of witnesses's would not be due until today which is the first day of trial. Upon Court's inquiry, Ms. Lexis stated if the alibi witness is allowed to testify the State anticipates a rebuttal case and stated there are 19 witnesses scheduled to testify in the case in chief. Ms. Machnich argued the alibi was disclosed in goof faith using the NRS counting statue and believes it is timely and she has also provided the alibi's contact information to the State. Upon Court's inquiry, Ms. Machnich stated the original expert is not available. COURT STATED ITS FINDINGS and ORDERED States Motion to

Exclude Eyewitness Expert Testimony is DENIED; States Motion to Strike Defendants Supplemental Notice of Expert Witness DENIED; State's Motion to Strike Alibi Notice DENIED, however rebuttal witnesses are allowed. Ms. Lexis indicated the trial may take longer than a week. COURT SO NOTED.

CUSTODY

7/24/17 10:00 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 24, 2017**

C-16-316081-1 State of Nevada
vs
Keandre Valentine

July 24, 2017 10:00 AM Jury Trial

HEARD BY: Scotti, Richard F.**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Natalie Ortega**RECORDER:** Dalayne Easley**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

COURT ADVISED counsel that each side would receive five peremptory challenges, and there would be two alternates.

Mr. Gaston made an objection of the panel and argued it violated the fair cross section of the community. Argument that a right to a fair and impartial jury, chosen from the fair cross section of the community, was guaranteed by the United States Constitution, under the fourteenth amendment's due process and equal protection clause, the sixth amendment's fair-cross-section requirement, as well as by the Nevada Constitution. Furthermore, Duren v. Missouri (1979), United States Supreme Court's case established three requirements that must be met in order to establish a prima facie violation of the sixth amendment's fair-cross-section requirement. Number one (1) that the group alleged to be excluded was a distinctive group in the community; number two (2), that the

representation of this group from which juries are selected is not fair and reasonable in relation to the number of such persons in the community; and (3) that this underrepresentation is due to systematic exclusion of the group in the jury-selection process. Unlike the challenge of the equal protection clause, this did not require a showing that the selection procedure was susceptible of the abuse, or not race neutral, that being from US 9th Circuit *US v. Rodriguez-Lara* (2005). Additionally, he did not have to show any racial animus on the part of the State, nor show that the Defendant was African American. Further argument, each distinctive group, African Americans, and Hispanics, were excluded. There was a statistically significant difference, and not just random variance, that they were not represented. Colloquy between Court and Mr. Gaston regarding the 2013 Clark County Census, and the jury representation percentage of African Americans and Hispanics. COURT NOTED there was a general presumption that the venire did not represent a fair cross-section of the community if the comparative percentage was more than 50% percent. Mr. Gaston noted socio-economic status was being excluded; African Americans and Hispanics had lower socio-economic status than Caucasians and Asians on average. Caucasians and Asians were continually over-represented compared to African-Americans and Asian. Mr. Gaston requested a hearing with Jury Commissioner if the Court denied his motion. Furthermore, Jury pool candidates were selected based on utility, DMV, and voting records. The issue with utility records, being by a house, people of lower socio-economic status shared residences. Additionally, in one of his past trials, Judge Johnson proposed that possibly everyone was receiving the right jury summons, however, poor people were perhaps not responding, and it was being not enforced. Mr. Gaston noted he argued that jury service should be compulsory and individuals should be arrested if they were not responding if that meant depriving his client the right to a fair trial. Further, it was requested that the Jury Commissioner provide data of the summonses that went out and the response data. The Court, the judicial system, and law enforcement systems failure to enforce compulsory jury service was the issue, and that was the systematic problem. Moreover, he was told by other attorneys in his office, that according to a hearing where the Jury Commission testified, the way jury summonses were sent out was in equal number to each zip code. Argument that every zip code did not represent an equal percentage of the population of Clark County. Lastly, if it were to be split it up by zip code it should be by what percentage that zip code population contained.

Ms. Lexis argued for the defense to successfully challenge the jury of venire, they must make a prima facie showing of a violation of the fair-cross-section requirements based on all three factors. Further, in Nevada Supreme Court case, *Battle v. State*, Judge Herndon used a transcript from the Jury Commissioner of her testimony to find there was no systemic exclusion in the jury selection process. At that time, *Battle v State*, the only sources for the juror names and addresses were from DMV and NV Energy records. Additionally, Judge Barker signed an administrative order adding registered voters in Clark County as a source of the jury master list. Ms. Lexis further noted, Assembly Bill 207, passed June 12, 2017, and became effective July 2, 2017, proffered by Congressman Steve Yeager, which added welfare recipients to the jury selection process.

Court noted it was not discriminatory if the system allows proper representation, and it may be people failing to comply.

Mr. Gaston argued it was the system's refusal to enforce the law. It is a crime to not appear for jury service, and refusing to appear was causing an unfair trial and the failure to enforce it caused an unfair system. Lastly, it was potentially the way the summonses were issued.

COURT FINDS it seemed Supreme Court, published and non-published opinion had not found any systematic exclusion, therefore, Mr. Gaston's motion DENIED; FINDS distinct groups had been excluded, African Americans and Hispanics. As to the second factor, have three African Americans, could be a statistical anomaly, FINDS fair and reasonable number on the prospective jury panel, but not respect to Hispanics, more than statistical anomaly, Hispanics were not fairly represented on this panel, however, It was not due to systematic exclusion; Battle v State and the other cases the Court had seen that the system in place the best system that could be come with to date. Court noted it would incorporate Mariah Witt's testimony regarding the procedures employed in up until the legislative changes. COURT EXHIBIT ADMITTED (see worksheet). COURT FURTHER FINDS, Nevada Supreme Court had not found systematic exclusion. COURT FURTHER ORDERED, Defense's request to obtain data from the Jury Commissioner DENIED.

PROSPECTIVE JURY PANEL PRESENT: Prospective jury panel SWORN IN. Roll call. Introductions by counsel. Voir Dire begins. COURT EXCUSED and ADMONISHED prospective jury panel for lunch recess.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Challenges placed on the record.

PROSPECTIVE JURY PANEL PRESENT: Jury selection continued.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Arguments regarding prospective juror 001 ability to serve based on medical conditions. Further challenges for cause.

PROSPECTIVE JURY PANEL PRESENT: Voir dire continued. COURT ADMONISHED and EXCUSED prospective jury panel for evening recess.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Challenges for cause placed on the record. COURT ORDERED, trial CONTINUED.

CONTINUED TO: 7/25/17 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 25, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

July 25, 2017 11:00 AM Jury Trial

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalyne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Arguments by counsel regarding expert witness report, custodian of gang intelligence.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Voir dire continued.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Colloquy regarding general questions to jury.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Voir dire continued.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Challenges for cause.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Voir dire continued. Jury SELECTED and

SWORN. Indictment read. COURT ORDERED, trial CONTINUED.

EVENING RECESS

CONTINUED TO: 7/26/17 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 26, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

July 26, 2017 10:30 AM Jury Trial

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding Defendant's statement to police officer.

INSIDE THE PRESENCE OF THE JURY: Opening statements by counsel. COURT ADMONISHED jury for lunch recess.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding a juror that does not have his hearing aid headphones.

INSIDE THE PRESENCE OF JUROR MARVIN BASS: Discussions regarding Mr. Bass wearing his hearing aid headphones.

OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding grand jury transcripts.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT
ADMONISHED the jury for EVENING RECESS. COURT ORDERED, trial CONTINUED.

CONTINUED TO: 7/26/17 11:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 27, 2017**

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

July 27, 2017 11:15 AM Jury Trial

HEARD BY: Scotti, Richard F.**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Elizabeth Vargas**RECORDER:** Dalayne Easley**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- 11:50 AM OUTSIDE PRESENCE OF JURY: Court stated jury would go to lunch at 12:00 PM. Ms. Machnich stated she wanted to give formal notice that a witness would be appearing and testifying remotely from Texas due to the cost to fly him to Las Vegas. State objected stating there was a need to be able to confront the witness and show his demeanor to the jury. Colloquy regarding necessity for witness to appear remotely. Court read the rule aloud on the record and ORDERED, Defense request DENIED. Court advised parties that they could file a motion for reconsideration if needed.

1:48 PM JURY PRESENT: Witness Jordan Alexander, sworn and testified. 2:11 PM JURY PRESENT: Spanish interpreter, Noelle Tatton, present to assist witness. Witness Santiago Garcia sworn and testified. 3:34 PM BREAK. 3:40 PM arguments by counsel regarding reenactment of scene. Court advised, reenactment would be allowed for the purpose to show distance of the victim to the gun. 5:30 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 28, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

July 28, 2017 9:00 AM Jury Trial

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- Spanish Interpreter Tania King present.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented (see worksheet).

INSIDE THE PRESENCE OF JUROR NO. 2 : Juror number two (2) advised Court and the parties she knew a witness.

OUTSIDE THE PRESENCE OF THE JURY: Defense counsel moved to strike and excuse juror number 2. State submitted. COURT ORDERED, juror Mirna Hermasillo EXCUSED and NOTED juror number 14 was now a deliberate juror.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet).

OUTSIDE THE PRESENCE OF THE JURY: Voir dire of witness Rosa Vasquez regarding identification of Defendant. OUTSIDE PRESENCE OF WITNESS: State requested to recall the witness. Defense objected. COURT ORDERED, State's request GRANTED; witness indicated she would like to clarify, counsel could explore during cross, and take the matter on appeal.

INSIDE THE PRESENCE OF THE JURY: Testimony continued. COURT ADMONISHED the jury for LUNCH RECESS.

OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding witness identification of Defendant. COURT ADMONISHED witness Rosa Vasquez to not discuss the subject or testimony with her husband.

INSIDE THE PRESENCE OF THE JURY:: Testimony presented (see worksheet). COURT ADMONISHED witness not to discuss the testimony or events presented with her husband.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT ADMONISHED jury for EVENING RECESS. COURT ORDERED trial CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY: Arguments by counsel regarding jail phones calls, and jail transcript. Further arguments regarding redaction of the inaudible sections of the jail phone calls.

CONTINUED TO: 7/31/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2017

| | |
|---------------|-------------------|
| C-16-316081-1 | State of Nevada |
| | vs |
| | Keandre Valentine |

July 31, 2017 **9:00 AM** **Jury Trial**

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding jail phone calls. Further arguments regarding Judge Herndon's ruling.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT ADMONISHED the jury for brief recess.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented (see worksheet). COURT ADMONISHED the jury for lunch recess.

OUTSIDE THE PRESENCE OF THE JURY: COURT NOTED it reviewed the State's Motion in Limine, the minutes, and stated FINDINGS.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT

ADMONISHED jury for brief recess.

OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding missing "show up" form and negligence, and Mr. Faulkner. Further arguments regarding discovery violation and jury instructions. Mr. Gaston requested and evidentiary hearing to probe the missing document issue. COURT FINDS defense brought the issue up late, therefore waived their right to an evidentiary and could examine at trial, and ruling on Sanborn motion reserved.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). Exhibits admitted (see worksheet). COURT ADMONISHED the jury for EVENING RECESS. COURT ORDERED, trial CONTINUED.

CONTINUED TO: 8/1/17 11:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

August 01, 2017 11:15 AM Jury Trial

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). State rested. COURT ADMONISHED JURORS FOR RECESS.

INSIDE THE PRESENCE OF THE JURY: Testimony continued. EXCLUSIONARY RULE INVOKED.

OUTSIDE THE PRESENCE OF THE JURY: Arguments by counsel regarding Defense's expert witness. COURT stated FINDINGS and ORDERED, State's Motion to Strike DENIED.

INSIDE THE PRESENCE OF THE JURY: Testimony continued. Exhibited presented (see worksheet). COURT ADMONISHED the jury for EVENING RECESS.

OUTSIDE THE PRESENCE OF THE JURY: Arguments by counsel regarding form of the affidavit. COURT ORDERED, affidavit ALLOWED to come in as there was reasonable inference. COURT

FURTHER ORDERED, matter CONTINUED.

EVENING RECESS.

CONTINUED TO: 8/2/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 02, 2017**

C-16-316081-1 State of Nevada
vs
Keandre Valentine

August 02, 2017 10:00 AM Jury Trial

HEARD BY: Scotti, Richard F.**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Natalie Ortega**RECORDER:** Dalayne Easley**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding introducing Bobby McCoy's booking photo and scope. COURT stated its FINDINGS and ORDERED the State would not be allowed to introduce the booking photo. Further arguments regarding Scope, custodian of records, and identification of Bobby McCoy. COURT NOTED it appeared the State argued this was a business record under NRS 51.135. COURT FINDS it needed to explore the circumstances under which the document was created, from whom, and the source of the information. Additionally, if the process of collecting the information trustworthy. Furthermore, the custodian would be voir dire outside the presence of the jury so the Court may determine if NRS 51.135 applied. Lisa Kennedy SWORN and TESTIFIED. Court EXCUSED witness. Additional arguments regarding introduction of height evidence to the jury. COURT FINDS there was inherent reliability, as to whether the scope information should be introduced, and there was concern about potential prejudice to the State in the event the jury found out Mr. McCoy was arrested for alleged criminal activity in December 2016. COURT FINDS the Defense made a compelling case and that this was so crucial to their case, that any

concerns about trustworthiness of data should go to weight rather than admissibility, it should allow some mechanism to introduce into evidence regarding Mr. McCoy's height. Additionally, the Court would allow the scope information, subject to the State's cross examination of the custodian, as to the inherent reliability or unreliability of the data or a possible stipulation for purposes of public record that Mr. McCoy once self-reported his height to be 5'10 and weight to be 145, this information, however, was unverified. Ms. Lexis noted the State would agree to option two. COURT NOTED, for purposes of public record, Mr. McCoy had once self-reported his height to be 5'10" and his weight to be 145 and this information was unverified.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding Court's ruling of testimony of Santiago Garcia.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT ADMONISHED jury for lunch recess.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding settling jury instructions. Defense WAIVED Defendant's presence for settling the jury instructions.

OUTSIDE THE PRESENCE OF THE JURY: Court noted Defense indicated they wanted to make a record of their objection, and possibly a motion related to an allegation that the State put on evidence of a jail call, which Defense had some issue. Further, as to not take additional time, the Court would allow Defense to make their record at the next recess. Additionally, the record the Defense may need to make, and possibly relief sought, would not effect the testimony of the upcoming witness. Ms. Machnich concurred.

INSIDE THE PRESENCE OF THE JURY: Testimony presented (see worksheet). COURT ADMONISHED the jury for brief recess.

OUTSIDE THE PRESENCE OF THE JURY: Court advised Defendant of his right not to testify. Arguments by counsel regarding Defendant's statements and jail calls. COURT NOTED it had directed the State to turn over any jail calls that they may intend to use. Further arguments regarding the State introduction of Defendant's jail call with witness. COURT FINDS an instruction the jury was warranted. Further, the jury would be instructed that "you have heard reference to a recent jail call that Ms. Williams had with the Defendant. Absent evidence proving otherwise, you are not to assume that anything said by the Defendant was wrong, or that he tried to convince the witness to lie." Upon Court's inquiry, counsel indicated no objection to the proposed instruction. Mr. Gaston requested relief given the State's violation of the order, and the way in which the manner was presented to the jury in violation of the order, it was warranted a mistrial with prejudice. COURT stated FINDINGS and ORDERED, Defense's Motion for Mistrial with Prejudice DENIED.

INSIDE THE PRESENCE OF THE JURY: Court read the stipulations of facts to the jury. Defense rests. State presents rebuttal case. Testimony presented (see worksheet). COURT ADMONISHED jury for recess.

OUTSIDE THE PRESENCE OF THE JURY: Arguments regarding introduction of State's proposed exhibits 197-200 and State exercising due diligence.

INSIDE THE PRESENCE OF THE JURY: Testimony continued. COURT ADMONISHED and EXCUSED jury for EVENING RECESS.

OUTSIDE THE PRESENCE OF THE JURY: Arguments by counsel regarding Judge Herndon's order, rebuttal witnesses, hearsay, and disclosing materials. COURT ORDERED, motion for mistrial DENIED. COURT FINDS the Court properly admitted the evidence. The evidence admitted during the rebuttal stage of the State's case was within the proper scope of rebuttal. Further, the evidence was properly admitted as a business record, and the Court properly considered the probative value versus prejudicial impact and allowed evidence to come in. Additionally, it did not violate the hearsay rule, and the evidence did not violate the confrontation clause. Moreover, the proposed evidence was not testimonial in nature. The Defense had not demonstrated anything in bad faith motive by the part of the State. Further, the Court FINDS that the State did not violate any duty or timely disclose the pawn shop evidence. Ms. Machnich noted the Defense would not waive any idea or argument the State acted in bad faith. Jury instructions settled on the record. COURT FURTHER ORDERED, trial CONTINUED.

EVENING RECESS

CONTINUED TO: 8/3/17 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 03, 2017

C-16-316081-1 State of Nevada
vs
Keandre Valentine

August 03, 2017 1:00 PM Jury Trial

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Jury instructions settled on the record. RECESS.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding a rebuttal witness and jail phone call transcripts.

INSIDE THE PRESENCE OF THE JURY: Court instructed the jury. Closing arguments. Court ADMONISHED the juror alternate. At the hour of 5:17 p.m. the jury returned to deliberate.

OUTSIDE THE PRESENCE OF THE JURY: Arguments by counsel regarding burden shifting during closing arguments. COURT FINDS there was no burden shifting.

EVENING RECESS.

CONTINUED TO: 8/4/17 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

August 04, 2017 11:00 AM Jury Trial

HEARD BY: Wiese, Jerry A. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Natalie Ortega

RECORDER: Dalayne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dickerson, Michael | Attorney |
| | Gaston, Tyler | Attorney |
| | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- Verdict FILED IN OPEN COURT.

JURY PRESENT: At the hour of 1:26 p.m. the Jury returned with the verdict as follows:

COUNT 1 - Robbery With Use Of A Deadly Weapon - GUILTY

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

COUNT 3 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 4 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 5 - Burglary While In Possession Of A Deadly Weapon - GUILTY

COUNT 6 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 7 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 8 - Attempt Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 9 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 10 - Burglary While In Possession Of A Deadly Weapon - GUILTY

COUNT 11 - Robbery With Use Of A Deadly Weapon - GUILTY

COUNT 12 - Possession Of Document Or Personal Identifying Information - GUILTY

COUNT 13 - Possession Of Credit or Debit Card Without Cardholder's Consent - GUILTY

COUNT 14 - Possession of Credit Or Debit Cards Without Cardholder's Consent - GUILTY

Jury polled.

OUTSIDE THE PRESENCE OF THE JURY: Ms. Lexis requested Defendant be remanded without bail. Argument that Defendant was a three time convicted felon, and had been convicted of several counts, many being robbery with use of a deadly weapon. Mr. Gaston argued Defendant had been in custody for sixteen months with a half a million dollar bail which was more than appropriate given his young age and financial circumstances. COURT FINDS, now that Defendant had been convicted of fourteen charges, this may give him an incentive to bail out, therefore, COURT ORDERED, State's request GRANTED; Defendant remanded without bail. COURT FURTHER ORDERED, sentencing SET.

CUSTODY

9/21/17 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 18, 2017

| | |
|---------------|-------------------|
| C-16-316081-1 | State of Nevada |
| | vs |
| | Keandre Valentine |

September 18, 2017 3:00 AM Minute Order

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The instant case was assigned to District Court Department 18 after a recent caseload reassignment occasioned by the previous department, District Court Department 2, moving to an all civil caseload. However, District Court Department 2 presided over the jury trial in the matter and the parties are all in agreement in their desire to have the trial judge preside over the sentencing hearing. Sentencing is currently set for Thursday, September 21, 2017.

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

This court finds that convenience and necessity justify the reassignment of the instant matter for sentencing since Department 2 was the presiding trial court, is most familiar with the facts and issues involved in the case and would logically be the more appropriate department to hear the sentencing. Therefore, based on the totality of circumstances present, this Court, as Criminal Presiding Judge, **ORDERS**, pursuant to EDCR 1.31, the reassignment of the instant case for sentencing to Department

2. The matter will proceed to sentencing as scheduled on Thursday, September 21, 2017. The parties are directed to contact the JEA in Department 2 for further instructions regarding the time the matter will be heard.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 21, 2017

C-16-316081-1 State of Nevada
 vs
 Keandre Valentine

September 21, 2017 11:00 AM Sentencing

HEARD BY: Scotti, Richard F.

COURTROOM: RJC Courtroom 11D

COURT CLERK: Katrina Hernandez

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This matter originally scheduled for Thursday, September 21 is hereby CONTINUED to Thursday, September 28 at 11:00am.

9/28/17 11:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 28, 2017

C-16-316081-1 State of Nevada
vs
Keandre Valentine

September 28, 2017 11:00 AM Sentencing

HEARD BY: Scotti, Richard F.

COURTROOM: RJC Courtroom 11D

COURT CLERK: Louisa Garcia

RECORDER: Dalyne Easley

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Lexis, Agnes | Attorney |
| | Machnich, Tegan | Attorney |
| | State of Nevada | Plaintiff |
| | Valentine, Keandre | Defendant |

JOURNAL ENTRIES

- Matter argued and submitted. By virtue of jury verdict, DEFT VALENTINE ADJUDGED GUILTY of COUNTS 1, 3, 4, 6, 7, 9, 11 - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNTS 2, 5, 10 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F); COUNT 8 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON; (F); COUNT 12 - POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION (F); COUNTS 13-14 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$1,000.00 restitution, a \$150.00 DNA analysis fee, including testing to determine genetic markers and \$3.00 DNA Collection fee, Defendant SENTENCED AS FOLLOWS:

COUNT 1 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS.

COUNT 2 - a MAXIMUM of EIGHT (8) YEARS and a MINIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC), to run CONCURRENT with COUNT 1.

COUNT 3 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONSECUTIVE to COUNT 1.

COUNT 4 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONSECUTIVE to COUNTS 1 and 3.

COUNT 5 - a MAXIMUM of EIGHT (8) YEARS and a MINIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3 and 4.

COUNT 6 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONSECUTIVE to COUNTS 1, 3 and 4.

COUNT 7 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONSECUTIVE to COUNTS 1, 3, 4 and 6.

COUNT 8 - a MAXIMUM of EIGHT (8) YEARS and a MINIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, and 7.

COUNT 9 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE TERM OF A MINIMUM OF ONE (1) YEAR and a MAXIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC) for USE of DEADLY WEAPON ENHANCEMENT, for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONSECUTIVE to COUNTS 1, 3, 4, 6 and 7.

COUNT 10 - a MAXIMUM of EIGHT (8) YEARS and a MINIMUM of THREE (3) YEARS in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8 and 9.

COUNT 11 - a MAXIMUM of FIVE (5) YEARS and a MINIMUM of TWO (2) YEARS in the Nevada Department of Corrections (NDC), for an AGGREGATE TOTAL OF THREE (3) to EIGHT (8) YEARS, CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

COUNT 12 - a MAXIMUM of THREE (3) YEARS and a MINIMUM of ONE (1) YEAR in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

COUNT 13 - a MAXIMUM of THREE (3) YEARS and a MINIMUM of ONE (1) YEAR in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

COUNT 14 - a MAXIMUM of THREE (3) YEARS and a MINIMUM of ONE (1) YEAR in the Nevada Department of Corrections (NDC), CONCURRENT with COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

The total aggregate sentence as to COUNTS 1, 3, 4, 6, 7, and 9 (SIX INCIDENCES) is a MAXIMUM of EIGHT (8) YEARS and a MINIMUM of THREE (3) YEARS in the Nevada Department of Corrections. Defendant's AGGREGATE TOTAL SENTENCE is FORTY EIGHT (48) YEARS MAXIMUM with a MINIMUM OF EIGHTEEN (18) YEARS in the Nevada Department of Corrections with FOUR HUNDRED EIGHTY NINE (489) DAYS credit for time served.

Court advised it considered the factors in NRS 193.165 as to the deadly weapon enhancement.

NDC

CLERK'S NOTE: Minute Order amended to reflect 1-3 years consecutive time as to Count 1. /lg 10-2-17

CASE NO. C-16-316081-1
DEPT. NO. III
CDDA AGNES LEXIS (GCU)

Defendant(s): KEANDRE VALENTINE #5090875

Case No(s): 16AGJ046X (RANDOMLY TRACKS TO DC VIII & III)

Charge(s): (7) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138);
(3) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426);
(1) CT - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.330, 193.165 - NOC 50145);
(1) CT - POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION (Category E Felony - NRS 205.465 - NOC 50697) and
(2) CTS - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D Felony - NRS 205.690 - NOC 50790)

Def. Counsel(s): PUBLIC DEFENDER

WARRANT (1 WEEK): No Bail 7.7 @ 9 DC3

DEFT IS IN CUSTODY @ CCDC (16F08803X - PH 6/30 IN JC11)
LVJC CASE TO BE DISMISSED: 16F08803X

Exhibits:

- | | |
|-------------------------------|-----------|
| 1. Proposed Indictment | 11. Photo |
| 2. Jury Instructions | 12. Photo |
| 3. Photo | 13. Photo |
| 4. Photo | 14. Photo |
| 5. Photo | 15. Photo |
| 6. Photo Line-Up Instructions | 16. Photo |
| 7. Photo Line-Up | 17. Photo |
| 8. Photo | 18. Photo |
| 9. Photo | 19. Photo |
| 10. Photo | |

Exhibits 1 - 19 to be lodged with the Clerk of the Court.

| | | | | | | | |
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| | | | | | | | |
|--|--|--|--|--|--|--|--|

STATE

EXHIBIT(S) LIST

Case No.: **C316081**

Hearing Date: **7/24/17**

Dept. No.: **2**

Judge: **R. Scotti**

Court Clerk: **Shelly Landwehr**

Plaintiff:

Recorder: **Dalyne Easley**

State of Nevada

Counsel for Plaintiff: **MICHAEL DICKERSON /
AGNES LEXIS**

vs.

Defendant:

Counsel for Defendant: **TYLER GASTON /**

Keandre Valentine

TEGAN MACHNICH

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

| Exhibit Number | Exhibit Description | Date Offered | Objection | Date Admitted |
|----------------|--|--------------|-----------|---------------|
| 1. | CD - Body Cam - Clip 2 | 7-26-17 | Stip | 7-26-17 |
| 2. | CD - Body Cam - Clip 1 | 7-26-17 | Stip | 7-26-17 |
| 3. | CD - 911 | 7-31-17 | Stip | 7-31-17 |
| 4. | CD - 911 - Bass | 7-26-17 | Stip | 7-26-17 |
| 5. | CD - 911 - 160528-1116 | 7-28-17 | NO | 7-26-17 |
| 6. | Photo - Map - Rancho Discount | 7-26-17 | Stip | 7-26-17 |
| 7. | Photo - Map - Rising, Robin, Nye | 7-26-17 | Stip | 7-26-17 |
| 8. | Photo - Map - 701 J. Street | 7-26-17 | Stip | 7-26-17 |
| 9. | Photo - Show up witness instructions | 7-26-17 | Stip | 7-26-17 |
| 10. | Show-Up Witness Instructions | 7-28-17 | NO | 7-28-17 |
| 11. | Show-up witness - Rosa Vasquez | 7-28-17 | NO | 7-28-17 |
| 12. | Photo witness form - (Garcia) | 7-27-17 | No | 7-27-17 |
| 13. | Photo - Photo Line-up witness instructions 6 pack | 7-26-17 | Stip | 7-26-17 |
| 14. | Photo & NOT ADMITTED | | | |

C316081

EXHIBIT(S) LIST

| | | | | |
|-----|-------------------------------|---------|---------------|---------|
| 15 | Photo-fingerprint | 7-26-17 | Stip | 7-26-17 |
| 16 | Photo-Blue car car | 7-26-17 | Stip | 7-26-17 |
| 17 | Photo-wallet | 7-26-17 | Stip | 7-26-17 |
| 18 | Photo-garage-furniture | 7-26-17 | Stip | 7-26-17 |
| 19 | Photo-" " | 7-26-17 | Stip | 7-26-17 |
| 20 | Photo " " | 7-26-17 | Stip | 7-26-17 |
| 21 | Photo " " boxes | 7-26-17 | Stip | 7-26-17 |
| 22 | Photo " " | 7-26-17 | Stip | 7-26-17 |
| 23 | Photo " " car | 7-26-17 | Stip | 7-26-17 |
| 24 | Photo " " chair car | 7-26-17 | Stip | 7-26-17 |
| 25 | Photo " " boxes | 7-26-17 | Stip | 7-26-17 |
| 26 | Photo-Blue car-street | 7-26-17 | Stip | 7-26-17 |
| 27 | Photo-2 white sheets paper | 7-26-17 | Stip | 7-26-17 |
| 28 | Photo " " | 7-26-17 | Stip | 7-26-17 |
| 29 | Pic-2 cars in drive-way | 7-26-17 | Stip | 7-26-17 |
| 30 | Pic-2 cars in drive-way | 7-26-17 | Stip | 7-26-17 |
| 31 | Pic-2 cars in drive-way | 7-26-17 | Stip | 7-26-17 |
| 32 | Pic-white-mazda | 7-26-17 | Stip | 7-26-17 |
| 33 | Pic-white-crown | 7-26-17 | Stip | 7-26-17 |
| 34 | Pic-parking lot | 7-26-17 | Stip | 7-26-17 |
| 35 | Pic-" " Front of car | 7-26-17 | Stip | 7-26-17 |
| 36 | Q40 cal Bullets | 7/27/17 | NO | 7/27/17 |
| 37 | Brown evidence envelope | 7/27/17 | NO | 7/27/17 |
| 37A | Iphone | 7/27/17 | Unconditional | 7/27/17 |
| 37B | Samsung | 7/27/17 | NO | 7/27/17 |
| 37C | HTC | 7/27/17 | NO | 7/27/17 |
| 38 | Brown evidence envelope | 7/27/17 | NO | 7/27/17 |

EXHIBIT(S) LIST

C316081

| | | | | |
|-----|---|---------|------|---------|
| 38A | visa card 8220 | 7/27/17 | No | 7/27/17 |
| 38B | I.D. Card Jordan Alexander | 7/27/17 | No | 7/27/17 |
| 39 | Brown Evidence envelope | 7/27/17 | No | 7/27/17 |
| 39A | Iphone w/ Blue otter box | 7/27/17 | No | 7/27/17 |
| 40 | Brown evidence bag | 7/27/17 | No | 7/27/17 |
| 40A | Visa 4521 | 7/27/17 | No | 7/27/17 |
| 41 | Evidence Box | 7-26-17 | Stip | 7-26-17 |
| 41A | Gun - Glock | 7-26-17 | Stip | 7-26-17 |
| 42 | Photo-white mazda front/side | 7-26-17 | Stip | 7-26-17 |
| 43 | Photo-" " | 7-26-17 | Stip | 7-26-17 |
| 44 | Photo-" " | 7-26-17 | Stip | 7-26-17 |
| 45 | Photo-" " Front | 7-26-17 | Stip | 7-26-17 |
| 46 | Photo-" " Front / side | 7-26-17 | Stip | 7-26-17 |
| 47 | Photo-side of white mazda | 7-26-17 | Stip | 7-26-17 |
| 48 | Photo-back of white mazda | 7-26-17 | Stip | 7-26-17 |
| 49 | Photo-white mazda-back/side | 7-26-17 | Stip | 7-26-17 |
| 50 | Photo- vin # | 7-26-17 | Stip | 7-26-17 |
| 51 | Photo-vacaville, CA ^{temp} ID | 7-26-17 | Stip | 7-26-17 |
| 52 | Photo-african american male Front torso/face | 7-26-17 | Stip | 7-26-17 |
| 53 | Photo-" " head to toe | 7-26-17 | Stip | 7-26-17 |
| 54 | Photo-" " side right | 7-26-17 | Stip | 7-26-17 |
| 55 | Photo-" " back side ^{hand} cuff | 7-26-17 | Stip | 7-26-17 |
| 56 | Photo-" " left side | 7-26-17 | Stip | 7-26-17 |
| 57 | Photo-left lower arm tattoo | 7-26-17 | Stip | 7-26-17 |
| 58 | Photo-tattoo "Latonya" | 7-26-17 | Stip | 7-26-17 |
| 59 | Photo- left right back wrist | 7-26-17 | Stip | 7-26-17 |
| 60 | Photo-living room - ^{couch} table | 7-26-17 | Stip | 7-26-17 |

EXHIBIT(S) LIST

C316081

| | | | | |
|----|------------------------------------|---------|------|---------|
| 61 | Photo-living room couch | 7-26-17 | Stip | 7-26-17 |
| 62 | Photo-" " tv scooter/couch | | | |
| 63 | Photo-" " window | | | |
| 64 | Photo-" " | | | |
| 65 | Photo-" "Fan - side table | | | |
| 66 | Photo- table / kitchen | | | |
| 67 | Photo- kitchen | | | |
| 68 | Photo- stove/kitchen | | | |
| 69 | Photo- hallway | | | |
| 70 | Photo- bathroom, sink.... | | | |
| 71 | Photo-" " scissors | | | |
| 72 | Photo- bathtub | | | |
| 73 | Photo- toilet | | | |
| 74 | Photo- mattress... night- stand | | | |
| 75 | Photo- bed, dresser | | | |
| 76 | Photo-" " closet | | | |
| 77 | Photo- closet... broken mirror | | | |
| 78 | Photo- closet... clothing on floor | | | |
| 79 | Photo-" " broken mirror | | | |
| 80 | Photo- table... closet... | | | |
| 81 | Photo- bed... pillows... | | | |
| 82 | Photo-" " | | | |
| 83 | Photo- dressers... bedroom | | | |
| 84 | Photo- dresser... | | | |
| 85 | Photo- night- stand | | | |
| 86 | Photo- child's room- | | | |
| 87 | Photo-" " | | | |

EXHIBIT(S) LIST

C316081

| | | | | |
|-----|---|---------|------|---------|
| 88 | Photo- child's room... closet | 7-26-17 | stid | 7-26-17 |
| 89 | Photo- " " | | | |
| 90 | Photo- " " | | | |
| 91 | Photo- " " | | | |
| 92 | Photo- closet | | | |
| 93 | Photo- hallway | | | |
| 94 | Photo- cabinet... items within | | | |
| 95 | Photo- " " | | | |
| 96 | Photo- "218" house # | | | |
| 97 | Photo- sign "B10G.3 115-120 215-220 | | | |
| 98 | Photo- Downtown Ground-650899 | | | |
| 99 | photo-inside white vehicle | | | |
| 100 | photo- " " driver seat | | | |
| 101 | photo-white vehicle- driver side door... open | | | |
| 102 | photo " " back driver-side door | | | |
| 103 | photo " " back seat | | | |
| 104 | photo " " trunk | | | |
| 105 | photo- " " | | | |
| 106 | photo- " " black shoes | | | |
| 107 | photo- " " back seat | | | |
| 108 | photo- " " | | | |
| 109 | photo- " " back right door | | | |
| 110 | photo- to " " | | | |
| 111 | photo- passenger side door | | | |
| 112 | photo-white vehicle passenger seat | | | |
| 113 | photo-center console | | | |
| 114 | photo-floor mat... Nivea lotion | | | |

EXHIBIT(S) LIST

C316081

| | | | | |
|-----|---|---------|------|---------|
| 115 | photo- glove box - lanyard | 7-26-17 | Stip | 7-26-17 |
| 116 | photo- center console... currency | | | |
| 117 | photo- closet... clothing... night stand | | | |
| 118 | photo- bin w/ clothing | | | |
| 119 | photo- clothing... gun | | | |
| 120 | photo- bed / Furniture | | | |
| 121 | photo- Cell phone | | | |
| 122 | photo- window... black floor fan | | | |
| 123 | photo- black cell phone | | | |
| 124 | photo- Floor... clothing... pillow | | | |
| 125 | photo- clothing... | | | |
| 126 | photo- clothing... cell phone | | | |
| 127 | photo- night- stand | | | |
| 128 | photo- night- stand open drawer | | | |
| 129 | photo- NV I.D card 'J. Alexander' | | | |
| 130 | photo- WITHDRAWN* | X | X | X |
| 131 | photo- WITHDRAWN* | X | X | X |
| 132 | photo- mattress... blue cell phone | 7-26-17 | Stip | 7-26-17 |
| 133 | photo- i-phone... blue cell phone | | | |
| 134 | photo- visa cards... J. Alexander... R. Vazquez... Ramirez | | | |
| 135 | photo- child room... closet | | | |
| 136 | photo- " " | | | |
| 137 | photo- gun... firearm... black | | | |
| 138 | photo- child room... tv... toys | | | |
| 139 | photo- toys... | | | |
| 140 | photo- bullet | | | |
| 141 | photo- WITHDRAWN | X | X | X |

130, 131 *148, 149, 150 + 151- WITHDRAWN * provided back to State

142-170

171-172 *140 withdrawn * provided back to State

EXHIBIT(S) LIST

C316081

| | | | | |
|-----|--|---------|-------|---------|
| 142 | Photo - closet... clothing... | 7-26-17 | Strip | 7-26-17 |
| 143 | " " - couch... no cushions | I | I | I |
| 144 | Photo - cell phone | I | I | I |
| 145 | Photo - vehicle window | I | I | I |
| 146 | Photo - vehicle... white door | I | I | I |
| 147 | Photo " " | I | I | I |
| 148 | WITHDRAWN | X | X | X |
| 149 | I I I | I | I | I |
| 150 | I I I | I | I | I |
| 151 | I I I | I | I | I |
| 152 | Photo - black truck | 7-26-17 | Strip | 7-26-17 |
| 153 | Photo " " Street... trailer | I | I | I |
| 154 | Photo " " | I | I | I |
| 155 | Photo - license... LV KL73 Nevada | I | I | I |
| 156 | Photo black trunk... front | I | I | I |
| 157 | Photo back of black truck bed | I | I | I |
| 158 | Photo " " side of truck. driver side | I | I | I |
| 159 | Photo " " back driver side bed | I | I | I |
| 160 | Photo vin # | I | I | I |
| 161 | Photo - side drivers black truck | I | I | I |
| 162 | Photo inside of black truck... driver side | I | I | I |
| 163 | Photo " " center console | I | I | I |
| 164 | Photo " " passenger side | I | I | I |
| 165 | Photo " " floor | I | I | I |
| 166 | Photo " " center | I | I | I |
| 167 | Photo " " floor... | I | I | I |
| 168 | Photo - items... cup | I | I | I |

148-151 withdrawn - back to state

EXHIBIT(S) LIST

C316081

| | | | | |
|-----|---|---------|--------|---------|
| 169 | Photo - " " | 7-26-17 | Stip | 7-26-17 |
| 170 | Photo - center console | 7-26-17 | Stip | 7-26-17 |
| 171 | Photo Transcript - Grand Jury | 7-26-17 | Stip | 7-26-17 |
| 172 | Transcript - Jordan Alexander | 7-26-17 | Stip | 7-26-17 |
| 173 | Body Cam - CD - Video Clip | 7/27/17 | No | 7/27/17 |
| 174 | CD - 911 Audio + sleeve | 7/27/17 | Stip | 7/27/17 |
| 175 | Transcript - Grand Jury (Garcia) | 7/27/17 | OBJ | 7/27/17 |
| 176 | CD - 911 Call - Rosa Vasquez Ramirez | 7-28-17 | NO | 7/28/17 |
| 177 | Photo - NOT ADMITTED | | | |
| 178 | Photo - SAT J. Alexander | 7-31-17 | NO | 7-31-17 |
| 179 | Photo - Lazaro Bravo Torres | 7-28-17 | NO | 7-28-17 |
| 180 | Photo - Marvin Bass | 7-31-17 | NO | 7-31-17 |
| 181 | Photo - Santiago Garcia | 7-31-17 | NO | 7-31-17 |
| 182 | Transcript 6-28-16 | 7-28-17 | NO | 7-28-17 |
| 183 | LVMPD - Forensic Lab ^{Identifiler Plus Allele} | 7-31-17 | NO | 7-31-17 |
| 184 | Applied Biosystems - Project ^{SV - 081716 H03} | 7-31-17 | I | I |
| 185 | " " Full male profile | 7-31-17 | I | I |
| 186 | Photo - two black males standing | 7-31-17 | NO | 7-31-17 |
| 187 | Photo - " " outside facing right | I | | I |
| 188 | Photo - " " Facing Forward | I | | I |
| 189 | CD - 52215429 - Jail call #1 | 7-31-17 | yes | 7-31-17 |
| 190 | CD - 52229195 | 7-31-17 | yes | I |
| 191 | CD - 52231 | 7-31-17 | yes | I |
| 192 | Photo - Keandre Valentine - face | 8-1-17 | yes NO | 8-1-17 |
| 193 | CCDC Phone Calls #1 - 189 | 7-31-17 | yes | 7-31-17 |
| 194 | CCDC Phone Calls #2 - 190 | 7-31-17 | yes | 7-31-17 |
| 195 | CCDC Phone Calls #3 - 191 | 7-31-17 | yes | 7-31-17 |

C316081

[illegible]

DEFENSE

EXHIBIT(S) LIST

Case No.: **C316081**

Dept. No.: **2**

Plaintiff:

State of Nevada

vs.

Defendant:

KEANDRE VALENTINE

Hearing Date: **7/24/17**

Date:

Judge: **R. Scotti**

Court Clerk: **Natalie Ortega**

Recorder: **Dalyne Easley**

Counsel for Plaintiff: **AGNES LEXIS / MICHAEL**

DICKERSON

Counsel for Defendant: **TYLER GASTON / TEGAN**

MACHNICH

TRIAL BEFORE THE COURT

DEFT'S EXHIBITS

| Exhibit Number | Exhibit Description | Date Offered | Objection | Date Admitted |
|----------------|----------------------------------|--------------|--------------|---------------|
| A. | Photo | 7/27/17 | NO | 7/27/17 |
| B. | Photo - HTC | 7/27/17 | NO | 7/27/17 |
| C. | Photo - black cell phone | 7/27/17 | NO | 7/27/17 |
| D. | Photo - blanket + phone | 7/27/17 | NO | 7/27/17 |
| E. | DVD - body cam | 7/27/17 | NO | 7/27/17 |
| F. | Set prints - McCoy, Bobby | 7/31/17 | NO | 7/31/17 |
| G. | Prints - McCoy - LP 16 - 01601.2 | 7/31/17 | NO | 7/31/17 |
| H. | Print excluded | 7/31/17 | NO | 7/31/17 |
| I. | right mid. Finger print - LVMPD | 7/31/17 | NO | 7/31/17 |
| J. | Line up - 6 pack | 7/31/17 | NO | 7/31/17 |
| K. | Photo WITHDRAWN 8-1-17 | 8-1-17 | NOT ADMITTED | |
| L. | photo WITHDRAWN 8-1-17 | 8-1-17 | NOT ADMITTED | |
| M. | Dr. Smith - VITA "CV" | 8-1-17 | NO | 8-1-17 |
| N. | DOC - NOW A COURT | 8-1-17 | | |

EXHIBIT # 22

Enter Case No. C316081

Enter Plaintiff

Enter Defendant

The State of Nevada

Keandre Valentine

WITHDRAWN

EXHIBIT(S) LIST

Case No.: C316081

State of Nevada

Plaintiff VS.

Keandre Valentine

Defendant

Court's EXHIBITS

| Exhibit Number | Exhibit Description | Date Offered | Objection | Date Admitted |
|----------------|---|--------------|-----------|---------------|
| 1 | Partial Transcript of Proceeding ^{08C241632} 1-6-15 | / | / | 7-24-17 |
| 2 | Question from Juror #14 ^{asked} ans- | / | / | 7/27/17 |
| 3 | Juror Question #3 ^{asked/ans (Juror #20)} | / | / | 7/28/17 |
| 4 | Juror Question #4 (Quest #2 ^{asked/ans- (Juror #20)} ans- (Mawer)) | / | / | 7/28/17 |
| 5 | Juror Question #4 ^{asked/ans} | / | / | 7/28/17 |
| 6 | Question from Juror #11 ^{asked/ans} | / | / | 7/31/17 |
| 7 | " " #10 ^{asked/ans-} | / | / | 7/31/17 |
| 8 | " " 7 ^{asked/ans-} | / | / | 7/31/17 |
| 9 | memo to counsel ^{asked/ans-} | / | / | 7/31/17 |
| 10 | LVMPD-Cont. Report | / | / | 7/31/17 |
| 11 | NoM+ Mot. Outlining States Dis. Comp | / | / | 7/31/17 |
| 12 | Rec. of Copy-List of Discovery Items | / | / | 7/31/17 |
| 13 | Question from Juror #11 ^{asked/ans-} | / | / | 7/31/17 |
| 14 | " " #7 NOT ASKED | / | / | 8-1-17 |
| 15 | " " #20 NOT ASKED | / | / | 8-1-17 |
| 16 | " " #20 NOT ASKED | / | / | 8-1-17 |
| 17 | " " #20 NOT ASKED | / | / | 8-1-17 |
| 18 | " " 7 NOT ASKED | / | / | 8-1-17 |
| 19 | " " 11 NOT ASKED | / | / | 8-1-17 |
| 20 | " " 10 NOT ASKED | / | / | 8-1-17 |
| 21 | Affidavit | / | / | |
| 22 | Scope | / | / | 8-2-17 |
| 23 | Juror Quest #10 ^{ask-} /ans- | / | / | 8-2-17 |
| 24 | Proposed Jury instructions NOT USED | / | / | 8-2-17 |
| 25 | Rejected Proposed Jury Instructions | / | / | 8-3-17 |
| 26 | Juror Question #7 | / | / | 8-3-17 |
| 27 | Juror Question #7 | / | / | 8-3-17 |
| 28 | " " | / | / | 8-4-17 |

0316081

The State of

EXHIBIT(S) LIST

Enter Case No.

Nevada

Keandre Valentine

~~Enter Plaintiff~~

VS.

Enter Defendant

COURT'S EXHIBITS

[illegible]

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

KEANDRE VALENTINE,

Defendant(s).

Case No: C-16-316081-1

Dept No: II

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 14 day of November 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk