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Electronically Filed  
Aug 08 2018 03:03 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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**KEANDRE VALENTINE**  
**Case No. 74468**

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ORIGINAL

1 IND

2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 AGNES LEXIS  
6 Chief Deputy District Attorney  
7 Nevada Bar #011064  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

JUN 29 2016

BY, Nora Peña  
NORA PEÑA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

CASE NO: C-16-316081-1

11 -vs-

DEPT NO: III

12 KEANDRE VALENTINE,  
13 #5090875

14 Defendant.

INDICTMENT

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 The Defendant above named, KEANDRE VALENTINE, accused by the Clark County  
18 Grand Jury of the crime(s) of ROBBERY WITH USE OF A DEADLY WEAPON (Category  
19 B Felony - NRS 200.380, 193.165 - NOC 50138); BURGLARY WHILE IN POSSESSION  
20 OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426); ATTEMPT  
21 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380,  
22 193.330, 193.165 - NOC 50145); POSSESSION OF DOCUMENT OR PERSONAL  
23 IDENTIFYING INFORMATION (Category E Felony - NRS 205.465 - NOC 50697) and  
24 POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT  
25 (Category D Felony - NRS 205.690 - NOC 50790), committed at and within the County of  
26 Clark, State of Nevada, on or between May 26, 2016 and May 28, 2016, as follows:

27 ///

28 ///

C-16-316081-1  
IND  
Indictment  
4560121





1 COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON

2 did on or about May 26, 2016, willfully, unlawfully, and feloniously take personal  
3 property, to-wit: gold chains, wallet and contents, from the person of MARVIN BASS, or in  
4 his presence, by means of force or violence, or fear of injury to, and without the consent and  
5 against the will of MARVIN BASS, with use of a deadly weapon, to-wit: a firearm.

6 COUNT 2 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

7 did on or about May 26, 2016, willfully, unlawfully, and feloniously enter, with intent  
8 to commit larceny and/or assault and/or battery and/or a felony, to-wit: robbery, that certain  
9 vehicle occupied by MARVIN BASS, located at 2901 West Washington, Las Vegas, Clark  
10 County, Nevada, while possessing and/or gaining possession of a firearm, a deadly weapon,  
11 during the commission of the crime and/or before leaving the vehicle.

12 COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

13 did on or about May 28, 2016, willfully, unlawfully, and feloniously take personal  
14 property, to-wit: lawful money of the United States, from the person of DARRELL  
15 FAULKNER, or in his presence, by means of force or violence, or fear of injury to, and without  
16 the consent and against the will of DARRELL FAULKNER, with use of a deadly weapon, to-  
17 wit: a firearm.

18 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON

19 did on or about May 28, 2016, willfully, unlawfully, and feloniously take personal  
20 property, to-wit: lawful money of the United States, from the person of DEBORAH  
21 FAULKNER, or in her presence, by means of force or violence, or fear of injury to, and  
22 without the consent and against the will of DEBORAH FAULKNER, with use of a deadly  
23 weapon, to-wit: a firearm.

24 COUNT 5 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

25 did on or about May 28, 2016 willfully, unlawfully, and feloniously enter, with intent  
26 to commit larceny and/or assault and/or battery and/or a felony, to-wit: robbery, that certain  
27 building occupied by DARRELL FAULKNER and/or DEBORAH FAULKNER, located at  
28 2605 Rising Legend, Las Vegas, Clark County, Nevada, while possessing and/or gaining

possession of a firearm, a deadly weapon, during the commission of the crime and/or before leaving the structure.

COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

did on or about May 28, 2016, willfully, unlawfully, and feloniously take personal property, to-wit: wallet and contents, from the person of JORDAN ALEXANDER, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of JORDAN ALEXANDER, with use of a deadly weapon, to-wit: a firearm.

COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

did on or about May 28, 2016, willfully, unlawfully, and feloniously take personal property, to-wit: cellular telephone and lawful money of the United States, from the person of SANTIAGO GARCIA, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of SANTIAGO GARCIA, with use of a deadly weapon, to-wit: a firearm.

COUNT 8 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

did on or about May 28, 2016 willfully, unlawfully, and feloniously attempt to take personal property, to-wit: lawful money of the United States and/or personal property, from the person of JUAN CARLOS CAMPOS TORRES, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of JUAN CARLOS CAMPOS TORRES, by demanding said money and/or personal property from the said JUAN CARLOS CAMPOS TORRES, with use of a deadly weapon, to-wit: a firearm.

COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON

did on or about May 28, 2016, willfully, unlawfully, and feloniously take personal property, to-wit: wallet and cellular telephone, from the person of LAZARO BRAVO-TORRES, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of LAZARO BRAVO-TORRES, with use of a deadly weapon, to-wit: a handgun.

COUNT 10 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

did on or about May 28, 2016, willfully, unlawfully, and feloniously enter, with intent

1 to commit larceny and/or assault and/or battery and/or a felony, to-wit: robbery, that certain  
2 vehicle occupied by LAZARO BRAVO-TORRES, located at 1104 Leonard, Las Vegas, Clark  
3 County, Nevada, while possessing and/or gaining possession of a firearm, a deadly weapon,  
4 during the commission of the crime and/or before leaving the structure.

5 COUNT 11 - ROBBERY WITH USE OF A DEADLY WEAPON

6 did on or about May 28, 2016 willfully, unlawfully, and feloniously take personal  
7 property, to-wit: purse and/or wallet and/or cellular telephone, from the person of ROSA  
8 VASQUEZ-RAMIREZ, or in her presence, by means of force or violence, or fear of injury to,  
9 and without the consent and against the will of ROSA VASQUEZ-RAMIREZ, with use of a  
10 deadly weapon, to-wit: a firearm.

11 COUNT 12 - POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING  
12 INFORMATION

13 did on or about May 28, 2016, willfully, knowingly, and feloniously possess any  
14 document or personal identifying information, to-wit: Nevada driver's license with the name,  
15 date of birth and driver's license number belonging to JORDAN ALEXANDER, for the  
16 purpose of establishing a false status, occupation, membership, license or identity for himself  
17 or any other person.

18 COUNT 13 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
19 CONSENT

20 did on or about May 28, 2016, willfully, unlawfully, and feloniously, have in his  
21 possession, without the consent of the cardholder, a credit or debit card, to-wit: VISA card  
22 ending in the numbers 8220, issued in the name of JORDAN ALEXANDER, with intent to  
23 circulate, use, sell, or transfer said card, with intent to defraud the cardholder and/or the issuer  
24 of said credit or debit card.

25 COUNT 14 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S  
26 CONSENT

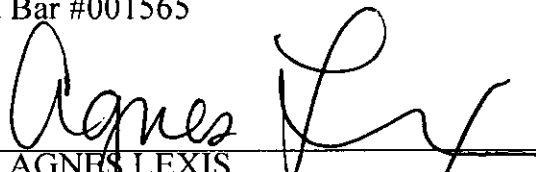
27 did on or about May 28, 2016, willfully, unlawfully, and feloniously, have in his  
28 possession, without the consent of the cardholder, a credit or debit card, to-wit: VISA card

1 ending in the numbers 9521, issued in the name of ROSA VASQUEZ-RAMIREZ, with intent  
2 to circulate, use, sell, or transfer said card, with intent to defraud the cardholder and/or the  
3 issuer of said credit or debit card.

4 DATED this 28<sup>th</sup> day of June, 2016.

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

8 BY

9   
10 AGNES LEXIS  
11 Chief Deputy District Attorney  
12 Nevada Bar #011064

13 ENDORSEMENT: A True Bill

14   
15 Foreperson, Clark County Grand Jury  
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Names of Witnesses and testifying before the Grand Jury:

ALEXANDER, JORDAN, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

BASS, MARVIN, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

BRAVO-TORRES, LAZARO, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

FAULKNER, DARRELL, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

GARCIA, SANTIAGO, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

LUDWIG, DEAN, LVMPD #12963

VASQUEZ, ROSA, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

Additional Witnesses known to the District Attorney at time of filing the Indictment:

BILYEU, RICHARD, LVMPD #7524

CUSTODIAN OF RECORDS, CCDC

CUSTODIAN OF RECORDS, LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS, LVMPD RECORDS

DOWLER, CHRISTOPHER, LVMPD #13730

ENDELMAN, DEREK, LVMPD #14025

FAULKNER, DEBORAH, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

HENSON, JASON, LVMPD #3918

MAJORS, WILLIAM, LVMPD #7089

RICHARDSON, COURTNEY, LVMPD #14739

SIMMS, JOSHUA, LVMPD #15111

SPRONK, CIERRA, LVMPD #15128

STOCKTON, DAVE, LVMPD #9989

UBBENS, ANDREW, LVMPD #13119

WATTS, DAVID, LVMPD #8463

WISE, DAVID, LVMPD #9838

16AGJ046X/16F08803X/mc-GJ  
LVMPD EV# 1605281133;1605281116;  
1605281129;1605281147;1605262109  
(TK11)

RET  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
AGNES LEXIS  
Chief Deputy District Attorney  
Nevada Bar #011064  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

FILED

2016 JUN 30 P 12:18

*Deputy Clerk*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

KEANDRE VALENTINE,  
ID#5090875

Defendant.

CASE NO: C-16-316081-1  
DEPT NO: III

C-16-316081-1  
IWR  
Indictment Warrant Return  
4560336



INDICTMENT WARRANT RETURN

An Indictment having heretofore been found on the 29th day of June, 2016, in the above entitled Court, charging Defendant KEANDRE VALENTINE, above named, with the crime(s) of: (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), and upon finding the said Indictment, the court issued a warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Indictment Warrant and served the same by arresting the within Defendant on the 29 day of June 2016.

RECEIVED

JUN 30 2016

CLERK OF THE COURT

JOE LOMBARDO,  
Clark County, Nevada

BY *Joe Lombardo*  
Deputy

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**TEMPORARY CUSTODY RECORD**  
(\* DENOTES REQUIRED FIELD)

PAGE 1 OF 1  
\*ID/CS# 5090875  
☐ JUVENILE ☐ DNA SAMPLE TAKEN ☒ DNA NOT REC'D  
CO. SGT APPROVAL ☒ REBOOK ☐ ABSENTIA ☐ FORM 6 ☐ NDOC ☐ EXT TO LAS VEGAS ☐ LVC ☐ HND ☐ NLV ☐ COURTNEY HOLD ☐ DETAINER

\*ARREST DATE: 6/29/2016 \*ARREST TIME: 1516  
\*EVENT #: 00  
\*CO-DEF: \_\_\_\_\_

\*INTAKE NAME (AKA, ALIAS, ETC.) LAST VALENTINE FIRST KEANDRE MIDDLE

\*HOME ADDRESS (STREET # AND STREET NAME) 171 FIAR OAKS

BLDG/APT. #

\*CITY LV

\*STATE NV

\*ZIP 89106

\*DATE OF BIRTH 4/28/1994

\*RACE B

\*ETHNIC M

\*SEX M

\*HEIGHT 6'03"

\*WEIGHT 160

\*HAIR BLK

\*EYES BRO

\*SOCIAL SECURITY # 602-74-4224

\*CITIZENSHIP USA

\*ALLEN REGISTRATION #

\*PLACE OF BIRTH OAKLAND, CA

\*US VETERAN

\*ACTIVE MILITARY

\*CITIZEN'S ARREST

\*SPEAKS ENGLISH

\*LOCATION OF CRIME (STREET ADDRESS, CITY, STATE, ZIP) CC CC LV

\*LOCATION OF ARREST (STREET ADDRESS, CITY, STATE, ZIP) CCDC

*ARR ** TYPE	*COURT LV JC DC OTR	*WARRANT # / CASE #	*# COUNTS	*NOC CODE	*M GM F	*CHARGE LITERAL	*ORD / MRS	*BALL	*EVENT# / NIC#
GJI	<input type="checkbox"/>	C-16-316081-1	7	50138	<input checked="" type="checkbox"/>	ROBBERY, EDW	200.380	NB	
GJI	<input checked="" type="checkbox"/>	C-16-316081-1	3	50426	<input checked="" type="checkbox"/>	BURGLARY WHILE POSS OF GUN/DW	205.060	0	
GJI	<input checked="" type="checkbox"/>	C-16-316081-1	1	50145	<input checked="" type="checkbox"/>	ATT ROBBERY, EDW	200.380	0	
GJI	<input checked="" type="checkbox"/>	C-16-316081-1	1	50697	<input checked="" type="checkbox"/>	POSS ID INFO FOR FALSE STAT/OCCUP/LIC/ID	205.465	0	
GJI	<input checked="" type="checkbox"/>	C-16-316081-1	2	50790	<input checked="" type="checkbox"/>	OB/POSS CR/DEB CARD W/O C-HOLDERS	205.690	0	

\*OTHER JURISDICTION:

PC - PROBABLE CAUSE

BS - BONDSMAN SURRENDER

BW - BENCH WARRANT

AW - ARREST WARRANT

RM - REMAND

GJI - GRAND JURY INDICTMENT

TIME STAMP  
AT BOOKING

ARRESTING OFFICER SIGNATURE

\*PRINTED NAME

\*P#

\*AGENCY

\*SECTOR/BEAT OF ARREST

FIRST APP DATE:

TIME:

TIME STAMP  
AT RELEASING

\*TRANSPORTING OFFICER SIGNATURE

\*PRINTED NAME

\*P#

\*AGENCY

CUSTODY RELEASED TO

*EMERGENCY CONTACT	NAME
*RELATIONSHIP	POSITION
*PHONE NUMBER	AGENCY
*EMAIL ADDRESS	

P#

COURT:	<input type="checkbox"/> JUSTICE
<input type="checkbox"/> MUNICIPAL	<input type="checkbox"/> JUVENILE
<input type="checkbox"/> STD BAIL	<input type="checkbox"/> O.R. REL
<input type="checkbox"/> PC	<input type="checkbox"/> I.A.D.

P#

REL REV P#

1:1 RT LT RI LI SCORE: 1:1 N RT LT RI LI SCORE:

☐ POLICE RECORDS COPY

☐ COURTS COPY

☐ DSD RECORDS COPY

☐ PROCESSING COPY

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07/14/2016 11:13:43 AM

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

Alvin D. Levine

**CLERK OF THE COURT**

THE STATE OF NEVADA,  
  
Plaintiff,  
  
vs.  
  
KEANDRE VALENTINE,  
  
Defendant.

GJ No. 16AGJ046X  
DC No. C316081

Taken at Las Vegas, Nevada

Tuesday, June 28, 2016

8:50 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222



12:00 1 GRAND JURORS PRESENT ON JUNE 28, 2016

2

3 DEBORAH HARRIS, Foreperson

4 WAYNE CLEVELAND, Deputy Foreperson

12:00 5 MARY ANN GOTHARD, Secretary

6 PAUL MORTALONI, Assistant Secretary

7 DAVID BAX

8 SHERRY LAYNE

9 KELVIN MARTIN

12:00 10 NORMA MARTIN

11 MELVINA MISSOURI-DONOVAN

12 KATHERINE MUNIZ

13 JOHN ORESCHAK

14 MARRENA POUNCY

12:00 15 DELORES POWELL

16 GERALDINE WOJNAROWSKI

17 LAWRENCE WONG

18

19 Also present at the request of the Grand Jury:

12:00 20 Agnes Lexis, Chief Deputy District Attorney

21 Michael Dickerson, Deputy District Attorney

22

23

24

25

12:00

1

INDEX OF WITNESSES

2

Examined

3

4

MARVIN BASS

7

12:00

5

DARRELL FAULKNER

17

6

JORDAN ALEXANDER

25

7

SANTIAGO GARCIA

35

8

LAZARO BRAVO-TORRES

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DEAN LUDWIG

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12:00	1	<u>INDEX OF EXHIBITS</u>	
	2		
	3	<u>Grand Jury Exhibits</u>	<u>Identified</u>
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	7	4 - PHOTOGRAPH	22
	8	5 - PHOTOGRAPH	22
	9	6 - PHOTO LINE-UP WITNESS INSTRUCTIONS	13
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	11	8 - PHOTOGRAPH	26
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	13	10 - PHOTOGRAPH	66
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12:00 1 LAS VEGAS, NEVADA, JUNE 28, 2016

2 \* \* \* \* \*

3

4 DANETTE L. ANTONACCI,

12:00 5 having been first duly sworn to faithfully  
6 and accurately transcribe the following  
7 proceedings to the best of her ability.  
8

9 MS. LEXIS: Good morning everyone. My name

08:50 10 is Agnes Lexis. I'm a chief deputy district attorney.

11 This is my co-counsel Michael Dickerson. We are today

12 here to present the State of Nevada versus Keandre

13 Valentine which is Grand Jury case number 16AGJ046X.

14 Mr. Valentine is charged with several counts of robbery

08:50 15 with use of a deadly weapon, burglary while in

16 possession of a deadly weapon, first degree kidnapping

17 with use of a deadly weapon, possession of document or

18 personal identifying information, and possession of

19 credit or debit card without cardholder's consent.

08:50 20 Today the Grand Jury proposed Indictment is Grand Jury

21 Exhibit Number 1. Grand Jury Exhibit Number 2 should be

22 the written instructions as to the elements of the

23 crimes charged under the proposed Indictment.

24 With that we are prepared to begin. The

08:51 25 State's first witness is Marvin Bass.

08:51 1 THE FOREPERSON: Good morning, sir.

2 THE WITNESS: Hello.

3 THE FOREPERSON: Please raise your right  
4 hand.

08:51 5 You do solemnly swear the testimony you are  
6 about to give upon the investigation now pending before  
7 this Grand Jury shall be the truth, the whole truth, and  
8 nothing but the truth, so help you God?

9 THE WITNESS: Yeah.

08:51 10 THE FOREPERSON: Thank you. Please be  
11 seated at the microphone.

12 THE WITNESS: Okay.

13 THE FOREPERSON: You are advised that you  
14 are here today to give testimony in the investigation

08:51 15 pertaining to the offenses of robbery with use of a  
16 deadly weapon, burglary while in possession of a deadly  
17 weapon, first degree kidnapping with use of a deadly  
18 weapon, possession of document or personal identifying  
19 information, possession of credit or debit card without  
08:52 20 cardholder's consent, involving Keandre Valentine.

21 Do you understand this advisement?

22 THE WITNESS: Yes.

23 THE FOREPERSON: Could you please state  
24 your first and last name and spell both for the record.

08:52 25 THE WITNESS: Okay. Marvin Bass.

08:52 1 M-A-R-V-I-N, B-A-S-S.

2 THE FOREPERSON: Thank you so much, sir.

3 THE WITNESS: Uh-huh.

4 MR. DICKERSON: May I proceed?

08:52 5 THE FOREPERSON: Yes, sir.

6 MR. DICKERSON: Thank you.

7 MARVIN BASS,

8 having been first duly sworn by the Foreperson of the

9 Grand Jury to testify to the truth, the whole truth,

08:52 10 and nothing but the truth, testified as follows:

11

12 EXAMINATION

13

14 BY MR. DICKERSON:

08:52 15 Q. Mr. Bass, drawing your attention to May 26,  
16 2016 at approximately 12:58 p.m., where were you?

17 A. I was at the Rancho Discount Mall.

18 Q. Is that located at 2901 West Washington in  
19 Las Vegas, Clark County, Nevada?

08:52 20 A. Yes.

21 Q. At that time were you sitting in your  
22 vehicle?

23 A. Yes.

24 Q. What happened as you were sitting in your

08:52 25 vehicle?

08:52 1 A. Well, when I was sitting in my vehicle a  
2 car pulled up behind me but facing Rancho Street but not  
3 in the parking lane, he's parked in like the middle of  
4 the street.

08:53 5 Q. What did that car look like?

6 A. It was white, four door, and I think it was  
7 like a Kia. It looked like one.

8 Q. It looked like a Kia style vehicle?

9 A. Yeah.

08:53 10 Q. Was it four door?

11 A. Four door.

12 Q. White in color?

13 A. Right.

14 Q. Newer model?

08:53 15 A. Yeah.

16 Q. Could you tell whether it had a license  
17 plate or not?

18 A. No, it didn't. It had like a cardboard  
19 dealership, red and white.

08:53 20 Q. Like a dealer tag?

21 A. Yeah.

22 Q. That car parked about 20 feet away. At  
23 that point in time did you think you knew the person in  
24 the vehicle?

08:53 25 A. Well, when he got out the car he started

08:53 1 approaching me while I was sitting in my car and it  
2 looked like I knew him, but as he got closer, no, I  
3 didn't recognize him.

4 Q. It was by the way he was approaching you  
08:53 5 that you thought you knew him?

6 A. Yeah.

7 Q. Because you thought you knew him you rolled  
8 down your window?

9 A. Yeah.

08:54 10 Q. What happened?

11 A. Well, he stared at me and he said, he  
12 hollered out "this is a robbery, give me your gold" and  
13 with his right arm he stuck his arm through the window,  
14 snatched my gold off my neck at gun point.

08:54 15 Q. What was the gold that you had on your  
16 neck?

17 A. It was two gold chains with two charms.

18 Q. At this point in time the gun was pointed  
19 at you?

08:54 20 A. Yeah.

21 Q. What did he do after that?

22 A. Then he asked me for my wallet, so I gave  
23 it to him.

24 Q. What did you have in your wallet?

08:54 25 A. Credit cards, all my ID. No money at all.



08:54 1 Q. The gun, how was he holding the gun?

2 A. He was holding it with his left arm, left  
3 hand, pointed at me while he was snatching my gold off  
4 my neck.

08:54 5 Q. When he was taking your gold --

6 A. Yeah.

7 Q. -- he said something specific, didn't he?

8 A. Well, he said, he said "if you don't give  
9 it up" something like that "I'm going to shoot your big  
08:54 10 ass."

11 Q. Was the quote that you told the police  
12 officers at the time "give me your gold, give me your  
13 wallet or I'll shoot your fat ass"?

14 A. Yeah, that's what he said.

08:55 15 Q. And then he took your gold?

16 A. Well, he took that first.

17 Q. Then he took your wallet?

18 A. Yeah.

19 Q. The gun, what did that look like?

08:55 20 A. It was black. It looked like a Glock.

21 Q. What did he do after he took your wallet?

22 A. Then he asked me for my cell phone and he  
23 just started searching my pockets but he couldn't find  
24 it, so then he asked me to open up my glove compartment,  
08:55 25 so I did, there wasn't nothing in there.

08:55 1 Q. Did he reach inside your vehicle?

2 A. Yeah. Well, he -- yeah.

3 Q. So you're sitting in your vehicle, he's

4 standing outside?

08:55 5 A. Yes.

6 Q. And he reaches in?

7 A. Uh-huh.

8 Q. To pat you down?

9 A. Yeah.

08:55 10 Q. And did he also reach into your glove box?

11 A. No, he didn't reach. I just opened it up

12 and he looked.

13 Q. When he reached into your vehicle was he

14 holding the firearm?

08:55 15 A. Yes.

16 Q. Still in his left hand?

17 A. Still in his left hand.

18 Q. This individual, what did he look like?

19 A. Black male, say around about 160 some

08:56 20 pounds, 5'10", 5'11", medium Afro.

21 Q. So after --

22 A. Dark colored clothes and stuff like that.

23 Q. After this point in time does he flee the

24 scene?

08:56 25 A. Yeah.

08:56 1 Q. What do you do?

2 A. Well, first he said "hold your head down

3 till I leave." So I did. Then he got --

4 Q. You put your head down?

08:56 5 A. Yeah.

6 Q. Towards the steering wheel?

7 A. Huh?

8 Q. Towards the steering wheel?

9 A. Yeah, I just held it down. Then when I

08:56 10 lifted it up that's when he jumped in his car and

11 speeded out the parking lot.

12 Q. Into that same newer model white four door

13 vehicle?

14 A. Right, yes.

08:56 15 Q. Did you follow him?

16 A. Yeah, I had called 911 and talking to the

17 operator while I followed him.

18 Q. Did you end up losing sight of him?

19 A. Yeah.

08:56 20 Q. Did the police meet up with you?

21 A. Yeah.

22 Q. That same day?

23 A. Same day.

24 Q. They took a report at that time?

08:56 25 A. Yeah.

08:56 1 Q. Did a couple days later the police contact  
2 you?

3 A. Yeah.

4 Q. And that was to do a photo line-up?

08:56 5 A. Yeah.

6 Q. And you in fact completed a photo line-up  
7 with the police; is that correct?

8 A. Yeah.

9 Q. I'm going to show you right now what's been  
08:57 10 marked as Grand Jury Exhibit 6. Do you recognize that?

11 A. Yeah.

12 Q. Is that the photo line-up instructions and  
13 statement that you wrote?

14 A. Uh-huh.

08:57 15 Q. And Grand Jury Exhibit 7, do you recognize  
16 that?

17 A. Yeah.

18 Q. Is that the photo line-up that you  
19 completed?

08:57 20 A. Yeah.

21 Q. Showing the members of the Grand Jury first  
22 Grand Jury Exhibit Number 6. This is the Grand Jury  
23 instructions and statement. Those instructions on the  
24 photo line-up witness instructions form, those were read  
08:57 25 to you?

08:57 1 A. Yeah.

2 Q. And you read them yourself?

3 A. Yeah.

4 Q. Is this your signature right here under the

08:57 5 instructions?

6 A. Yeah.

7 Q. Stating that you understood those

8 instructions?

9 A. Uh-huh.

08:57 10 Q. Then looking at Grand Jury Exhibit 7, this

11 is the photo line-up?

12 A. Yeah.

13 Q. You marked photo number 3?

14 A. Uh-huh.

08:57 15 Q. Circling it?

16 A. Uh-huh.

17 Q. Are those your initials under photo

18 number 3?

19 A. Yes.

08:57 20 Q. And then did you write this statement on

21 the photo line-up witness instructions form?

22 A. Yes.

23 Q. That statement is "I'm very sure the

24 suspect I identified in the photo line-up is the same is

08:58 25 him, 100 percent. He was very close to me when he

08:58 1 robbed me at gunpoint."

2 A. Uh-huh.

3 Q. That's your statement?

4 A. That's my statement.

08:58 5 Q. That's your handwriting?

6 A. That's my handwriting.

7 Q. Is this your signature underneath your  
8 statement?

9 A. Yes.

08:58 10 Q. That individual that you identified in this  
11 photo line-up, that's the man that robbed you at the  
12 Rancho Discount Mall?

13 A. Yes.

14 Q. And that Rancho Discount Mall is located in  
08:58 15 Las Vegas, Clark County, Nevada?

16 A. Yeah.

17 MR. DICKERSON: I have no further questions  
18 for this witness. Do any members of the Grand Jury have  
19 questions for him?

08:58 20 THE FOREPERSON: Sir, there are no further  
21 questions at this time.

22 Just needed to let you know that, by law,  
23 these proceedings are secret and you are prohibited from  
24 disclosing to anyone anything that has transpired before  
08:59 25 us, including evidence and statements presented to the

08:59 1 Grand Jury, any event occurring or statement made in the  
2 presence of the Grand Jury, and information obtained by  
3 the Grand Jury.

4 Failure to comply with this admonition is a  
08:59 5 gross misdemeanor punishable up to 364 days in the Clark  
6 County Detention Center and a \$2,000 fine. In addition,  
7 you may be held in contempt of court punishable by an  
8 additional \$500 fine and 25 days in the Clark County  
9 Detention Center.

08:59 10 Do you understand this admonition?

11 THE WITNESS: I understand.

12 THE FOREPERSON: Thank you so much. You  
13 are excused.

14 THE WITNESS: Thank you.

08:59 15 MS. LEXIS: State's next witness is Darrell  
16 Faulkner.

17 THE FOREPERSON: Good morning, sir. Please  
18 raise your right hand.

19 You do solemnly swear the testimony you are  
09:00 20 about to give upon the investigation now pending before  
21 this Grand Jury shall be the truth, the whole truth, and  
22 nothing but the truth, so help you God?

23 THE WITNESS: I do.

24 THE FOREPERSON: Thank you so much. Please  
09:00 25 be seated.

09:00 1                   You are advised that you are here today to  
2 give testimony in the investigation pertaining to the  
3 offenses of robbery with use of a deadly weapon,  
4 burglary while in possession of a deadly weapon, first  
09:00 5 degree kidnapping with use of a deadly weapon,  
6 possession of document or personal identifying  
7 information, possession of credit or debit card without  
8 cardholder's consent, involving Keandre Valentine.

9                   Do you understand this advisement?

09:00 10                  THE WITNESS: Yes, I do.

11                  THE FOREPERSON: Could you please state  
12 your first and last name and spell both for the record.

13                  THE WITNESS: Darrell Faulkner.

14 D-A-R-R-E-L-L, F-A-U-L-K-N-E-R.

09:00 15                  THE FOREPERSON: Thank you so much, sir.

16                               DARRELL FAULKNER,  
17 having been first duly sworn by the Foreperson of the  
18 Grand Jury to testify to the truth, the whole truth,  
19 and nothing but the truth, testified as follows:

09:00 20

21                               EXAMINATION

22

23 BY MS. LEXIS:

24                  Q.     Mr. Faulkner, good morning.

09:01 25                  A.     Good morning.



09:01 1 Q. Mr. Faulkner, I want to turn your attention  
2 to May 28th of 2016 approximately 6:53 a.m. Were you in  
3 your driveway? Or in your garage, sorry.

4 A. I was in my garage.

09:01 5 Q. Thank you. What is the address to your  
6 home?

7 A. 2605 Rising Legend Way.

8 Q. And that's here in Las Vegas, Clark County,  
9 Nevada?

09:01 10 A. Yes, ma'am.

11 Q. Sir, what were you doing in your garage?

12 A. I was packing.

13 Q. Were you with someone else in the garage?

14 A. Yes, my wife came out and we were talking.

09:01 15 Q. What's your wife's name, sir?

16 A. Debra Faulkner.

17 Q. Okay. And what happened as you and your  
18 wife were in the garage?

19 A. We were talking and she said somebody's  
09:01 20 here and I turned to my left and had a gun sticking in  
21 my face.

22 Q. What happened after you saw the gun?

23 A. He walked up into the garage, he kept the  
24 gun on my wife the whole time and he's like "get on the  
09:01 25 ground." So we squatted down. And then he said

09:02 1 "where's the money at" and I said "I have a hundred  
2 dollars" and I handed it to him and then he goes "do you  
3 have anything else of value" and I was like "yeah, look  
4 around, we've got all kinds of tools in here." And then  
09:02 5 at that time he said "stop staring at me or I'll shoot  
6 you."

7 Q. And who did he say that to you?

8 A. To me.

9 Q. Okay.

09:02 10 A. So when he got done he's like "go in the  
11 house, shut the garage down and don't look at me."

12 Q. While he was holding or while he had the  
13 gun in his hand in the garage, your wife was present  
14 obviously?

09:02 15 A. Absolutely.

16 Q. What was her reaction?

17 A. She got traumatized. She started shaking  
18 real bad and he had her dump her purse out and she was  
19 shaking so bad I had to help her dump her purse out and  
09:02 20 I told him she doesn't have any money.

21 Q. Okay.

22 A. And she lost it. She was shaking really,  
23 really bad.

24 Q. And so the hundred dollars was taken in

09:02 25 both you and your wife's presence?

09:02 1 A. That's correct.

2 Q. Can you describe the person who came to  
3 your garage to rob you?

4 A. He was a slender black male, had a little  
09:03 5 goatee here, and he was wearing like black pants with a  
6 belt hanging down, baggy pants.

7 Q. About how old would you say he was, sir?

8 A. About 22 maybe at the most.

9 Q. And the gun that was pointed at you and  
09:03 10 your wife, can you describe that?

11 A. It was a Glock, black, 40.

12 Q. You're familiar with guns, sir?

13 A. Yes, I am.

14 Q. Did he ever threaten to shoot you as well?

09:03 15 A. He did threaten to shoot me, yes. He told  
16 me to stop looking at him or he'd shoot me.

17 Q. Do you remember him asking for your wallet?

18 A. Yes. When I told him I have a hundred  
19 dollars, he said "give it to me," I went to hand the  
09:03 20 hundred dollars to him and he tried to pull the whole  
21 wallet and I pulled it back and I said "no, you're not  
22 getting this, this has got my CDL and all my credentials  
23 in it from the union." And he didn't question me. He  
24 said okay, fine. And that's when he said "go in the  
09:04 25 house, lock the door and shut the garage down."

09:04 1 Q. The gun, what hand did he hold it with?

2 A. Actually I can show you perfectly. He was  
3 standing in the garage with his hand like this on the  
4 gun.

09:04 5 Q. So for the record kind of on his waistband?

6 A. Right. He had it down by his waistband  
7 because when he walked up the driveway he had the gun  
8 like this and when he walked into the garage he had it  
9 like this and it was pointed right at my wife the whole  
09:04 10 time. So I had to watch what I was doing.

11 Q. Now as you were demonstrating it, are you  
12 right handed?

13 A. I'm left handed.

14 Q. You're left handed.

09:04 15 A. Yes.

16 Q. Okay. And you were demonstrating it with  
17 the defendant holding the gun or pointing it with his  
18 left hand?

19 A. That's correct.

09:04 20 Q. Thank you, sir.

21 You called 911?

22 A. Yes, I did.

23 Q. And were you taken to a location by a  
24 detective?

09:04 25 A. Yes.

09:04 1 Q. Shortly after this robbery?

2 A. Yes, I was.

3 Q. And were you asked to identify whether or  
4 not the individual they had in custody, whether he was

09:05 5 involved in the robbery of you and your wife?

6 A. Yes, I was.

7 Q. I'm going to show you Grand Jury Exhibits  
8 Number 4 and 5. Do you recognize the person depicted in  
9 these photographs?

09:05 10 A. Yes, I do.

11 Q. Was this the person shown to you by a Las  
12 Vegas Metropolitan police detective on May 28, 2016?

13 A. That is correct.

14 Q. When you were shown this individual by the  
09:05 15 police, did you identify this person?

16 A. I did.

17 Q. Who was this person?

18 A. That's, I think his name is Valentine.

19 Never seen him before so. That's what I believe his

09:05 20 name is.

21 Q. Was this the person who robbed you and your  
22 wife at gunpoint in your garage?

23 A. Absolutely.

24 MS. LEXIS: I'm going to show the ladies

09:05 25 and gentlemen of the Grand Jury. Grand Jury Exhibit

09:05 1 Number 4 and Grand Jury Exhibit Number 5.

2 I have no more questions for this witness.

3 Do any of the ladies and gentlemen of the Grand Jury  
4 have any questions?

09:05 5 THE FOREPERSON: If there are no further  
6 questions at this time.

7 Sir, just needed to let you know that by  
8 law, these proceedings are secret and you are prohibited  
9 from disclosing to anyone anything that has transpired  
09:05 10 before us, including evidence and statements presented  
11 to the Grand Jury, any event occurring or statement made  
12 in the presence of the Grand Jury, and information  
13 obtained by the Grand Jury.

14 Failure to comply with this admonition is a  
09:05 15 gross misdemeanor punishable up to 364 days in the Clark  
16 County Detention Center and a \$2,000 fine. In addition,  
17 you may be held in contempt of court punishable by an  
18 additional \$500 fine and 25 days in the Clark County  
19 Detention Center.

09:05 20 Do you understand this admonition?

21 THE WITNESS: Yes, I do.

22 THE FOREPERSON: Thank you so much. You  
23 are excused.

24 THE WITNESS: Thank you.

09:06 25 MS. LEXIS: State's next witness is Jordan

09:06 1 Alexander.

2 THE FOREPERSON: Good morning, sir.

3 THE WITNESS: Good morning.

4 THE FOREPERSON: Please raise your right

09:06 5 hand.

6 You do solemnly swear the testimony you are  
7 about to give upon the investigation now pending before  
8 this Grand Jury shall be the truth, the whole truth, and  
9 nothing but the truth, so help you God?

09:07 10 THE WITNESS: Yes, ma'am.

11 THE FOREPERSON: Thank you so much. Please  
12 be seated.

13 You are advised that you are here today to  
14 give testimony in the investigation pertaining to the  
09:07 15 offenses of robbery with use of a deadly weapon,  
16 burglary while in possession of a deadly weapon, first  
17 degree kidnapping with use of a deadly weapon,  
18 possession of document or personal identifying  
19 information, possession of credit or debit card without  
09:07 20 cardholder's consent, involving Keandre Valentine.

21 Do you understand this advisement?

22 THE WITNESS: Yes, ma'am.

23 THE FOREPERSON: Could you please state  
24 your first and last name and spell both for the record.

09:07 25 THE WITNESS: Jordan Alexander.

09:07 1 J-O-R-D-A-N, A-L-E-X-A-N-D-E-R.

2 THE FOREPERSON: Thank you so much.

3 THE WITNESS: No problem.

4 JORDAN ALEXANDER,

09:07 5 having been first duly sworn by the Foreperson of the  
6 Grand Jury to testify to the truth, the whole truth,  
7 and nothing but the truth, testified as follows:

8  
9 EXAMINATION

09:07 10  
11 BY MR. DICKERSON:

12 Q. Mr. Alexander, drawing your attention to  
13 May 28, 2016 at 7:01 a.m. approximately, were you in  
14 your driveway of your home?

09:08 15 A. No, sir, I was on the side of the street  
16 which is right next to the driveway so.

17 Q. So right outside of 1508 Robin Street?

18 A. Yes, sir.

19 Q. And that address is located here in Las  
09:08 20 Vegas Clark County, Nevada?

21 A. Yes, sir.

22 Q. What were you doing?

23 A. I was loading my fiancée's purses and the  
24 car seat into my car.

09:08 25 Q. What happened as you were loading these



09:08 1 items into the vehicle?

2 A. When I put the car seat, no, the purses  
3 inside of the car, a white Mazda pulled up behind my car  
4 which is on the side of the street, and I was on the  
09:08 5 outside on the driver's side of my car which is closest  
6 to the street, and then the car pulled up behind it.

7 When it pulled up behind it I walked around my car which  
8 was in front of the Mazda and I walked to the passenger  
9 side of my car to put in the car seat.

09:08 10 Q. That Mazda, how close did it pull up to  
11 you?

12 A. It probably left about three or four feet  
13 behind my car.

14 Q. Was it white in color?

09:08 15 A. Yes, sir.

16 Q. Newer model?

17 A. Yes, sir. Around 2013, 2014 I believe.

18 Q. Four door?

19 A. Yes, sir.

09:09 20 Q. I'm showing you what has been marked as  
21 Grand Jury Exhibit 8. Do you recognize this?

22 A. Yes, sir.

23 Q. What is that?

24 A. That is a Mazda 3.

09:09 25 Q. Is this the vehicle that you saw that day?

09:09 1 A. Yes, sir, for sure. Dark tinted windows.

2 Q. Showing the members of the Grand Jury Grand  
3 Jury Exhibit 8.

4 Once again that's the vehicle that you saw  
09:09 5 pull up behind you in front of your address?

6 A. Yes, sir.

7 Q. As that vehicle pulled up, what happened?

8 A. Well, once I went to the passenger side of  
9 my car to the back to put the car seat, I, after I put,

09:09 10 buckled in the car seat, I went to turn around and when  
11 I turned around he was right there with a gun in my  
12 face.

13 Q. You say he. What does this individual look  
14 like?

09:09 15 A. It was a tall black male with kind of a  
16 tall Afro, not too big but an Afro, and he had on all  
17 black.

18 Q. Was he skinny?

19 A. Yes, sir, really slim.

09:10 20 Q. About in his twenties, is that what you  
21 told police officers?

22 A. Yeah, I'm going to say.

23 Q. What happened as he puts his gun in your  
24 face?

09:10 25 A. He had it close to his body and he just

09:10 1 told me to give him everything I had and I told him I  
2 didn't have anything.

3 Q. And the way that he had it close to his  
4 body, what was going on there?

09:10 5 A. He had it in his left hand but he had it  
6 aimed at me but angled to where nobody else could see  
7 like even if somebody drove by.

8 Q. Did he tell you anything?

9 A. He told me to be calm, to just give him  
09:10 10 everything that I had.

11 Q. Did he say anything specifically that he  
12 wanted?

13 A. He asked for purses, the purses that I took  
14 out to my car, he asked for a phone, then he asked for  
09:10 15 my wallet and money.

16 Q. Did you in fact give him your wallet?

17 A. Yes, sir.

18 Q. What was located in your wallet?

19 A. My ID, my social security card, my health  
09:10 20 card and my blood type card.

21 Q. Did you also have a Wells Fargo Visa debit  
22 card?

23 A. Yes, sir.

24 Q. Ending in last four numbers 8220?

09:11 25 A. Yes, sir.

09:11 1 Q. And you had your Nevada ID?

2 A. Yes, sir.

3 Q. I'm going to show you just briefly Grand  
4 Jury Exhibit 18. Do you recognize that blue card

09:11 5 depicted in Grand Jury Exhibit 18?

6 A. Yes, sir.

7 Q. What is that?

8 A. That is my debit card.

9 Q. Is that the one that was in your wallet?

09:11 10 A. Yes, sir.

11 Q. Showing the members of the Grand Jury Grand  
12 Jury Exhibit Number 18.

13 Also showing you Grand Jury Exhibit 17. Do  
14 you recognize this ID in Grand Jury Exhibit 17?

09:11 15 A. Yes, sir, that is my ID.

16 Q. Is that the ID that you had in your wallet?

17 A. Yes, sir.

18 Q. Showing the members of the Grand Jury Grand  
19 Jury Exhibit Number 17.

09:11 20 Now did he take those items that I just  
21 showed you?

22 A. Yes, sir. He -- well, actually I handed  
23 him my wallet so he got all of that out of the wallet.

24 Q. So that was in your wallet?

09:12 25 A. Yes.

09:12 1 Q. It went with him when he took the wallet?

2 A. Yes, sir.

3 Q. Did he, this individual that was robbing  
4 you that day, or anybody else, have consent to have that  
09:12 5 Visa debit card?

6 A. No, sir. No consent on that one.

7 Q. So after he gets these items from you, what  
8 does he do?

9 A. He asked me for my keys to the car but I  
09:12 10 told him that they weren't the right keys. So he walked  
11 up kind of close to the car and he just peeked inside  
12 and then he just walked off to his car.

13 Q. That same Mazda?

14 A. Yes, sir.

09:12 15 Q. Does he leave in that Mazda?

16 A. Yes, sir, he walked to the driver's side,  
17 got in the car and then he just threw it in drive and  
18 just drove off.

19 Q. And what do you do?

09:12 20 A. As soon as he passed me I ran into the  
21 house and I told my mom that I got robbed at gunpoint so  
22 I was going to go try to follow to see where he went and  
23 she said hold on, let me get some stuff real quick, and  
24 I'm like I'm going to follow him. So she came out  
09:13 25 behind, me we made a right off of Robin and went down

09:13 1 Vegas and we seen a police officer's car and got their  
2 attention and let them know what happened from there.

3 Q. You told the police right then?

4 A. Yes, sir.

09:13 5 Q. That's when the police became involved?

6 A. Yes, sir.

7 Q. Later that day, probably less than two  
8 hours later, were you taken to J Street?

9 A. Yes, sir. On J Street and Owens, close to  
09:13 10 Owens, yes, sir.

11 Q. At J Street were you asked to see whether a  
12 certain individual was involved in this event?

13 A. Yes, sir. I went to go see the person who  
14 robbed me actually.

09:13 15 Q. Did you identify somebody?

16 A. Yes, sir.

17 Q. That individual was a black male?

18 A. Yes, sir.

19 Q. Wearing no shirt --

09:13 20 A. No shirt.

21 Q. -- at the time you saw him.

22 I'm going to show you Grand Jury Exhibit 5.  
23 Do you recognize that?

24 A. Yes, sir.

09:13 25 Q. Is that the individual that robbed you?

09:13 1 A. Yes, sir, that is the male.

2 Q. Is that how he looked when you identified  
3 him on J Street?

4 A. Yes, sir.

09:13 5 Q. And Grand Jury Exhibit 6, same thing? Or,  
6 I'm sorry, Grand Jury Exhibit 4.

7 A. This is a better picture here.

8 Q. Is that a closeup of his face?

9 A. Yes, sir.

09:14 10 Q. Is that the way he looked when you  
11 identified him?

12 A. Yes, sir.

13 Q. Showing the members of the Grand Jury Grand  
14 Jury Exhibit 5.

09:14 15 That's the male who robbed you?

16 A. Yes, sir.

17 Q. Grand Jury Exhibit 6, same thing, that's  
18 just a closeup of his face; is that correct?

19 Is that right?

09:14 20 A. Yes, sir.

21 MR. DICKERSON: Ladies and gentlemen, I  
22 have no further questions for this witness. Do you guys  
23 have any questions?

24 THE FOREPERSON: There are no further

09:14 25 questions by the Grand Jury at this time.

09:14 1 Sir, just needed to let you know that by  
2 law, these proceedings are secret and you are prohibited  
3 from disclosing to anyone anything that has transpired  
4 before us, including evidence and statements presented  
09:14 5 to the Grand Jury, any event occurring or statement made  
6 in the presence of the Grand Jury, and information  
7 obtained by the Grand Jury.

8 Failure to comply with this admonition is a  
9 gross misdemeanor punishable up to 364 days in the Clark  
09:14 10 County Detention Center and a \$2,000 fine. In addition,  
11 you may be held in contempt of court punishable by an  
12 additional \$500 fine and 25 days in the Clark County  
13 Detention Center.

14 Do you understand this admonition?

09:15 15 THE WITNESS: Yes, ma'am.

16 THE FOREPERSON: Thank you so much. You're  
17 excused.

18 MS. LEXIS: State's next witness is  
19 Santiago Garcia.

09:15 20 THE FOREPERSON: Good morning.

21 THE WITNESS: Good morning.

22 THE INTERPRETER: I am the interpreter.

23 THE FOREPERSON: Could you please state  
24 your first and last name.

09:15 25 THE INTERPRETER: Richard Evans, E-V-A-N-S.



09:16 1 THE FOREPERSON: And sir, could you please  
2 raise your right hand.

3 You do solemnly swear the testimony you are  
4 about to give upon the investigation now pending before  
09:16 5 this Grand Jury shall be the truth, the whole truth, and  
6 nothing but the truth, so help you God?

7 THE WITNESS: Yes.

8 THE FOREPERSON: Thank you so much. You  
9 may be seated.

09:16 10 You are advised that you are here today to  
11 give testimony in the investigation pertaining to the  
12 offenses of robbery with use of a deadly weapon,  
13 burglary while in possession of a deadly weapon, first  
14 degree kidnapping with use of a deadly weapon,  
09:16 15 possession of document or personal identifying  
16 information, and possession of credit or debit card  
17 without cardholder's consent, involving Keandre  
18 Valentine.

19 Do you understand this advisement?

09:16 20 THE WITNESS: Yes.

21 THE FOREPERSON: Thank you. Could you  
22 please state your first and last name and spell both for  
23 the record.

24 THE WITNESS: Santiago Garcia.

09:17 25 THE FOREPERSON: Spell both.

09:17 1 THE WITNESS: S-A-N-T-I-A-G-O, Santiago,  
2 G-A-R-C-I-A.

3 THE FOREPERSON: Thank you so much.

4 SANTIAGO GARCIA,

09:17 5 having been first duly sworn by the Foreperson of the  
6 Grand Jury to testify to the truth, the whole truth,  
7 and nothing but the truth, testified as follows:

8  
9 EXAMINATION

09:17 10  
11 BY MR. DICKERSON:

12 Q. Mr. Garcia, drawing your attention to May  
13 28, 2016 at approximately 7:08 a.m. Were you working as  
14 a landscaper at 1312 Nye Street located in Las Vegas,  
09:17 15 Clark County, Nevada?

16 A. Yes.

17 Q. As you were working as a landscaper, what  
18 were you doing?

19 A. We were trimming tree.

09:18 20 Q. When you say we, are you referring to  
21 another individual that you were working with?

22 A. Yes. I don't know if I can say his name.

23 Q. Is that individual Juan Carlos  
24 Campos-Torres?

09:18 25 A. Yes.

09:18 1 Q. As you guys are trimming this tree, where  
2 are you?

3 A. I was up in the ladder.

4 Q. And where is Juan Carlos?

09:18 5 A. On top of the roof.

6 Q. What happens as you guys are trimming this  
7 tree?

8 A. When I was on top of the ladder I saw a  
9 white car go by and park at the third house.

09:19 10 Q. The white car?

11 A. Yes.

12 Q. What did it look like?

13 A. Okay. I thought that it was a family  
14 member of the owner of the house because I never saw a  
09:19 15 weapon. He yelled but he was going towards the inside.

16 Q. The white car, was it a newer model?

17 A. Yes.

18 Q. Four door?

19 A. Uh-huh.

09:19 20 Q. Did it have a license plate?

21 A. No.

22 Q. The individual that got out of that  
23 vehicle, what did he look like?

24 A. About 6 feet more or less in height. He

09:20 25 was completely in black. There's a question about the

09:20 1 hair, I don't know how to explain it. Here he had the  
2 hair short and here it was kind of long, big.

3 Q. So he had some hair on top of his head?

4 A. Yes.

09:20 5 Q. Was it curly?

6 A. Yes. He was color black.

7 Q. Are you saying that he was a black male?

8 A. Yes.

9 Q. Was his hair also black?

09:20 10 A. Yes.

11 Q. As you see him approaching the house, do  
12 you think that he may be familiar with the residence?

13 A. Yes, I thought he was a relative because  
14 the people that lived in the house are from the same  
09:21 15 color.

16 Q. Now this individual comes up to you?

17 A. First I saw when he pulled the gun and  
18 pointed it at my worker. I was up in the ladder, he was  
19 on the roof, we were at the same level.

09:21 20 Q. And when you're talking about your worker,  
21 that's Juan Carlos?

22 A. Yes.

23 Q. So this individual points a gun at Juan  
24 Carlos?

09:22 25 A. Yes.

09:22 1 Q. And does he say anything?

2 A. Yes, he told to get down. Carlos, what  
3 Carlos did, he got scared and he jumped back. So the  
4 guy never saw him again. So then he pointed the gun at  
09:22 5 me and told me to get down.

6 Q. He points the gun at you and tells you to  
7 get down while Juan Carlos is hiding on the roof?

8 A. Yes, I never saw Juan Carlos.

9 Q. After that point?

09:23 10 A. I didn't see him because he told me to get  
11 down and turn off the trimmer that I was using to trim  
12 the tree.

13 Q. The black male adult with the gun told you  
14 to get off the ladder and drop the trimmer?

09:23 15 A. Yes.

16 Q. Did he order you to give him anything?

17 A. Yes, he said he wanted my money, everything  
18 that I had in my pockets.

19 Q. What did you give him?

09:23 20 A. I had my keys, I told him I didn't have any  
21 money which was a lie, I had my wallet in my back but I  
22 just gave him my cash which I believe I had \$20.

23 Q. Did you also give him a cell phone?

24 A. Yes, he asked me to give him my phone as

09:24 25 well.

09:24 1 Q. The cash that you had, that was US  
2 currency?

3 A. Yes, it were dollars.

4 Q. And how much was it?

09:24 5 A. I thought that I had \$20 but I pay my  
6 workers on that same day so I had a bundle of about \$500  
7 and I realized then afterwards that when I gave him  
8 thinking it was \$20 I gave him everything.

9 Q. So you realized after the fact that you in  
09:25 10 fact gave him more than \$20.

11 A. Yes. The day before I take out the money  
12 so I can pay my workers.

13 Q. Okay. At this point in time did he have  
14 the gun on you?

09:25 15 A. Yes, he had it against my chest.

16 Q. The gun was pressed against your chest?

17 A. Yes.

18 Q. What did he do after he took your cell  
19 phone and that cash?

09:25 20 A. He went backwards always pointing the gun  
21 at me and so did I. I started to go back to try to hide  
22 behind the wall from the house.

23 Q. Did that male flee in that same white  
24 vehicle that you saw?

09:26 25 A. Yes.

09:26 1 Q. Did you end up having the homeowner of the  
2 home that you were working at call the police?

3 A. Yes, because that moment I knocked at the  
4 door, came out, I explained everything, so they called  
09:26 5 the police.

6 Q. Did you tell 911 that the individual was  
7 wearing a black shirt?

8 A. Yes, he was completely black. I explained  
9 that.

09:26 10 Q. And you said that he was driving a white  
11 vehicle with no plates?

12 A. Yes. The only thing I noticed was a black  
13 paper on the license plate with some name in blue color.

14 Q. Did officers later that day take you to the  
09:27 15 area of 1701 J Street to see if you could identify a  
16 vehicle?

17 A. Yes, but they first took me to show me a  
18 person they had, if it was the same guy, but no, it  
19 wasn't the same person.

09:27 20 Q. First we're going to talk about the  
21 vehicle.

22 A. Okay.

23 Q. Grand Jury Exhibit 8. Do you recognize  
24 that?

09:27 25 A. Yes, that's the car.

09:27 1 Q. Okay. This is the vehicle?

2 A. Yes.

3 Q. I'm going to show you Grand Jury Exhibit 5  
4 and 4. Do you recognize those?

09:28 5 A. Yes, it's the same person.

6 Q. That's the person who robbed you?

7 A. Yes.

8 Q. Okay. You said that first before showing  
9 you the vehicle they showed you another individual?

09:28 10 A. They showed me another person almost at the  
11 same street.

12 Q. That wasn't the individual depicted in  
13 Grand Jury Exhibit 4 and 5, right?

14 A. In the picture? No, it wasn't that.

09:28 15 Q. Okay. Grand Jury Exhibit 8 right here,  
16 this is the vehicle that you saw?

17 A. Let me say. When they showed me the first  
18 person, the officer said I'm going to show you now a  
19 vehicle, see if that's the vehicle.

09:29 20 Q. And this was the vehicle that you saw?

21 A. Yes, that's the vehicle they showed me  
22 there, and yes, it was the vehicle.

23 Q. That's the vehicle that the person who  
24 robbed you was driving?

09:29 25 A. Car was parked in the parking lot. We



09:29 1 didn't see a person driving.

2 Q. Right. But this is the same vehicle that  
3 you saw pull up at the house that you were working at?

4 A. Yes, it's the same vehicle.

09:29 5 Q. The same vehicle that the person who robbed  
6 you stepped out of?

7 A. Yes.

8 Q. And fled in?

9 A. Yes.

09:29 10 Q. Okay. Later on you were brought back to  
11 that J Street area; isn't that correct?

12 A. Yes.

13 Q. And that's when you were asked to identify  
14 another individual?

09:30 15 A. First they took me to recognize the car,  
16 then they came back to my work and took me to recognize  
17 another person and that was the person.

18 Q. Okay. And this occurred the same day that  
19 you were robbed?

09:30 20 A. Yes.

21 Q. And now I'm showing the Grand Jury Grand  
22 Jury Exhibit 5. Is this how the individual looked when  
23 you identified him?

24 A. Yes.

09:30 25 Q. And who is this individual?

09:30 1 A. It's the same one that robbed me.

2 Q. Okay. And Grand Jury Exhibit Number 4, is  
3 this the same individual, just a closer shot of his  
4 face?

09:30 5 A. Yes.

6 Q. Sir, at this point in time I'm showing you  
7 Grand Jury Exhibits 19, 16 and 15. Do you recognize any  
8 of the items located in these exhibits?

9 A. Yes, this is my phone.

09:31 10 Q. You've indicated that Grand Jury Exhibit 15  
11 is your phone?

12 A. Yes.

13 Q. A picture of your phone. Showing the  
14 ladies and gentlemen of the Grand Jury Grand Jury  
09:31 15 Exhibit 15.

16 That's your cell phone?

17 A. Yes.

18 Q. And is this the cell phone that was taken  
19 by the man who robbed you?

09:31 20 A. Yes.

21 Q. The same individual that you were just  
22 shown a picture of?

23 A. Yes.

24 MR. DICKERSON: Thank you.

09:32 25 Ladies and gentlemen of the Grand Jury, I

09:32 1 have no further questions for this witness. Do any of  
2 you have any questions for him?

3 THE FOREPERSON: If there are no further  
4 questions by the Grand Jury at this time.

09:32 5 Sir, by law, these proceedings are secret  
6 and you are prohibited from disclosing to anyone  
7 anything that has transpired before us, including  
8 evidence and statements presented to the Grand Jury, any  
9 event occurring or statement made in the presence of the  
09:32 10 Grand Jury, and information obtained by the Grand Jury.

11 Failure to comply with this admonition is a  
12 gross misdemeanor punishable up to 364 days in the Clark  
13 County Detention Center and a \$2,000 fine. In addition,  
14 you may be held in contempt of court punishable by an  
09:32 15 additional \$500 fine and 25 days in the Clark County  
16 Detention Center.

17 Do you understand this admonition?

18 THE WITNESS: Yes.

19 THE FOREPERSON: Thank you so much. You're  
09:33 20 excused.

21 THE WITNESS: Can I ask a question?

22 MR. DICKERSON: No.

23 MS. LEXIS: Ask Mr. Dickerson outside the  
24 presence.

09:33 25 THE WITNESS: Thank you.

09:33 1 THE FOREPERSON: Thank you so much.

2 MS. LEXIS: State's next witness is Lazaro  
3 Bravo-Torres.

4 THE FOREPERSON: Good morning. Please  
09:33 5 raise your right hand, sir.

6 You do solemnly swear the testimony you are  
7 about to give upon the investigation now pending before  
8 this Grand Jury shall be the truth, the whole truth, and  
9 nothing but the truth, so help you God?

09:34 10 THE WITNESS: Yes.

11 THE FOREPERSON: Thank you so much. Please  
12 be seated.

13 You are advised that you are here today to  
14 give testimony in the investigation pertaining to the  
09:34 15 offenses of robbery with use of a deadly weapon,

16 burglary while in possession of a deadly weapon, first  
17 degree kidnapping with use of a deadly weapon,  
18 possession of a document or personal identifying  
19 information, possession of a credit or debit card

09:34 20 without cardholder's concept, involving Keandre  
21 Valentine.

22 Do you understand this advisement, sir?

23 THE WITNESS: Yes.

24 THE FOREPERSON: Could you please state

09:34 25 your first and last name and spell both for the record.

09:34 1 THE WITNESS: Yes. You want the letters?

2 THE FOREPERSON: First his full name first  
3 and last name and then spell both for the record.

4 THE WITNESS: Lazaro Bravo-Torres.

09:35 5 Letters, I don't know how to read.

6 MS. LEXIS: I'll just make an offer of  
7 proof. It's L-A-Z-A-R-O, last name B-R-A-V-O, dash,  
8 Torres, T-O-R-R-E-S.

9 THE FOREPERSON: Thank you so much.

09:35 10 And sir, could you please just restate your  
11 name for the record, Mr. Interpreter.

12 THE INTERPRETER: Richard Evans, E-V-A-N-S.

13 MS. LEXIS: Thank you very much. May I  
14 proceed?

09:35 15 THE FOREPERSON: Yes, ma'am.

16 LAZARO BRAVO-TORRES,  
17 having been first duly sworn by the Foreperson of the  
18 Grand Jury to testify to the truth, the whole truth,  
19 and nothing but the truth, testified as follows:

09:35 20

21 EXAMINATION

22

23 BY MS. LEXIS:

24 Q. Good morning, Mr. Bravo-Torres.

09:35 25 A. Good morning.

09:35 1 Q. Sir, I want to call your attention to May  
2 28, 2016. Were you with your wife at your home located  
3 at 1104 Leonard in Las Vegas, Clark County, Nevada?

4 A. Yes.

09:35 5 Q. What's your wife's name, sir?

6 A. Rosa Vazquez.

7 Q. Did something happen to you and your wife  
8 that day?

9 A. I'm sorry?

09:36 10 Q. Did something happen to you and your wife  
11 that day that's causing you to have to testify today?

12 A. Yes, this young man pointed a gun at us.

13 Q. Okay. Where were you when the man pointed  
14 the gun at you?

09:36 15 A. I was leaving my house. I was in my truck.  
16 I was driving, I was going to work.

17 Q. Okay. Were you still in your driveway?

18 A. The trailer, yes. The camper, yes.

19 Q. And so are you on the driver's side?

09:36 20 A. Me, yes.

21 Q. And you said you were on your way to work.  
22 Was your wife in the car with you already?

23 A. She was closer, but when she saw the guy  
24 approaching she came in and got inside.

09:37 25 Q. What happened once you and your wife were

09:37 1 in your truck?

2 A. When he approached at that moment at the  
3 same time my wife got inside the car.

4 Q. And what happened once the man approached  
09:37 5 you?

6 A. He will take the gun away from me.

7 Q. Okay. Where did he point the gun at you?

8 A. Here in my chest.

9 Q. For the record you're pointing at your left  
09:37 10 side of your chest?

11 A. Uh-huh.

12 Q. Did he say anything to you, sir?

13 A. He asked me about Luther King Street.

14 Q. Did you tell him how to get to that street?

09:38 15 A. I told him to go on straight ahead, the  
16 next corner, it was the street.

17 Q. At some point did he try to take items from  
18 you?

19 A. When he put the gun at me he patted me, he  
09:38 20 wanted my wallet.

21 Q. Were you still in your car when the robber  
22 patted you?

23 A. I already had gotten down.

24 Q. Gotten out of your car?

09:38 25 A. I already had gotten out of my car.

09:38 1 Q. Did the robber ask you to come out of your  
2 car?

3 A. Yes.

4 Q. And when you said he patted you down, what  
09:38 5 did he pat down?

6 A. I'm sorry?

7 Q. When you said he looked for things to take  
8 once you were outside of the car, what did he do?

9 A. He pushed me against the door and with this  
09:39 10 one he had the gun and he stretched out to open the  
11 console in the middle.

12 Q. Okay. So when you demonstrated, sir, you  
13 had your left hand out and then you were gesturing like  
14 you had a gun in your hand. Is that how the robber had  
09:39 15 the gun pointed at you?

16 A. I was resting like this and the gun was  
17 like this. Like this.

18 Q. Okay. So with the right hand and then the  
19 left hand -- where was the robber's left hand? Was it  
09:40 20 making contact with your body?

21 A. The gun like this. Searching like this.

22 Q. And what part of you did he search?

23 A. What do you mean search?

24 Q. Did he look through your pants?

09:40 25 A. Yes, he had me like this. With this hand



09:40 1 he touched like this. But the gun always had here.

2 Q. And you gestured as if he was patting your  
3 pants down for things to steal?

4 A. Uh-huh.

09:40 5 Q. And he had the gun pointed at your chest  
6 the entire time?

7 A. Yes.

8 Q. Where was your wife when this was  
9 happening?

09:40 10 A. She was standing over there.

11 Q. Was she by the passenger side?

12 A. Yes. He just did like this.

13 Q. So he kind of took turns pointing the gun  
14 at you and then at her?

09:41 15 A. Yes.

16 Q. You said he went into, part of his body  
17 went into the car so that he could look at the console?

18 A. Just a little, from the waist up.

19 Q. And did you see him take anything from the  
09:41 20 center console of your truck?

21 A. He just turned around the papers and  
22 grabbed the purse and then pulled out.

23 Q. And whose purse did he grab?

24 A. My wife's.

09:41 25 Q. Do you remember the robber telling your

09:41 1 wife not to move?

2 A. Yes.

3 Q. Okay. Did the robber also take your wife's  
4 cell phone?

09:42 5 A. It was in the purse inside.

6 Q. Okay. And your wife called 911?

7 A. At the moment no. She called later after  
8 we left because the phone, my phone was on the floor.

9 THE INTERPRETER: Interpreter's correction.

09:42 10 My phone was thrown there.

11 BY MS. LEXIS:

12 Q. Thrown there by the robber?

13 A. No. I left it in the front part on the  
14 bottom.

09:42 15 Q. Okay. Can you describe the robber, sir,  
16 like how tall, what he was wearing, how old?

17 A. A little bit taller than me.

18 Q. How tall are you?

19 A. Five.

09:43 20 Q. Was he fat, skinny?

21 A. Thin. Thin face. Curly hair like this.

22 Q. And how old did you think he was?

23 A. Nineteen to 20.

24 Q. And what was his race?

09:43 25 A. Black.

09:43 1 Q. I'm going to show you -- were you later  
2 that day on May 28, 2016, taken to a location on J Street  
3 by the police?

4 A. Yes.

09:43 5 Q. And were you asked to identify someone they  
6 had at J street?

7 A. Yes.

8 Q. I'm going to show you Grand Jury Exhibit  
9 Number 4 and Number 5. Is this the person the police  
09:44 10 showed you on J Street on May 28, 2016?

11 A. Yes, that's him.

12 Q. And once the police showed you this person,  
13 were you able to identify whether or not this person was  
14 involved in the robbery of you and your wife?

09:44 15 A. What I told the police is he had different  
16 clothing. He changed everything, shoes and everything.

17 Q. Okay.

18 A. The hair he had groomed his hair a little  
19 bit, but the face, it was him.

09:44 20 MS. LEXIS: And just for the record it was  
21 Grand Jury Exhibits 4 and 5.

22 I have no further questions for this  
23 witness. Do any of the ladies and gentlemen of the  
24 Grand Jury have any questions?

09:45 25 THE FOREPERSON: If there are no further

09:45 1 questions at this time.

2 Sir, by law, these proceedings are secret  
3 and you are prohibited from disclosing to anyone  
4 anything that has transpired before us, including

09:45 5 evidence and statements presented to the Grand Jury, any  
6 event occurring or statement made in the presence of the  
7 Grand Jury, and information obtained by the Grand Jury.

8 Failure to comply with this admonition is a  
9 gross misdemeanor punishable up to 364 days in the Clark  
09:45 10 County Detention Center and a \$2,000 fine. In addition,  
11 you may be held in contempt of court punishable by an  
12 additional \$500 fine and 25 days in the Clark County  
13 Detention Center.

14 Do you understand this admonition?

09:46 15 THE WITNESS: Yes.

16 THE FOREPERSON: Thank you so much. You're  
17 excused.

18 MS. LEXIS: The State's next witness is  
19 Rosa Vazquez.

09:47 20 THE FOREPERSON: Sir, could you restate  
21 your name for the record.

22 THE INTERPRETER: Sure. Richard Evans,  
23 E-V-A-N-S.

24 THE FOREPERSON: Ma'am, could you please  
09:47 25 raise your right hand.

09:47 1           You do solemnly swear the testimony you are  
2 about to give upon the investigation now pending before  
3 this Grand Jury shall be the truth, the whole truth, and  
4 nothing but the truth, so help you God?

09:47 5           THE WITNESS: Yes, I accept.

6           THE FOREPERSON: Please have a seat. Thank  
7 you.

8           You are advised that you are here today to  
9 give testimony in the investigation pertaining to the  
09:47 10 offenses of robbery with use of a deadly weapon,  
11 burglary while in possession of a deadly weapon, first  
12 degree kidnapping with use of a deadly weapon,  
13 possession of document or personal identifying  
14 information, possession of credit or debit card without  
09:48 15 cardholder's consent, involving Keandre Valentine.

16           Do you understand this advisement?

17           THE WITNESS: Yes.

18           THE FOREPERSON: Could you please state  
19 your first and last name and spell both for the record.

09:48 20           THE WITNESS: Rosa Vazquez.

21           THE FOREPERSON: And spell both please.

22           THE WITNESS: R-O-S-A.

23           THE FOREPERSON: Last name.

24           THE WITNESS: V-A-Z-K-U-E-Z (sic).

09:48 25           THE FOREPERSON: Thank you so much.

09:48 1 BY MS. LEXIS:

2 Q. Good morning, Miss Vazquez.

3 A. Good morning.

4 Q. Buenos días. Are you nervous about

09:49 5 testifying this morning?

6 A. Yes, a little.

7 This is Agnes.

8 Q. Okay. It will be quick. Okay?

9 Ma'am, we're going to talk about what

09:49 10 happened to you on May 28, 2016 when you and your

11 husband were in your truck. Can you tell us what

12 happened?

13 A. It was a Saturday morning around 7 o'clock

14 in the morning. My husband and I were leaving to go to

09:49 15 work. We work in landscaping. My husband pulled out

16 the truck along with the trailer, he was ahead of me and

17 I was closing the gate. When I was walking towards the

18 truck to get inside I saw a young black person.

19 Q. Can you describe the young black person

09:50 20 that you saw?

21 A. Tall, thin, with kind of a long face with

22 eyes a little bit like if they were sad. He was coming

23 on the sidewalk of my house. I saw him walking slowly.

24 He had both his hands under his shirt. I didn't look at

09:51 25 it as something important.

09:51 1 Q. And then what happened?

2 A. I got into the truck. At that moment I  
3 heard the young man approach the window to talk to my  
4 husband. He asked him where the Martin Luther King  
09:51 5 Avenue was.

6 Q. Did you get in the truck by that time?

7 A. Yes, I had gotten up and shut the door.

8 Q. And then what happened?

9 A. Then I heard him ask where the Martin

09:51 10 Luther King Avenue was. Then my husband said "oh shit."

11 Q. Okay. And then what happened?

12 A. Sorry.

13 Q. It's okay.

14 A. I turned around, I saw the gun against his  
09:52 15 shoulder.

16 Q. Were you scared?

17 A. I turned around and was very pressed.  
18 That's when I said to myself oh my God. I thought  
19 quickly. He made my husband get out of the truck.

09:52 20 Q. Did he make you get out of the truck?

21 A. No. But when he was talking with my wife  
22 he wanted money, was telling my husband dinero, money  
23 give me the money. And was asking where's your wallet,  
24 give me your wallet.

09:53 25 Q. Did your husband give him money or his

09:53 1 wallet?

2 A. He got out of the truck because he was told  
3 to get out of the truck and then he put the gun against  
4 his chest while he was searching his pants to see if he  
09:53 5 had his wallet. I opened the door quickly and got out.

6 I was about to run.

7 Q. Did you run?

8 A. No.

9 Q. Why not?

09:53 10 A. He yell at me.

11 Q. What did he say?

12 A. He said "don't move or I'll shoot you" and  
13 he pointed the gun directly at me. Then he pointed  
14 again at my husband and said "you want me to kill him?"

09:54 15 So I said, "No, no, it's okay, I'm not going to move."

16 I remained standing there in front of him and my  
17 husband.

18 Q. What happened next?

19 A. Then he had the gun against my husband's  
09:54 20 chest. He kind of got into the car, he lifted a part in  
21 the middle of the truck where we put away papers and he  
22 started to move everything around, but since there was  
23 nothing important, but below in the same part, in the  
24 center of the truck, my purse was there.

09:55 25 Q. What color was your purse?



09:55 1 A. Black.

2 Q. And what did you have in your purse?

3 A. My bank cards, I had my Mexican card.

4 Q. Was your cell phone in there?

09:55 5 A. My cell phone was there also.

6 Q. Did you have any cash or money?

7 A. Yes, about \$40. And a lot of loose change,

8 about \$10.

9 Q. So did the robber take your purse?

09:56 10 A. Yes, he grabbed it and put it under his

11 arm. That's when he told us to get in, don't make any

12 movement because I'll shoot and leave.

13 Q. When he told you to get in, was it to get

14 into the truck?

09:56 15 A. Yes, we got in.

16 Q. Okay.

17 A. My husband pulled out and the good thing is

18 that his cell phone, since it's small he pulled it out

19 from the pocket of his pants and gave it to me because I

09:57 20 said I have to call the police. And at that moment I

21 quickly called.

22 Q. Okay. During the entire time that the

23 robber was with you and your husband, is it fair to say

24 that you were very scared, ma'am?

09:57 25 A. Well, inside I was shaking.

09:57 1 Q. Did you have to go to the --

2 A. But I did not show him fear. But I thought  
3 to myself if I showed him that I was scared he could  
4 shoot and kill me.

09:57 5 Q. Did you have to go to the hospital after  
6 this incident?

7 A. Yes. One or two days later I couldn't stop  
8 feeling lots of anxiety, like fear, a lot of fear. It  
9 caused me desire to vomit and my stomach was hurting a  
09:58 10 lot.

11 Q. Okay. The same day that you were robbed,  
12 May 28, 2016, did the police bring you to a location on  
13 J Street?

14 A. Yes.

09:58 15 Q. Did they show you an individual to see if  
16 you could identify the person as being the robber?

17 A. Yes.

18 Q. I'm going to show you Grand Jury Exhibit 4  
19 and 5. Do you recognize the person shown in these  
09:58 20 photographs?

21 A. Yes.

22 Q. Was this the person that the police showed  
23 you on May 28, 2016?

24 A. Yes.

09:59 25 Q. When the police showed you this person, did

09:59 1 you identify this person?

2 A. Yes.

3 Q. What did this person do to you and your  
4 husband?

09:59 5 A. He assaulted us and he put a gun at us to  
6 scare us.

7 Q. And did he take your purse?

8 A. Yes.

9 Q. For the record 4 and 5.

09:59 10 Ma'am, I'm going to show you Grand Jury  
11 Exhibit Number 14. Do you recognize what's shown in  
12 that photograph?

13 A. Yes.

14 Q. Okay. What do you recognize it to be?

09:59 15 A. My cell phone.

16 Q. I'm going to publish Grand Jury Exhibit  
17 Number 14.

18 Was this the cellular phone that was in  
19 your purse that was taken by the robber?

10:00 20 A. Yes.

21 Q. I'm going to show you Grand Jury Exhibit  
22 Number 18. The red card shown in this photograph, do  
23 you recognize that?

24 A. The red one, yes, mine.

10:00 25 Q. Was this a card that was in your wallet

10:00 1 which was in your purse?

2 A. Inside my purse.

3 Q. That was taken by the robber?

4 A. Yes.

10:00 5 Q. Publishing Grand Jury Exhibit Number 18.

6 And it's the red card; correct?

7 A. Yes.

8 Q. Did you get to see the color of the gun?

9 A. Well, it was small.

10:00 10 Q. What color?

11 A. I don't remember. I saw like a dark gray.

12 MS. LEXIS: Okay. I don't have anymore

13 questions for this witness.

14 THE FOREPERSON: Are there any further

10:01 15 questions from the Grand Jury at this time?

16 If there are no further questions by the

17 Grand Jury.

18 Ma'am, by law, these proceedings are secret

19 and you are prohibited from disclosing to anyone

10:01 20 anything that has transpired before us, including

21 evidence and statements presented to the Grand Jury, any

22 event occurring or statement made in the presence of the

23 Grand Jury, and information obtained by the Grand Jury.

24 Failure to comply with this admonition is a

10:01 25 gross misdemeanor punishable up to 364 days in the Clark

10:01 1 County Detention Center and a \$2,000 fine. In addition,  
2 you may be held in contempt of court punishable by an  
3 additional \$500 fine and 25 days in the Clark County  
4 Detention Center.

10:01 5 Do you understand this admonition?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Thank you so much.

8 THE WITNESS: I want to ask a question.

9 MS. LEXIS: We'll talk to you after. Okay,

10:02 10 Rosa?

11 THE WITNESS: To come to court.

12 MS. LEXIS: Mr. Dickerson will answer your  
13 question.

14 THE FOREPERSON: Thank you.

10:02 15 MS. LEXIS: Gracias.

16 The State's next witness is Dean Ludwig.

17 THE FOREPERSON: Good morning, sir.

18 THE WITNESS: Good morning.

19 THE FOREPERSON: Please raise your right

10:02 20 hand.

21 You do solemnly swear the testimony you are  
22 about to give upon the investigation now pending before  
23 this Grand Jury shall be the truth, the whole truth, and  
24 nothing but the truth, so help you God?

10:03 25 THE WITNESS: Yes, I do.

10:03 1 THE FOREPERSON: Thank you so much. Please  
2 be seated at the microphone, sir. Thank you.

3 You are advised that you are here today to  
4 give testimony in the investigation pertaining to the  
10:03 5 offenses of robbery with use of a deadly weapon,  
6 burglary while in possession of a deadly weapon, first  
7 degree kidnapping with use of a deadly weapon,  
8 possession of document or personal identifying  
9 information, possession of credit or debit card without  
10:03 10 cardholder's consent, involving a Keandre Valentine.

11 Do you understand this advisement, sir?

12 THE WITNESS: Yes.

13 THE FOREPERSON: Could you please state  
14 your first and last name and spell both for the record.

10:03 15 THE WITNESS: First name is Dean, D-E-A-N,  
16 last of Ludwig, L-U-D-W-I-G.

17 THE FOREPERSON: Thank you so much, sir.

18 THE WITNESS: Uh-huh.

19 DEAN LUDWIG,

10:03 20 having been first duly sworn by the Foreperson of the  
21 Grand Jury to testify to the truth, the whole truth,  
22 and nothing but the truth, testified as follows:

23 EXAMINATION

24 BY MS. LEXIS:

10:03 25 Q. How are you employed, sir?

10:03 1 A. Currently employed as a detective for Las  
2 Vegas Metropolitan Police Department.

3 Q. How long have you been a detective?

4 A. Just under a year.

10:03 5 Q. Prior to that were you a patrol officer?

6 A. Yes.

7 Q. Is there a certain area command that you  
8 work?

9 A. I work Bolden Area Command.

10:04 10 Q. Were you employed as a detective with Metro  
11 on May 28, 2016?

12 A. Yes.

13 Q. Did you become involved in an investigation  
14 concerning a series of robberies that had occurred near  
10:04 15 the area of 1701 J Street?

16 A. Yes.

17 Q. At some point did a sergeant ask you to  
18 respond to that location?

19 A. Yes.

10:04 20 Q. Did you in fact, Detective, obtain a search  
21 warrant for an apartment located at 1701 J Street,  
22 building number 3, apartment 218?

23 A. Yes.

24 Q. And did you also obtain a lawful search

10:04 25 warrant to search a 2016 Mazda with a VIN number JM1, B

10:04 1 like boy, M1T77G1344926?

2 A. Yes.

3 Q. Fair to say that you believe the apartment

4 218 to be involved with the robberies that you were

10:04 5 investigating?

6 A. Yes.

7 Q. And the car, the registered owner of that

8 car was actually an individual by the name of Omara

9 McBride; is that correct?

10:05 10 A. That's correct.

11 Q. But that car matched the description of a

12 vehicle that the robber was involved in; is that

13 correct?

14 A. That's correct.

10:05 15 Q. And at some point an individual was found

16 in 1701 J Street, building number 3, apartment 218; is

17 that correct?

18 A. Yes.

19 Q. And who was that individual found?

10:05 20 A. Keandre Valentine.

21 Q. I'm going to show you Grand Jury Exhibit

22 Number 3. Do you recognize this individual?

23 A. Yes.

24 Q. Who is this?

10:05 25 A. This is Keandre Valentine.



10:05 1 Q. Was he found in the master bedroom of 1701  
2 J Street, building 3, apartment 218?

3 A. Yes, he was.

4 Q. After you obtained a search warrant for  
10:05 5 that vehicle, did you in fact assist or oversee a search  
6 of that apartment and that vehicle?

7 A. I did.

8 Q. In the apartment was a gun located?

9 A. Yes, it was.

10:05 10 Q. Where was it located, sir?

11 A. It was in two pieces. Part of it was  
12 located in the master bedroom and then the other half of  
13 the gun was located in a child's bedroom.

14 Q. In a child's bedroom?

10:06 15 A. Yes.

16 Q. So it was a two bedroom apartment?

17 A. Yes.

18 Q. I'm going to show you Grand Jury Exhibit  
19 Number 9 and 10. Do you recognize what's depicted in  
10:06 20 these photos?

21 A. Yes.

22 Q. What is it, sir?

23 A. That is the gun that we located in the  
24 apartment.

10:06 25 Q. Was that in the master bedroom, the portion

10:06 1 of the gun or half of the gun that was located in the  
2 master bedroom?

3 A. Yes.

4 Q. I'm going to show you Grand Jury Exhibit

10:06 5 Number 11 and Number 12. Do you recognize what's  
6 depicted here?

7 A. Yes.

8 Q. Was this the other half of the gun located  
9 in the kid's bedroom?

10:06 10 A. That's correct.

11 Q. I'm going to show you Grand Jury Exhibit  
12 Number 13. Did you also find two .40 caliber rounds?

13 A. Yes.

14 Q. You had an opportunity to look at the gun  
10:06 15 that was recovered?

16 A. Uh-huh.

17 Q. Was it in fact a .40 caliber Glock?

18 A. Yes, it was.

19 Q. Thank you.

10:07 20 And I'll publish Grand Jury Exhibit  
21 Number 9. This is the portion of the gun right there;  
22 is that right?

23 A. Yes.

24 Q. The black item at the top?

10:07 25 A. That's the upper receiver.

10:07 1 Q. Okay. Grand Jury Exhibit Number 10, this  
2 was in the master bedroom where Keandre Valentine was  
3 found; correct?

4 A. Yes.

10:07 5 Q. Show you Grand Jury Exhibit Number 11. I  
6 want to call your attention to the open box located in  
7 the middle of the photograph. What was found there?

8 A. The lower receiver of the gun.

9 Q. Grand Jury Exhibit Number 12, does that  
10:07 10 show the portion of the gun recovered?

11 A. Yes.

12 Q. And Grand Jury Exhibit Number 13. Calling  
13 your attention to the gold items located towards the  
14 left of the picture. Are those the two .40 caliber  
10:07 15 rounds found?

16 A. Yes.

17 Q. That was also inside the kid's bedroom; is  
18 that correct?

19 A. That's correct.

10:07 20 Q. In the bedroom, the master bedroom, did you  
21 recover a Nevada ID in the name of Jordan Alexander?

22 A. Yes.

23 Q. Did you also recover a Visa debit card in  
24 the name of Jordan Alexander?

10:08 25 A. Yes.

10:08 1 Q. And a Visa debit card in the name of Rosa  
2 Vazquez-Ramirez?

3 A. Yes.

4 Q. I'm going to show you Grand Jury Exhibit  
10:08 5 Number 17. Do you see the Nevada ID?

6 A. Yes.

7 Q. Belonging to Jordan Alexander?

8 A. Uh-huh.

9 Q. And Grand Jury Exhibit Number 18, the two  
10:08 10 debit cards I just mentioned --

11 A. Yes.

12 Q. -- these were in the master bedroom --

13 A. Correct.

14 Q. -- where Keandre Valentine was found?

10:08 15 A. Yes.

16 Q. Grand Jury Exhibit Number 17. I'll zoom  
17 in. ID belonging to Jordan Alexander?

18 A. Uh-huh.

19 Q. Grand Jury Exhibit Number 18. The two

10:08 20 debit cards. You see that, Detective?

21 A. Yes.

22 Q. Thank you. 1701 J Street, that's here in  
23 Las Vegas, Clark County, Nevada?

24 A. Yes.

10:09 25 Q. Sir, I'm going to show you, you helped

10:09 1 translate for the Spanish speaking victims during the  
2 show-ups; is that right?

3 A. That's correct.

4 Q. Can you just tell the ladies and gentlemen  
10:09 5 of the Grand Jury briefly what a show-up is?

6 A. A show-up is where we have somebody  
7 detained that may or may not be involved in a crime and  
8 so we grab our victims and one by one we bring them over  
9 to the scene and we ask them if they recognize the  
10:09 10 individual who has been detained and we inform them  
11 prior to that the instructions that we give them that  
12 the person may or may not be related to the crime and  
13 it's just as important to make someone who is guilty  
14 guilty and somebody who is innocent, exonerate them as  
10:10 15 well. So I translated all of the instructions for them  
16 and gave them the opportunity to put in their own words  
17 whether or not they recognized the individual and how  
18 sure they were of that recognition.

19 Q. And Detective, I'm going to show you Grand  
10:10 20 Jury Exhibits 4 and 5. Was this the individual shown to  
21 the victims of the robberies on May 28, 2016?

22 A. Yes, that's correct.

23 Q. And is this person Keandre Valentine?

24 A. Yes, it is.

10:10 25 Q. You're familiar with photo line-up witness

10:10 1 instructions and also just the process of a photo  
2 line-up; is that correct?

3 A. That's correct.

4 Q. Now you did not present this particular  
10:10 5 photo line-up to Mr. Bass, but I'm going to show you  
6 Grand Jury Exhibit Number 7. The person that's circled  
7 in position number 3 of this exhibit, who is that?

8 A. That's Keandre Valentine.

9 MS. LEXIS: Thank you.

10:10 10 Anything else, Mike?

11 Mr. Dickerson just pointed out.

12 Let me admonish the ladies and gentlemen of  
13 the Grand Jury -- where did the exhibit go? Up here.  
14 As to an exhibit.

10:11 15 Exhibit Number 13 shows what appears to be  
16 a pipe. It could be used for the ingestion of illegal  
17 controlled substances. I would admonish the ladies and  
18 gentlemen of the Grand Jury that you're not here to  
19 deliberate or to infer that that belonged to

10:11 20 Mr. Valentine or that Mr. Valentine is a bad person  
21 because there is a pipe located in the area where we  
22 searched and found the .40 caliber bullets. So just  
23 deliberate on the evidence that we presented. Okay?  
24 Don't consider any other bad acts.

10:12 25 Anything else?

10:12 1 I have no more questions for this witness.  
2 Do any of the ladies and gentlemen of the Grand Jury  
3 have any questions?

4 THE FOREPERSON: If there are no further  
10:12 5 questions at this time.

6 Sir, by law, these proceedings are secret  
7 and you are prohibited from disclosing to anyone  
8 anything that has transpired before us, including  
9 evidence and statements presented to the Grand Jury, any  
10:12 10 event occurring or statement made in the presence of the  
11 Grand Jury, and information obtained by the Grand Jury.

12 Failure to comply with this admonition is a  
13 gross misdemeanor punishable up to 364 days in the Clark  
14 County Detention Center and a \$2,000 fine. In addition,  
10:12 15 you may be held in contempt of court punishable by an  
16 additional \$500 fine and 25 days in the Clark County  
17 Detention Center.

18 Do you understand this admonition?

19 THE WITNESS: Yes, ma'am.

10:12 20 THE FOREPERSON: Thank you so much. You're  
21 excused.

22 MS. LEXIS: Madame Foreperson, may I have  
23 just a brief indulgence.

24 Madame Foreperson, prior to submitting this  
10:13 25 case for deliberation, we would ask you to also consider

10:13 1 a count of attempt robbery with use of a deadly weapon,  
2 the victim being Juan Carlos Campos-Torres, J-U-A-N,  
3 C-A-R-L-O-S, C-A-M-P-O-S, Torres, T-O-R-R-E-S. I don't  
4 have it in the Grand Jury instructions which I have  
10:13 5 marked as Grand Jury Exhibit Number 2, but an attempt,  
6 the elements of an attempt to commit the crime are the  
7 intent to commit the crime, performance of some act  
8 towards its commission and the failure to consummate its  
9 commission. So an attempt robbery with use of a deadly  
10:14 10 weapon concerning Juan Carlos Campos-Torres.

11 Madame Foreperson, I would also ask to  
12 strike Count Number 9, first degree kidnapping with use  
13 of a deadly weapon. I don't believe we have met the  
14 elements for that particular charge.

10:14 15 I would also respectfully ask the Grand  
16 Jury to add one count of burglary while in possession of  
17 a firearm, the victim being Marvin Bass for the  
18 defendant entering his BMW or his vehicle with a firearm  
19 with the intent to rob him.

10:14 20 And I would also respectfully ask the  
21 ladies and gentlemen of the Grand Jury to consider a  
22 count of burglary while in possession of a deadly weapon  
23 or a firearm, the victim being Darrell Faulkner and/or  
24 Debra Faulkner, this time for entering the garage of  
10:15 25 2605 Rising Legend, Las Vegas, Nevada, 89106, with the



10:15 1 intent to commit larceny, assault, battery or a felony,  
2 which in this case would be robbery.

3 THE FOREPERSON: You said burglary with use  
4 of a deadly weapon?

10:15 5 MS. LEXIS: Yes, ma'am. Or while in  
6 possession of a firearm.

7 THE FOREPERSON: Okay.

8 MS. LEXIS: And the date on the burglary  
9 that we want to add for Marvin Bass would be May 26,  
10:15 10 2016, and again that's for the defendant sticking his  
11 body or his hand inside Mr. Bass' vehicle to rob him or  
12 assault him or batter him or commit a felony, in this  
13 case a robbery. Or commit a larceny.

14 And then the date for Darrell Faulkner is  
10:15 15 May 28th. And for Juan Carlos Campos-Torres for the  
16 attempt robbery, the date would also be May 28, 2016.  
17 And this is all to comport with the testimony this  
18 morning.

19 Do any of the ladies and gentlemen of the  
10:16 20 Grand Jury have any questions?

21 A JUROR: I do real quick. When they hold  
22 them against your will, don't let them move, isn't that  
23 second degree kidnapping?

24 MS. LEXIS: We don't feel as though we've  
10:16 25 met the elements for any degree of kidnapping so we

10:16 1 would ask you not to deliberate as to that charge.

2 A JUROR: Okay. Thank you.

3 MS. LEXIS: Thank you. We'll step out.

4 (At this time, all persons, other than

10:16 5 members of the Grand Jury, exit the room at 10:16 a.m.

6 and return at 10:19 a.m.)

7 A JUROR: We have some questions for you.

8 THE FOREPERSON: Just to clarify. You

9 wanted to add a count for burglary while in possession

10:19 10 of a firearm pertaining to Mr. Bass; correct?

11 MS. LEXIS: Yes, ma'am.

12 THE FOREPERSON: It looks like that count

13 is already in Count 2 unless you're wording it

14 different.

10:20 15 MS. LEXIS: Oh.

16 THE FOREPERSON: Just trying to get a

17 clarification.

18 MS. LEXIS: You're absolutely right. I'm

19 so sorry. I didn't realize that was already on there.

10:20 20 Yeah, scratch that addition, it is in fact Count 2.

21 But with regard to Darrell Faulkner I would

22 still ask for the burglary while in possession of a

23 firearm for his garage.

24 THE FOREPERSON: Okay.

10:20 25 MS. LEXIS: And then the attempt robbery as

10:20 1 to Juan Carlos Campos-Torres.

2 A JUROR: I thought there was a question on  
3 that one too.

4 A JUROR: Well, I have a question on Count  
10:20 5 7, robbery with use of a deadly weapon, where it says a  
6 wallet and cell phone were taken from Lazaro  
7 Bravo-Torres. Did you want to amend that to Rosa  
8 Vazquez as the victim?

9 MS. LEXIS: That can stand concerning --  
10:21 10 okay, that can stand concerning Lazaro Bravo-Torres  
11 because that was in his presence.

12 A JUROR: Okay.

13 MS. LEXIS: And as opposed to the first  
14 degree kidnapping on Count 9, we would ask to switch  
10:21 15 that to a robbery with use of a deadly weapon, the  
16 victim being Rosa Vazquez, with the same language  
17 contained in Count 7.

18 THE FOREPERSON: And this is switching out  
19 Count 9?

10:21 20 MS. LEXIS: Correct.

21 THE FOREPERSON: Robbery with use of a  
22 deadly weapon?

23 MS. LEXIS: Correct.

24 THE FOREPERSON: So just to clarify one  
10:21 25 last time before you leave. We're adding in a robbery

10:22 1 with use of a deadly weapon for Count 9. We're adding  
2 in an attempt robbery with use of a deadly weapon  
3 regarding a Mr. Juan Torres and those are the additional  
4 two counts.

10:22 5 A JUROR: Burglary.

6 MS. LEXIS: The burglary. It's a burglary  
7 while in possession of a firearm for Darrell Faulkner.

8 THE FOREPERSON: Got you. I got it. Okay.  
9 Okay.

10:22 10 MS. LEXIS: For the garage.

11 THE FOREPERSON: Thank you.

12 MS. LEXIS: Thank you.

13 (At this time, all persons, other than  
14 members of the Grand Jury, exit the room at 10:22 a.m.  
10:22 15 and return at 10:29 a.m.)

16 THE FOREPERSON: Madame District Attorney,  
17 by a vote of 12 or more Grand Jurors a true bill has  
18 been returned against the defendant Keandre Valentine  
19 charging the crimes of seven counts now of robbery with  
10:29 20 use of a deadly weapon, three counts now of burglary  
21 while in possession of a deadly weapon, one count of  
22 possession of a document or personal identifying  
23 information, two counts of possession of credit or debit  
24 card without cardholder's concept, and one count of  
10:29 25 attempt robbery with use of a deadly weapon, in Grand

10:29 1 Jury case number 16AGJ046X. We instruct you to prepare  
2 an Indictment in conformance with the proposed  
3 Indictment previously submitted to us with any amended  
4 additional charges.

10:29 5 MS. LEXIS: Thank you very much.

6 MR. DICKERSON: Thank you.

7 (Proceedings concluded.)

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10:29 1 **REPORTER'S CERTIFICATE**

2

3 **STATE OF NEVADA** )  
4 **COUNTY OF CLARK** ) : Ss

10:29 5

6 I, Danette L. Antonacci, C.C.R. 222, do

7 hereby certify that I took down in Shorthand (Stenotype)

8 all of the proceedings had in the before-entitled matter

9 at the time and place indicated and thereafter said

10 shorthand notes were transcribed at and under my

11 direction and supervision and that the foregoing

12 transcript constitutes a full, true, and accurate record

13 of the proceedings had.

14 Dated at Las Vegas, Nevada,

10:29 15 July 5, 2016.

16

17 /s/ Danette L. Antonacci

18 \_\_\_\_\_

19 Danette L. Antonacci, C.C.R. 222

10:29 1 AFFIRMATION

2 Pursuant to NRS 239B.030

3

4 The undersigned does hereby affirm that the

10:29 5 preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER

6 16AGJ046X:

7

8 X Does not contain the social security number of any

9 person,

10:29 10 -OR-

11 \_\_\_ Contains the social security number of a person as

12 required by:

13 A. A specific state or federal law, to-

14 wit: NRS 656.250.

15 -OR-

10:29 16 B. For the administration of a public program

17 or for an application for a federal or

18 state grant.

19 /s/ Danette L. Antonacci

Signature 7-5-16  
Date

10:29 20

21 Danette L. Antonacci

22 Print Name

23 Official Court Reporter

24 Title

25

	.	64/15 64/21 65/16 66/1 69/22
<b>A JUROR: [7]</b> 74/20 75/1 75/6 76/1 76/3 76/11 77/4	<b>.40 [4]</b> 67/12 67/17 68/14 71/22	<b>18 [7]</b> 29/4 29/5 29/12 60/22 61/5 69/9 69/19
<b>BY MR. DICKERSON:</b> <b>[3]</b> 7/12 25/9 35/9	<b>.40 caliber [4]</b> 67/12 67/17 68/14 71/22	<b>19 [1]</b> 43/7
<b>BY MS. LEXIS: [5]</b> 17/21 46/21 51/10 54/25 63/23	/	<b>2</b>
<b>MR. DICKERSON:</b> <b>[7]</b> 7/3 7/5 15/16 32/20 43/23 44/21 78/5	/s <b>[2]</b> 79/17 80/18	<b>20 [1]</b> 51/23 <b>20 feet [1]</b> 8/22 <b>2013 [1]</b> 26/17 <b>2014 [1]</b> 26/17 <b>2016 [20]</b> 1/13 2/1 5/1 7/16 18/2 22/12 25/13 35/13 47/2 52/2 52/10 55/10 59/12 59/23 64/11 64/25 70/21 74/10 74/16 79/15
<b>MS. LEXIS: [33]</b> <b>THE FOREPERSON:</b> <b>[69]</b> <b>THE INTERPRETER:</b> <b>[5]</b> 33/21 33/24 46/11 51/8 53/21	<b>1</b> <b>10 [2]</b> 66/19 68/1 <b>100 percent [1]</b> 14/25 <b>10:16 [1]</b> 75/5 <b>10:19 [1]</b> 75/6 <b>10:22 [1]</b> 77/14 <b>10:29 [1]</b> 77/15 <b>11 [2]</b> 67/5 68/5 <b>1104 [1]</b> 47/3 <b>12 [3]</b> 67/5 68/9 77/17 <b>12:58 p.m [1]</b> 7/16	<b>218 [4]</b> 64/22 65/4 65/16 66/2 <b>22 [1]</b> 20/8 <b>222 [3]</b> 1/25 79/6 79/18 <b>239B.030 [1]</b> 80/2 <b>25 [7]</b> 16/8 23/18 33/12 44/15 53/12 62/3 72/16 <b>26 [2]</b> 7/15 74/9 <b>2605 [2]</b> 18/7 73/25 <b>28 [15]</b> 1/13 2/1 5/1 22/12 25/13 35/13 47/2 52/2 52/10 55/10 59/12 59/23 64/11 70/21 74/16
<b>THE WITNESS: [46]</b>	<b>12:58 p.m [1]</b> 7/16 <b>13 [3]</b> 67/12 68/12 71/15 <b>1312 [1]</b> 35/14 <b>14 [2]</b> 60/11 60/17 <b>15 [3]</b> 43/7 43/10 43/15 <b>1508 [1]</b> 25/17 <b>16 [2]</b> 43/7 80/18 <b>160 [1]</b> 11/19 <b>16AGJ046X [4]</b> 1/7 5/13 78/1 80/5 <b>17 [5]</b> 29/13 29/14 29/19 69/5 69/16 <b>1701 [6]</b> 40/15	<b>28th [2]</b> 18/2 74/15 <b>2901 [1]</b> 7/18
<b>\$</b>		
<b>\$10 [1]</b> 58/8 <b>\$2,000 [7]</b> 16/6 23/16 33/10 44/13 53/10 62/1 72/14 <b>\$20 [4]</b> 38/22 39/5 39/8 39/10 <b>\$40 [1]</b> 58/7 <b>\$500 [8]</b> 16/8 23/18 33/12 39/6 44/15 53/12 62/3 72/16		
<b>—</b>		
<b>--oo0oo [1]</b> 78/8 <b>-OR [2]</b> 80/10 80/14		



<b>4</b>	39/6 40/20 45/7	17/1 24/13 34/10
<b>40 [1]</b> 20/11	48/13 54/2 55/4	45/13 54/8 63/3
<b>5</b>	55/9 57/6 58/7	<b>advisement [7]</b>
<b>5'10 [1]</b> 11/20	58/8 62/22	6/21 17/9 24/21
<b>5'11 [1]</b> 11/20	<b>absolutely [3]</b>	34/19 45/22 54/16
<b>6</b>	19/15 22/23 75/18	63/11
<b>6 feet [1]</b> 36/24	<b>accept [1]</b> 54/5	<b>affirm [1]</b> 80/4
<b>656.250 [1]</b> 80/13	<b>accurate [1]</b>	<b>AFFIRMATION [1]</b>
<b>6:53 a.m [1]</b> 18/2	79/12	80/1
<b>7</b>	<b>accurately [1]</b>	<b>Afro [3]</b> 11/20
<b>7 o'clock [1]</b>	5/6	27/16 27/16
55/13	<b>act [1]</b> 73/7	<b>after [15]</b> 9/21
<b>7-5-16 [1]</b> 80/18	<b>acts [1]</b> 71/24	10/21 11/21 11/23
<b>7:01 a.m [1]</b>	<b>actually [4]</b> 21/2	18/22 22/1 27/9
25/13	29/22 31/14 65/8	30/7 38/9 39/9
<b>7:08 a.m [1]</b>	<b>add [3]</b> 73/16	39/18 51/7 59/5
35/13	74/9 75/9	62/9 66/4
<b>8</b>	<b>adding [2]</b> 76/25	<b>afterwards [1]</b>
<b>8220 [1]</b> 28/24	77/1	39/7
<b>89106 [1]</b> 73/25	<b>addition [8]</b> 16/6	<b>again [4]</b> 27/4
<b>8:50 [1]</b> 1/14	23/16 33/10 44/13	38/4 57/14 74/10
<b>9</b>	53/10 62/1 72/14	<b>against [8]</b> 39/15
<b>911 [4]</b> 12/16	75/20	39/16 49/9 56/14
21/21 40/6 51/6	<b>additional [9]</b>	57/3 57/19 74/22
<b>A</b>	16/8 23/18 33/12	77/18
<b>A-L-E-X-A-N-D-E-R</b>	44/15 53/12 62/3	<b>Agnes [3]</b> 2/20
<b>[1]</b> 25/1	72/16 77/3 78/4	5/10 55/7
<b>a.m [8]</b> 1/14 18/2	<b>address [3]</b> 18/5	<b>ahead [2]</b> 48/15
25/13 35/13 75/5	25/19 27/5	55/16
75/6 77/14 77/15	<b>administration [1]</b>	<b>aimed [1]</b> 28/6
<b>ability [1]</b> 5/7	80/15	<b>Alexander [8]</b>
<b>able [1]</b> 52/13	<b>admonish [2]</b>	24/1 24/25 25/4
<b>about [24]</b> 6/6	71/12 71/17	25/12 68/21 68/24
8/22 11/19 16/20	<b>admonition [14]</b>	69/7 69/17
20/7 20/8 24/7	16/4 16/10 23/14	<b>all [11]</b> 9/25
26/12 27/20 34/4	23/20 33/8 33/14	9/25 19/4 20/22
36/24 36/25 37/20	44/11 44/17 53/8	27/16 29/23 70/15
	53/14 61/24 62/5	74/17 75/4 77/13
	72/12 72/18	79/8
	<b>adult [1]</b> 38/13	<b>almost [1]</b> 41/10
	<b>advised [7]</b> 6/13	<b>along [1]</b> 55/16

<p><b>A</b></p> <p><b>already</b> [5] 47/22 48/23 48/25 75/13 75/19</p> <p><b>also</b> [18] 2/19 11/10 28/21 29/13 37/9 38/23 51/3 58/5 64/24 67/12 68/17 68/23 71/1 72/25 73/11 73/15 73/20 74/16</p> <p><b>always</b> [2] 39/20 50/1</p> <p><b>am</b> [2] 20/13 33/22</p> <p><b>amend</b> [1] 76/7</p> <p><b>amended</b> [1] 78/3</p> <p><b>and/or</b> [1] 73/23</p> <p><b>angled</b> [1] 28/6</p> <p><b>ANN</b> [1] 2/5</p> <p><b>another</b> [5] 35/21 41/9 41/10 42/14 42/17</p> <p><b>answer</b> [1] 62/12</p> <p><b>Antonacci</b> [7] 1/25 5/4 79/6 79/17 79/18 80/18 80/21</p> <p><b>anxiety</b> [1] 59/8</p> <p><b>any</b> [29]</p> <p><b>anybody</b> [1] 30/4</p> <p><b>anymore</b> [1] 61/12</p> <p><b>anyone</b> [7] 15/24 23/9 33/3 44/6 53/3 61/19 72/7</p> <p><b>anything</b> [17] 15/24 19/3 23/9 28/2 28/8 28/11 33/3 38/1 38/16 44/7 48/12 50/19 53/4 61/20 71/10</p>	<p>71/25 72/8</p> <p><b>apartment</b> [9] 64/21 64/22 65/3 65/16 66/2 66/6 66/8 66/16 66/24</p> <p><b>appears</b> [1] 71/15</p> <p><b>application</b> [1] 80/15</p> <p><b>approach</b> [1] 56/3</p> <p><b>approached</b> [2] 48/2 48/4</p> <p><b>approaching</b> [4] 9/1 9/4 37/11 47/24</p> <p><b>approximately</b> [4] 7/16 18/2 25/13 35/13</p> <p><b>are</b> [62]</p> <p><b>area</b> [6] 40/15 42/11 64/7 64/9 64/15 71/21</p> <p><b>arm</b> [4] 9/13 9/13 10/2 58/11</p> <p><b>around</b> [11] 11/19 19/4 26/7 26/17 27/10 27/11 50/21 55/13 56/14 56/17 57/22</p> <p><b>as</b> [41]</p> <p><b>ask</b> [14] 44/21 44/23 49/1 56/9 62/8 64/17 70/9 72/25 73/11 73/15 73/20 75/1 75/22 76/14</p> <p><b>asked</b> [14] 9/22 10/22 10/24 22/3 28/13 28/14 28/14 30/9 31/11 38/24 42/13 48/13 52/5 56/4</p>	<p><b>asking</b> [2] 20/17 56/23</p> <p><b>ass</b> [2] 10/10 10/13</p> <p><b>assault</b> [2] 74/1 74/12</p> <p><b>assaulted</b> [1] 60/5</p> <p><b>assist</b> [1] 66/5</p> <p><b>Assistant</b> [1] 2/6</p> <p><b>attempt</b> [8] 73/1 73/5 73/6 73/9 74/16 75/25 77/2 77/25</p> <p><b>attention</b> [8] 7/15 18/1 25/12 31/2 35/12 47/1 68/6 68/13</p> <p><b>attorney</b> [4] 2/20 2/21 5/10 77/16</p> <p><b>Avenue</b> [2] 56/5 56/10</p> <p><b>away</b> [3] 8/22 48/6 57/21</p> <hr/> <p><b>B</b></p> <hr/> <p><b>B-A-S-S</b> [1] 7/1</p> <p><b>B-R-A-V-O</b> [1] 46/7</p> <p><b>back</b> [7] 20/21 27/9 38/3 38/21 39/21 42/10 42/16</p> <p><b>backwards</b> [1] 39/20</p> <p><b>bad</b> [5] 19/18 19/19 19/23 71/20 71/24</p> <p><b>baggy</b> [1] 20/6</p> <p><b>bank</b> [1] 58/3</p> <p><b>Bass</b> [8] 5/25 6/25 7/7 7/15</p>
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<b>B</b>	76/16	<b>boy</b> [1] 65/1
<b>Bass...</b> [4] 71/5	<b>believe</b> [5] 22/19	<b>Bravo</b> [6] 45/3
73/17 74/9 75/10	26/17 38/22 65/3	46/4 46/16 46/24
<b>Bass'</b> [1] 74/11	73/13	76/7 76/10
<b>batter</b> [1] 74/12	<b>belonged</b> [1]	<b>Bravo-Torres</b> [5]
<b>battery</b> [1] 74/1	71/19	45/3 46/4 46/16
<b>BAX</b> [1] 2/7	<b>belonging</b> [2]	76/7 76/10
<b>be</b> [33]	69/7 69/17	<b>brief</b> [1] 72/23
<b>became</b> [1] 31/5	<b>below</b> [1] 57/23	<b>briefly</b> [2] 29/3
<b>because</b> [12] 9/7	<b>belt</b> [1] 20/6	70/5
21/7 36/14 37/13	<b>best</b> [1] 5/7	<b>bring</b> [2] 59/12
38/10 40/3 51/8	<b>better</b> [1] 32/7	70/8
57/2 58/12 58/19	<b>big</b> [3] 10/9	<b>brought</b> [1] 42/10
71/21 76/11	27/16 37/2	<b>buckled</b> [1] 27/10
<b>become</b> [1] 64/13	<b>bill</b> [1] 77/17	<b>Buenos</b> [1] 55/4
<b>bedroom</b> [13] 66/1	<b>bit</b> [3] 51/17	<b>building</b> [3]
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68/20 68/20 69/12	20/11 27/15 27/17	<b>burglary</b> [18]
<b>been</b> [12] 5/5 7/8	31/17 36/25 37/6	5/15 6/16 17/4
13/9 17/17 25/5	37/7 37/9 38/13	24/16 34/13 45/16
26/20 35/5 46/17	40/7 40/8 40/12	54/11 63/6 73/16
63/20 64/3 70/10	51/25 55/18 55/19	73/22 74/3 74/8
77/18	58/1 67/24	75/9 75/22 77/5
<b>before</b> [19] 6/6	<b>blood</b> [1] 28/20	77/6 77/6 77/20
15/24 16/20 22/19	<b>blue</b> [2] 29/4	
23/10 24/7 33/4	40/13	<b>C</b>
34/4 39/11 41/8	<b>BMW</b> [1] 73/18	<b>C-A-M-P-O-S</b> [1]
44/7 45/7 53/4	<b>body</b> [5] 27/25	73/3
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<b>before-entitled</b>	<b>Bolden</b> [1] 64/9	<b>C.C.R</b> [3] 1/25
[1] 79/8	<b>both</b> [12] 6/24	79/6 79/18
<b>begin</b> [1] 5/24	17/12 19/25 24/24	<b>C316081</b> [1] 1/7
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26/13 27/5 30/25	55/24 63/14	<b>call</b> [4] 40/2
39/22	<b>bottom</b> [1] 51/14	47/1 58/20 68/6
<b>being</b> [5] 59/16	<b>box</b> [2] 11/10	<b>called</b> [6] 12/16
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<b>C</b>	74/15 76/1	<b>chief</b> [2] 2/20
<b>called...</b> [2] 51/7 58/21	<b>case</b> [6] 5/13 72/25 74/2 74/13 78/1 80/4	5/10
<b>Calling</b> [1] 68/12	<b>cash</b> [4] 38/22 39/1 39/19 58/6	<b>child's</b> [2] 66/13 66/14
<b>calm</b> [1] 28/9	<b>caused</b> [1] 59/9	<b>circled</b> [1] 71/6
<b>came</b> [6] 18/14 20/2 30/24 40/4 42/16 47/24	<b>causing</b> [1] 47/11	<b>Circling</b> [1] 14/15
<b>camper</b> [1] 47/18	<b>CDL</b> [1] 20/22	<b>clarification</b> [1] 75/17
<b>Campos</b> [5] 35/24 73/2 73/10 74/15 76/1	<b>cell</b> [11] 10/22 38/23 39/18 43/16 43/18 51/4 58/4 58/5 58/18 60/15 76/6	<b>clarify</b> [2] 75/8 76/24
<b>Campos-Torres</b> [5] 35/24 73/2 73/10 74/15 76/1	<b>cellular</b> [1] 60/18	<b>CLARK</b> [23] 1/2 7/19 15/15 16/5 16/8 18/8 23/15 23/18 25/20 33/9 33/12 35/15 44/12 44/15 47/3 53/9 53/12 61/25 62/3 69/23 72/13 72/16 79/4
<b>can</b> [12] 20/2 20/10 21/2 35/22 39/12 44/21 51/15 55/11 55/19 70/4 76/9 76/10	<b>center</b> [16] 16/6 16/9 23/16 23/19 33/10 33/13 44/13 44/16 50/20 53/10 53/13 57/24 62/1 62/4 72/14 72/17	<b>CLEVELAND</b> [1] 2/4
<b>car</b> [44]	<b>certain</b> [2] 31/12 64/7	<b>close</b> [6] 14/25 26/10 27/25 28/3 30/11 31/9
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<b>wallet</b> [24] 9/22	38/25 58/25 61/9	<b>white</b> [11] 8/6
9/24 10/13 10/17	70/15 76/4	8/12 8/19 12/12
10/21 20/17 20/21	<b>Wells</b> [1] 28/21	26/3 26/14 36/9
28/15 28/16 28/18	<b>went</b> [10] 20/19	36/10 36/16 39/23
29/9 29/16 29/23	27/8 27/10 30/1	40/10
29/23 29/24 30/1	30/22 30/25 31/13	<b>who</b> [17] 19/7
38/21 48/20 56/23	39/20 50/16 50/17	20/2 22/17 22/21
56/24 57/1 57/5	<b>were</b> [57]	31/13 32/15 41/6
60/25 76/6	<b>weren't</b> [1] 30/10	41/23 42/5 42/25
<b>want</b> [8] 18/1	<b>West</b> [1] 7/18	43/19 65/19 65/24
46/1 47/1 57/14	<b>what</b> [65]	70/10 70/13 70/14
62/8 68/6 74/9	<b>what's</b> [6] 13/9	71/7
76/7	18/15 47/5 60/11	<b>whole</b> [16] 6/7
<b>wanted</b> [5] 28/12	66/19 67/5	7/9 16/21 17/18
38/17 48/20 56/22	<b>wheel</b> [2] 12/6	18/24 20/20 21/9
75/9	12/8	24/8 25/6 34/5
<b>warrant</b> [3] 64/21	<b>when</b> [45]	35/6 45/8 46/18
64/25 66/4	<b>where</b> [19] 7/16	54/3 62/23 63/21
<b>was</b> [177]	28/6 30/22 36/1	<b>whose</b> [1] 50/23
<b>Washington</b> [1]	36/4 47/13 48/7	<b>Why</b> [1] 57/9
7/18	49/19 50/8 56/4	<b>wife</b> [19] 18/14
<b>wasn't</b> [4] 10/25	56/9 57/21 66/10	18/18 18/24 19/13
40/19 41/12 41/14	68/2 69/14 70/6	20/10 21/9 22/5
<b>watch</b> [1] 21/10	71/13 71/21 76/5	22/22 47/2 47/7
<b>way</b> [5] 9/4 18/7	<b>where's</b> [2] 19/1	47/10 47/22 47/25
28/3 32/10 47/21	56/23	48/3 50/8 51/1
<b>WAYNE</b> [1] 2/4	<b>whether</b> [6] 8/16	51/6 52/14 56/21
<b>we</b> [32]	22/3 22/4 31/11	<b>wife's</b> [5] 18/15
<b>We'll</b> [2] 62/9	52/13 70/17	19/25 47/5 50/24
75/3	<b>which</b> [10] 5/13	51/3
<b>we're</b> [4] 40/20	25/16 26/4 26/5	<b>will</b> [4] 48/6
55/9 76/25 77/1	26/7 38/21 38/22	55/8 62/12 74/22
<b>we've</b> [2] 19/4	61/1 73/4 74/2	<b>window</b> [3] 9/8

W	Y	
<b>window...</b> [2] 9/13 56/3 <b>windows</b> [1] 27/1 <b>wit</b> [1] 80/13 <b>without</b> [9] 5/19 6/19 17/7 24/19 34/17 45/20 54/14 63/9 77/24 <b>witness</b> [18] 4/9 5/25 13/24 14/21 15/18 16/15 23/2 23/25 32/22 33/18 44/1 45/2 52/23 53/18 61/13 62/16 70/25 72/1 <b>WITNESSES</b> [1] 3/1 <b>WOJNAROWSKI</b> [1] 2/16	<b>yeah</b> [34] <b>year</b> [1] 64/4 <b>yell</b> [1] 57/10 <b>yelled</b> [1] 36/15 <b>yes</b> [186] <b>you</b> [406] <b>you're</b> [14] 11/3 20/12 20/21 21/14 33/16 37/20 44/19 48/9 53/16 70/25 71/18 72/20 75/13 75/18 <b>You've</b> [1] 43/10 <b>young</b> [4] 47/12 55/18 55/19 56/3 <b>your</b> [124] <b>yourself</b> [1] 14/2	
<b>WONG</b> [1] 2/17 <b>wording</b> [1] 75/13 <b>words</b> [1] 70/16 <b>work</b> [7] 42/16 47/16 47/21 55/15 55/15 64/8 64/9 <b>worker</b> [2] 37/18 37/20 <b>workers</b> [2] 39/6 39/12 <b>working</b> [5] 35/13 35/17 35/21 40/2 42/3 <b>would</b> [12] 20/7 71/17 72/25 73/11 73/15 73/20 74/2 74/9 74/16 75/1 75/21 76/14 <b>write</b> [1] 14/20 <b>written</b> [1] 5/22 <b>wrote</b> [1] 13/13	<b>Z</b> <b>zoom</b> [1] 69/16	



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JUL 8 6 2016

DISTRICT COURT ADMIN

Eighth Judicial District Court  
Clark County, Nevada

*Allen D. Quinn*  
CLERK OF THE COURT

STATE OF NEVADA

Plaintiff,

vs.

Keandre Valentine

Defendant

Case No.: C-16-316081-1

Dept No.: 3

MEDIA REQUEST AND ORDER FOR CAMERA  
ACCESS TO COURT PROCEEDINGS

Jami Seymore of KSNV TV, requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in the courtroom of Dept. No. 3, the Honorable Judge Harndon, commencing on the 7 day of July, 2016.

I certify that I am familiar with the contents of Nevada Supreme Court Rules 229-249, inclusive, and understand this form MUST be submitted to the Court at least SEVENTY-TWO (72) hours before the proceedings commence, unless good cause can be shown. IT IS FURTHER UNDERSTOOD that approved media must arrange camera pooling prior to any hearing, without asking this Court to mediate disputes.

DATED this 5 day of July, 2016.

Jami Seymore  
*Jami Seymore*

Media Representative

The Court determines camera access to proceedings, in compliance with the court's policy, ☐ WOULD ☒ WOULD NOT distract participants, impair the dignity of the court or otherwise materially interfere with the achievement of a fair trial or hearing herein;

Therefore, the Court hereby ☐ DENIES ☒ GRANTS permission for camera access to Jami Seymore of KSNV TV as requested for each and every hearing on the above-entitled case, at the discretion of the judge, and unless otherwise notified. This Order is in accordance with Nevada Supreme Court Rules 229-249, inclusive, and is subject to reconsideration upon motion of any party to the action.

IT IS FURTHER ORDERED that this entry shall be made a part of the record of the proceedings in this case.

DATED this 6th day of July, 2016.

*[Signature]*  
District Court Judge

Fax Form 72 hours prior to the hearing to (702) 671-4535

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA**

State of Nevada

**PLAINTIFF**

**-VS-**

Keandre Valentine

**DEFENDANT**

CASE NO: C-16-316081-1

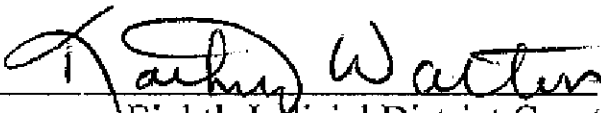
DEPT. NO: 3

**NOTIFICATION OF  
MEDIA REQUEST**

**TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:**

You are hereby notified pursuant to Supreme Court Rules 229-246, inclusive, that media representatives from KSNV TV have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 6 day of July, 2016.

  
Eighth Judicial District Court

**CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION**

I hereby certify that on the 6 day of July, 2016, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-246, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff

District Attorney

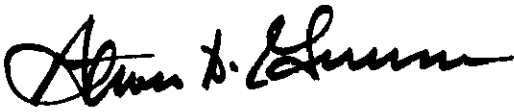
(702) 455-2294

Defendant

Public Defender

(702) 455-5112

  
Eighth Judicial District Court

  
CLERK OF THE COURT

NWEW  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
AGNES M. LEXIS  
Chief Deputy District Attorney  
Nevada Bar #011064  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

KEANDRE VALENTINE,  
#5090875

Defendant.

CASE NO: C-16-316081-1

DEPT NO: III

**NOTICE OF WITNESSES AND/OR EXPERT WITNESSES**  
**[NRS 174.234]**

TO: KEANDRE VALENTINE, Defendant; and

TO: PUBLIC DEFENDER'S OFFICE, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief.

These witnesses are in addition to those witnesses endorsed on the Information or  
Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at  
the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

//

//

1	NAME	ADDRESS
2	ALEXANDER, JORDAN – 1508 ROBIN ST., LVN 89106	
3	BASS, MARVIN – 6312 SILVER EDGE ST., NLVN 89031	
4	BILYEU, RICHARD - LVMPD P#7524	
5	BRAVO-TORRES, LAZARO – 1104 LEONARD AVE., LVN 89106	
6	CUSTODIAN OF RECORDS – CLARK COUNTY DETENTION CENTER	
7	CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS	
8	CUSTODIAN OF RECORDS - LVMPD RECORDS	
9	DENTON, STEVE – C/O EZ PAWN, 821 N. RANCHO, LVN	
10	DOWLER, CHRISTOPHER - LVMPD P#13730	
11	ENDELMAN, DEREK - LVMPD P#14025	
12	FAULKNER, DARRELL – 147 BEAVER LN., WACO ,TX 76705	
13	FAULKNER, DEBORAH – 147 BEAVER LN., WACO, TX 76705	
14	FOSTER, M. – LVMPD P#13221	
15	GARCIA, SANTIAGO – 312 ESTELLA AVE., LVN 89107	
16	GREGORY, TRACY – LVMPD P#9706	
17	HENSON, JASON - LVMPD P#3918	
18	LUDWIG, DEAN - LVMPD P#12963	
19	MAJORS, WILLIAM - LVMPD P#7089	
20	MCBRIDE, OMARA – ADDRESS UNKNOWN	
21	RICHARDSON, COURTNEY - LVMPD P#14739	
22	SIMMS, JOSHUA - LVMPD P#15111	
23	SMITH, JEFFREY - LVMPD P#8177 (or designee): CRIME SCENE ANALYST: Expert in	
24	the identification, documentation, collection and preservation of evidence and is expected to	
25	testify as an expert to the identification, documentation, collection and preservation of the	
26	evidence in this case.	
27	SPRONK, CIERRA - LVMPD P#15128	
28	STOCKTON, DAVE - LVMPD P#9989	

1 TICANO, T. – LVMPD P#6804

2 TORRES, JUAN CARLOS - 1104 LEONARD AVE., LVN 89106

3 UBBENS, ANDREW - LVMPD P#13119

4 VASQUEZ, ROSA - C/O CCDA, 200 LEWIS AVE., LVN 89101

5 WATTS, DAVID - LVMPD P#8463

6 WILLIAMS, SHANISE – 1701 J. STREET, LVN

7 WISE, DAVID - LVMPD P#9838

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

10  
11 BY /s//AGNES M. LEXIS  
12 AGNES M. LEXIS  
13 Chief Deputy District Attorney  
Nevada Bar #011064

14 **CERTIFICATE OF ELECTRONIC FILING**

15 I hereby certify that service of State's Notice was made this 28th day of July, 2016, by  
16 Electronic Filing to:

17 PUBLIC DEFENDER'S OFFICE  
18 E-mail Address: pdclerk@ClarkCountyNV.gov

19 Shellie Ortega  
20 Secretary for the District Attorney's Office

21  
22  
23  
24  
25  
26  
27  
28 mmo/GCU

*Curriculum Vitae*  
**JEFFREY MARC SMITH**  
Las Vegas Criminalistics Bureau  
P# 8177

**EMPLOYMENT**

11/03 – Present                      **Las Vegas Metropolitan Police Department**  
CSA I, CSA II

**EDUCATION**

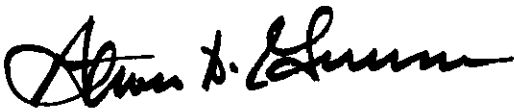
12/95                                      **Texas Tech. University**  
B. B. S. Degree, Accounting

➤                                      **American Institute of Applied Science (AIAS)**  
Forensic Science 101, 230 hours

➤                                      **American Institute of Applied Science (AIAS)**  
Forensic Science 201, 230 hours

**COURT TESTIMONY**

- District Court
- Federal Court
- Justice Court
- Grand Jury

  
CLERK OF THE COURT

NWEW  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
AGNES M. LEXIS  
Chief Deputy District Attorney  
Nevada Bar #011064  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

KEANDRE VALENTINE,  
#5090875

Defendant.

CASE NO: C-16-316081-1

DEPT NO: III

**SUPPLEMENTAL NOTICE OF WITNESSES AND/OR EXPERT WITNESSES**  
**[NRS 174.234]**

TO: KEANDRE VALENTINE, Defendant; and

TO: PUBLIC DEFENDER'S OFFICE, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief.

These witnesses are in addition to those witnesses endorsed on the Information or  
Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at  
the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

**\*Indicates an additional witness**

//

1	NAME	ADDRESS
2	*ACEVEDO (Pacheco), JESSICA – LVMPD P#13770 (or designee):	Expert in the field of
3	DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected	
4	to testify thereto.	
5	*ADAMS, TIFFANY - LVMPD P#10072 (or designee):	Expert in the field of DNA
6	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
7	testify thereto.	
8	ALEXANDER, JORDAN – 1508 ROBIN ST., LVN 89106	
9	*BAS, JENNIFER – LVMPD P#9944 (or designee):	Expert in the field of DNA extractions,
10	comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.	
11	BASS, MARVIN – 6312 SILVER EDGE ST., NLVN 89031	
12	BILYEU, RICHARD - LVMPD P#7524	
13	BRAVO-TORRES, LAZARO – 1104 LEONARD AVE., LVN 89106	
14	*BROWN, JENNIFER (Thomas) – LVMPD P#10074 (or designee):	Expert in the field of
15	DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected	
16	to testify thereto.	
17	*CHARAK, JESSICA – LVMPD P#14785 (or designee):	Expert in the field of DNA
18	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
19	testify thereto.	
20	CUSTODIAN OF RECORDS – CLARK COUNTY DETENTION CENTER	
21	CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS	
22	CUSTODIAN OF RECORDS - LVMPD RECORDS	
23	*DANNENBERGER, KIM – LVMPD P#13772 (or designee):	Expert in the field of DNA
24	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
25	testify thereto. (USED TO BE TAYLOR)	
26	*DAVIDOVIC, MARJORIE – LVMPD P#14726 (or designee):	Expert in the field of DNA
27	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
28	testify thereto.	



1 DENTON, STEVE – C/O EZ PAWN, 821 N. RANCHO, LVN

2 DOWLER, CHRISTOPHER - LVMPD P#13730

3 ENDELMAN, DEREK - LVMPD P#14025

4 FAULKNER, DARRELL – 147 BEAVER LN., WACO ,TX 76705

5 FAULKNER, DEBORAH – 147 BEAVER LN., WACO, TX 76705

6 FOSTER, M. – LVMPD P#13221

7 GARCIA, SANTIAGO – 312 ESTELLA AVE., LVN 89107

8 \*GAUTHIER, KELLIE – LVMPD P#8691 (or designee): Expert in the field of DNA  
9 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
10 testify thereto.

11 GREGORY, TRACY – LVMPD P#9706

12 HENSON, JASON - LVMPD P#3918

13 \*HUSEBY, BRIANNE – LVMPD P#14783 (or designee): Expert in the field of DNA  
14 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
15 testify thereto.

16 \*JOHNSON, GAYLE – LVMPD P#10208 (or designee): LATENT PRINT EXAMINER -  
17 Expert in the science and techniques of fingerprint comparison, and comparisons done in this  
18 case and any reports prepared therefrom.

19 \*KING, CRAIG – LVMPD P#9971 (or designee): Expert in the field of DNA extractions,  
20 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

21 LUDWIG, DEAN - LVMPD P#12963

22 MAJORS, WILLIAM - LVMPD P#7089

23 \*MARSCHNER, JULIE – LVMPD P#8806 (or designee): Expert in the field of DNA  
24 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
25 testify thereto.

26 \*MAY, CRYSTAL – LVMPD P#9288 (or designee): Expert in the field of DNA extractions,  
27 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

28 MCBRIDE, OMARA – ADDRESS UNKNOWN

1 \*MURGA, KIM – LVMPD P#10140 (or designee): Expert in the field of DNA extractions,  
2 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

3 \*RETAMOZO, CAROL – LVMPD P#14280 (or designee): Expert in the field of DNA  
4 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
5 testify thereto.

6 RICHARDSON, COURTNEY - LVMPD P#14739

7 \*ROBERTSON, CASSANDRA – LVMPD P#14653 (or designee): Expert in the field of  
8 DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected  
9 to testify thereto.

10 \*RUBINO, ALLISON – LVMPD P#14784 (or designee): Expert in the field of DNA  
11 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
12 testify thereto.

13 SIMMS, JOSHUA - LVMPD P#15111

14 SMITH, JEFFREY - LVMPD P#8177 (or designee): CRIME SCENE ANALYST: Expert in  
15 the identification, documentation, collection and preservation of evidence and is expected to  
16 testify as an expert to the identification, documentation, collection and preservation of the  
17 evidence in this case.

18 SPRONK, CIERRA - LVMPD P#15128

19 STOCKTON, DAVE - LVMPD P#9989

20 TICANO, T. – LVMPD P#6804

21 TORRES, JUAN CARLOS - 1104 LEONARD AVE., LVN 89106

22 UBBENS, ANDREW - LVMPD P#13119

23 VASQUEZ, ROSA - C/O CCDA, 200 LEWIS AVE., LVN 89101

24 \*VIDA, BEATA – LVMPD P#14279 (or designee): Expert in the field of DNA extractions,  
25 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

26 WATTS, DAVID - LVMPD P#8463

27 //

28 //

1 \*WHITTLE, CHRISTINE – LVMPD P#15383 (or designee): Expert in the field of DNA  
2 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
3 testify thereto.

4 WILLIAMS, SHANISE – 1701 J. STREET, LVN

5 WISE, DAVID - LVMPD P#9838

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

9 BY /s//AGNES M. LEXIS  
10 AGNES M. LEXIS  
11 Chief Deputy District Attorney  
12 Nevada Bar #011064

13 **CERTIFICATE OF ELECTRONIC FILING**

14 I hereby certify that service of State's Notice was made this 12th day of August, 2016,  
15 by Electronic Filing to:

16 PUBLIC DEFENDER'S OFFICE  
17 E-mail Address: pdclerk@ClarkCountyNV.gov

18 Shellie Ortega  
19 Secretary for the District Attorney's Office

20  
21  
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27  
28 mmo/GCU

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 02/03/2014

Name: Jessica M. Pacheco P#: 13770 Classification: Forensic Scientist I

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support / DNA	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Nevada Las Vegas	08/2002-05/2008	Biology/ Minor: Chemistry	BS
Community College of Southern Nevada	08/2005-05/2006		
University of Florida	05/2009-08/2009		
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
65 <sup>th</sup> Annual American Academy of Forensic Sciences Meeting	Washington D.C.	02/18/2013-02/22/2013	
Science in the Courtroom: A Matter of Perspective Workshop (American Academy of Forensic Sciences)	Washington D.C.	02/2013	
DNA in Real Time: Amplifying Productivity in Today's Forensic Laboratory Workshop (American Academy of Forensic Sciences)	Washington D.C.	02/2013	
How to be a good expert witness (National Institute of Justice)	Las Vegas, NV	9/27/2012	
Forensic Relationship Statistics Training (Marshall University: Kelly Beatty)	Las Vegas, NV	8/23/2012	
Interpreting DNA Mixtures	Las Vegas, NV	01/25/2012	

COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
None		
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist I	07/2012-Present
Las Vegas Metropolitan Police Department	Forensic Scientist Trainee	07/2011- 07/2012
Las Vegas Metropolitan Police Department	Forensic Laboratory Aide	12/2008-07/2011
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
None		
PUBLICATIONS / PRESENTATIONS:		
None		
OTHER QUALIFICATIONS:		
None		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 06/30/10

Name: Tiffany Adams P#: 10072 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support / AFIS	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
Cedar Crest College	8/1998 – 5/2002	Genetic Engineering	B.S.
Harrisburg Area Community College	1/2004 – 5/2004	N/A	N/A
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Technology Transition Workshop MinElute Post-PCR Cleanup	Tampa, FL	09/14-09/15/09	
GeneMapper ID-X Training	Las Vegas, NV	07/29-07/31/09	
Annual Review of DNA Data Accepted at NDIS	Las Vegas, NV	01/13/09	
Hair Analysis Training	Las Vegas, NV (online)	2008	
Forensic Biology Screening (workshop)	Las Vegas, NV	2007	
Applied Statistics (workshop)	Las Vegas, NV	2007	
18 <sup>th</sup> International Symposium on Human Identification	Hollywood, CA	2007	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Courtroom Statistics (workshop)	San Diego, CA	2006
Bode Technology Advanced DNA Technology Meeting	San Diego, CA	2006
Expert Witness Testimony (workshop)	St. Louis, MO	2005
Midwestern Association of Forensic Scientists Annual Meeting	St. Louis, MO	2005
Hair Examination for DNA Analysts (workshop)	Wilmington, DE	2004
Mid-Atlantic Association of Forensic Scientists Annual Meeting	Wilmington, DE	2004
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Grand Jury – Nevada (Clark County)	DNA	1
District Court – Nevada (Clark County)	DNA	1
State Attorney 11 <sup>th</sup> Circuit – Miami-Dade	DNA	1
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist II (Biology/DNA)	2007-Present
Bode Technology	Forensic DNA Analyst II	2003-2007
PSU College of Medicine/Milton S. Hershey Medical Center	Research Technician II	2002-2003
RheoGene/Rohm & Haas	Lab Assistant/Intern	2000-2002
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
None		
PUBLICATIONS / PRESENTATIONS:		
“DNA Laboratory Bailout: No-Cost Methods for Improving Productivity” (Poster Presentation: 2010 Annual Meeting of the American Academy of Forensic Sciences)		

PUBLICATIONS / PRESENTATIONS:
“Effects of Sodium Selenite and Organoselenium Compounds on Microtubule Polymerization” (Poster Presentation: 2002 Annual Meeting of the Pennsylvania Academy of Science)
OTHER QUALIFICATIONS:
None



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 07/15/10

Name: Jennifer Bas P#: 9944 Classification: DNA Technical Leader

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	Degree Completed
Hamline University	09/1994 - 06/1995	General	N/A
University of Minnesota	09/1996 - 06/1999	Genetics and Cell Biology	B.S.
George Washington University	09/2002 - 12/2003	Forensic Molecular Biology	M.F.S.
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Y-STR Workshop	Huntington, WV	04/19-04/23/2010	
20 <sup>th</sup> International Symposium on Human Identification	Las Vegas, NV	10/12-10/15/2009	
Validation of New Techniques and Assays in HID	Las Vegas, NV	10/12/2009	
Presenting DNA Evidence in Court	Las Vegas, NV	10/12/2009	
Hair Evaluation for DNA Analysts (online course)	Las Vegas, NV	12/2008	
Kinship Calculations/Familial Searches	Captiva Island, FL	05/20/2008	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Interpretation and Statistics on Mixture Analysis Workshop	Captiva Island, FL	05/20/2008
7 <sup>th</sup> Annual Advanced DNA Technical Workshop – East	Captiva Island, FL	05/18-05/22/2008
FBI DNA Auditor Training Workshop	Captiva Island, FL	05/18-05/19/2008
Gene Mapper ID-X – Next Generation Forensic Data Analysis Software and Expert System	Online Webinar	04/14/2008
Introduction to Firearm Safety	LVMPD Laboratory	10/24/2007
Forensic Biology Screening Workshop (NFSTC)	Las Vegas, NV	10/15 - 10/19/2007
18 <sup>th</sup> International Symposium on Human Identification	Hollywood, CA	10/01 - 10/04/2007
Applied Statistics Workshop	Hollywood, CA	10/01/2007
17 <sup>th</sup> International Symposium on Human Identification	Nashville, TN	10/2006
Advanced Statistics Workshop	Nashville, TN	10/2006
California Association of Criminalists Meeting	Concord, CA	05/2006
DNA Workshop	CAC – Concord, CA	05/2006
MAAFS Annual Training Conference	Pittsburgh, PA	05/2005
Expert Witness Workshop	MAAFS - Pittsburgh, PA	05/2005
2 <sup>nd</sup> Annual Advanced DNA Technology Workshop - West	San Diego, CA	04/2005
AAFS, MAAFS, SAAFS	Combined Meeting - Orlando, FL	09/2004
Hair Analysis for DNA Analysts Workshop	Combined Meeting - Orlando, FL	09/2004
Population Genetics and Statistics Seminar	AFDIL - Rockville, MD	01/2004
COURTROOM EXPERIENCE		

<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Grand Jury (Clark County, NV)	Forensic Biology & DNA Analysis	4
Clark County Justice Court, NV	Forensic Biology & DNA Analysis	2
Clark County District Court, NV	Forensic Biology & DNA Analysis	9
<b>EMPLOYMENT HISTORY</b>		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist II	05/07 - Present
Armed Forces DNA Identification Laboratory	Forensic Scientist II	11/05 - 04/06
Armed Forces DNA Identification Laboratory	Forensic Scientist I	01/04 - 11/05
<b>PROFESSIONAL AFFILIATIONS</b>		
<i>Organization</i>	<i>Date(s)</i>	
American Academy of Forensic Sciences - Associate Member	2005 - Pres.	
<b>PUBLICATIONS / PRESENTATIONS:</b>		
"DNA Laboratory Bailout: No-Cost Methods for Improving Productivity" (Poster) Tiffany A. Adams, Kristina M. Paulette, Jennifer L. Zimdars Bas. Presented at 62 <sup>nd</sup> Annual Scientific Meeting of the American Academy of Forensic Sciences – Seattle, WA February 22-27, 2010		
"Development and Validation of the AmpF $\ell$ STR® MiniFiler™ PCR Amplification Kit: a MiniSTR multiplex for the analysis of degraded and/or PCR inhibited DNA" Journal of Forensic Sciences 2008 Jul; 53(4) 838-852		
"Evaluation of the Applied Biosystems AmpF $\ell$ STR® MiniFiler™ PCR Amplification Kit" (POSTER) Jennifer L Zimdars, MFS; Timothy P McMahon, PhD; Demris A Lee, MFS; Maj Louis N. Finelli, MC, USA. Presented at the 17 <sup>th</sup> International Symposium on Human Identification - Nashville, TN 10/2006		
<b>OTHER QUALIFICATIONS:</b>		
None		



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 5/12/15

Name: Jennifer Brown P#: 10074 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	

EDUCATION			
Institution	Dates Attended	Major	Degree Completed
UCSD	9/96 - 6/98	Molecular Biology	BS
UCLA	9/93 - 3/95		

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
FBI Quality Assurance Standards Auditor Training	Las Vegas, NV (Online)	9/25/14
24 <sup>th</sup> International Symposium on Human Identification	Atlanta, GA	10/7/13-10/10/13
NIST DNA Mixture Interpretation Workshop and Webcast	Las Vegas, NV	4/12/13
22 <sup>nd</sup> International Symposium on Human Identification	National Harbor, MD	10/2/11-10/6/11
21 <sup>st</sup> International Symposium on Human Identification	San Antonio, TX	10/11/10-10/14/10
Forensic Y-STR Training	Huntington, WVA	04/19/10-04/23/10
ASCLD/LAB International ISO Preparation Course	Henderson, NV	12/01/09-12/03/09
20 <sup>th</sup> International Symposium on Human Identification	Las Vegas, NV	10/12/09-10/15/09

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
GeneMapper ID-X Training, Advanced	Las Vegas, NV	07/29-07/31/09
GeneMapper ID-X Training, Basic	Las Vegas, NV	07/28/09
Hair Analysis Training	Las Vegas, NV	12/29-12/31/2008
DNA Auditor Training	Hollywood, CA	10/12-10/13/08
19 <sup>th</sup> International Symposium On Human Identification	Hollywood, CA	10/12 - 10/16/08
NFSTC Forensic Biology Screening Workshop	LVMPD	10/15/07 - 10/19/07
18 <sup>th</sup> International Symposium on Human Identification	Los Angeles, CA	10/07
DNA Technology Expedition/Tour	Phoenix, AZ	6/03, 6/06
Future Trends in Forensic DNA Technology	Phoenix, AZ	12/01, 10/02, 8/03, 9/04, 3/06
13 <sup>th</sup> -15 <sup>th</sup> International Symposium on Human Identification	Phoenix, AZ	October 2002, 2003, 2004
Basic Bloodstain Pattern Identification hosted by MCSO	Phoenix, AZ	March 2004
Courtroom Testimony Skills Workshop	Phoenix, AZ	January 2003
Advanced 310 Genetic Analyzer Training	Foster City, CA	September 2001
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Clark County Justice Court	Serology/DNA	2
Clark County District Court	Serology/DNA	14
Clark County Grand Jury	Serology/DNA	9
EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metro PD Forensic Lab	Forensic Scientist II	5/07 - Present
AZ Dept of Public Safety	Criminalist II - DNA	4/01 - 5/07
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
None		
PUBLICATIONS / PRESENTATIONS:		
None		

OTHER QUALIFICATIONS:
None

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: August 18, 2014

Name: Jessica Charak P#: 14785 Classification: DNA Technical Leader

Current Discipline of Assignment: Forensics Laboratory – Biology/DNA Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support / DNA	X
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
The George Washington University	August 2002 to January 2004	Forensic Sciences	MFS
Indiana University	August 1998 to May 2002	Biology	BS
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Quality Assurance Standards Auditor Training	Federal Bureau of Investigation Virtual Academy	August 2014	
DNA Analyst Webinar Series: Validation Concepts and Resources	National Institute of Standard and Technology Online	August 2014	
DNA Mixture Interpretation Software Workshop	St. Louis, MO	June 2014	
Nevada POST First Line Supervisors Training	Las Vegas, NV	May thru July 2014	
DNA Analyst Webinar Series: Probabilistic Genotyping and Software Programs (Part 1)	National Institute of Standard and Technology Online	May 2014	
ASCLD/LAB International Assessor Training	Henderson, NV	March 2014	



ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
DNA Mixture Interpretation Workshop	Gaithersburg, MD	April 2013
Calculation Likelihood Ratios Incorporating the Probability of Drop-Out: Introducing Lab Retriever – A Free and User-Friendly Software Program	Washington, DC	February 2013
CODIS 7.0 Online Training Curriculum	FBI Laboratory Division	March 2012
DNA Mixture Interpretation Workshop Online	National Forensic Science Technology Center	January 2012
Melendez-Diaz, Bullcoming, and Williams: Scientific Evidence and the Right to Confrontation	King of Prussia, PA	January 2012
Forensic DNA Mixture Analysis Colloquium	Pikesville, MD	April 2011
Forensic STR Data Interpretation	Forensic Training Network	April 2011
Hair Evaluation for DNA Analysis	West Virginia University eCampus	May 2010 to July 2010
Transition to Leadership: Tips for New Lab Managers	Fort Worth, TX	March 2010
Ethics in Forensic Science	West Virginia University eCampus	June 2009 to November 2009
DNA Mixture Interpretation: Principles and Practice in Component Deconvolution and Statistical Analysis	Washington, DC	February 2008
FBI DNA Quality Assurance Auditor Training	San Francisco, CA	November 2007
FBI Laboratory CODIS Software Training Course	Vienna, VA	July 2007
Generating DNA Profiles from Difficult Samples	Nashville, TN	October 2006
FSS-i <sup>3</sup> ™ Software Product Training	Rockville, MD	April 2006
SEAK Inc. National Expert Witness Practice Management Workshop	Hyannis, MA	June 2005
Population Statistics and Forensic DNA Analysis	Rockville, MD	January 2004
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Circuit Court of Prince George's County Maryland	Forensic Serology and DNA Analysis	56
U.S. District Court District of Columbia	Forensic Serology and DNA Analysis	1
U.S. District Court of Maryland	Forensic Serology and DNA Analysis	1
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department Biology/DNA Detail	DNA Technical Leader	January 2014 to present
Prince George’s County Police Department Serology/DNA Laboratory	Forensic Chemist III – Senior DNA Analyst	March 2008 to January 2014
Prince George’s County Police Department Serology/DNA Laboratory	Acting DNA Laboratory Manager	May 2007 to October 2007
Prince George’s County Police Department Serology/DNA Laboratory	Forensic Chemist I/II – DNA Analyst	March 2007 to March 2008
American Registry of Pathology – Armed Forces DNA Identification Laboratory	DNA Analyst	November 2004 to March 2007
American Registry of Pathology – Armed Forces DNA Identification Laboratory	DNA Technician	September 2003 to November 2004
American Registry of Pathology – Armed Forces Institute of Pathology	Laboratory Technician	October 2002 to September 2003
PROFESSIONAL AFFILIATIONS		
Organization		Date(s)
American Board of Criminalistics – Fellow, Molecular Biology (F-ABC)		August 2007 to present
American Academy of Forensic Sciences – Associate Member		February 2004 to present
National Forensic Science Technology Center (NFSTC) – DNA Auditor		August 2010 to present
PUBLICATIONS / PRESENTATIONS:		
Presenter, “Using PowerPoint Presentations as a Supplement for DNA Testimony at Trial,” United States Attorney’s Office of the District of Columbia, Washington, DC, December 2011		
Presenter, “DNA Analysis in the Crime Laboratory,” Prince George’s County Police Department Advanced Investigator School, Lanham, MD, September 2007		
Presenter, “Adapting ADFIL’s PowerPlex® 16 Interpretational Guidelines for use with the FSS-i <sup>3</sup> ™ Expert System,” 17 <sup>th</sup> International Symposium on Human Identification, Nashville, TN, October 2007		
Presenter, “Adapting ADFIL’s PowerPlex® 16 Interpretational Guidelines for use with the FSS-i <sup>3</sup> ™ Expert System,” Promega Technology Tour, Washington, DC, June 2006		
Guest Lecturer, “Principles of Forensic DNA Casework,” The George Washington University Medical School, Washington, DC, January 2005		
Repeat Guest Lecturer, “Theories of PCR Amplification,” The George Washington University Master of Forensic Sciences Course Fors254: Forensic DNA Profiling, October 2004 to October 2006		

OTHER QUALIFICATIONS:
DNA Audit, Florida Department of Law Enforcement, Tampa Regional Crime Laboratory, National Forensic Science Technology Center, DNA Casework Tech, Tampa FL, May 2012
DNA Audit, Nassau County Medical Examiner DNA Laboratory, National Forensic Science Technology Center (NFSTC), DNA Casework Tech, East Meadow, NY, October 24 2011
DNA Audit, Massachusetts State Police DNA Laboratory, National Forensic Science Technology Center (NFSTC), DNA Casework Tech, Maynard, MA, May 2011

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 03/05/12Name: Kimberly TaylorP#: 13772Classification: Forensic Scientist, TraineeCurrent Discipline of Assignment: DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Footwear Impressions		Technical Support / Quality	
Quality Assurance			
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University Nevada, Reno	08/2002-05/2006	Nutritional Sciences	No
University Nevada, Las Vegas	08/2003-05/2008	Cell/ Molecular Biology	Yes
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
Interpreting DNA Mixtures	Las Vegas, NV	01/25/12	
Annual Review of NDIS	Las Vegas, NV	01/19/12	
Emerging DNA Technologies	Huntington, WV	12/05/11-12/07/11	
2011 NSDIAI Quarterly Training	Las Vegas, NV	07/13/11	
Testifying in Court	Las Vegas, NV	05/02/11	

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
NCIC Training	Las Vegas, NV	09/24/10
Driver's Training	Las Vegas, NV	04/09
New Hire Orientation	Las Vegas, NV	01/09

COURTROOM EXPERIENCE		
Court	Discipline	Number of Times

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist I	03/12 - Present
Las Vegas Metropolitan Police Department	Forensic Scientist Trainee	03/11 - Present
Las Vegas Metropolitan Police Department	Forensic Lab Aide	12/08-03/11

PROFESSIONAL AFFILIATIONS	
Organization	Date(s)

PUBLICATIONS / PRESENTATIONS:

OTHER QUALIFICATIONS:

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 10/13/14

Name: Marjorie Davidovic

P#: 14726

Classification: Forensic Scientist II

Current Discipline of Assignment: Biology / DNA Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	x
Serology	x	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	x
Quality Assurance		Technical Support / DNA	

EDUCATION			
Institution	Dates Attended	Major	Degree Completed
Stony Brook University	01/98 – 05/03	Biochemistry	BS
Touro College	09/04 – 06/07	Forensic Examinations	MS

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
CJIS Security Awareness Training – (online)	Las Vegas, NV	05/30/14
Probabilistic Genotyping & Software Programs (Part I) – NIST webinar	Las Vegas, NV	05/28/14
CODIS 7.0, various modules/sessions CJIS – (online)	Las Vegas, NV	04/29/14, 05/12/14, 05/13/14, 05/14/14
Technical & Administrative Review Training to Make Casework Easier	Las Vegas, NV	10/15/13

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Ethics in Forensic Science West Virginia University Extended Learning (on-line)	Las Vegas, NV	09/16/13
AB 3500 Genetic Analyzer, Identifiler Suffolk County Crime Laboratory	Hauppauge, NY	09/11/12 - 09/13/12
NEAFS Annual Meeting	Newport, RI	11/02/11 - 11/04/11
Surviving a DNA Cross Examination, NEAFS	Newport, RI	11/02/11
Cognitive Factors in Forensic Decision Making Office of the Chief Medical Examiner, New York, NY	New York, NY	09/14/11 - 09/15/11
NIJ Conference: Translational Criminology	Arlington, VA	06/20/11 - 06/22/11
TrueAllele Casework System Software Training, Cybergenetics, Suffolk County Crime Laboratory	Hauppauge, NY	04/12/11 - 04/14/11
Forensic Y-STR Training, Marshall University Forensic Science Center, Suffolk County Crime Laboratory	Hauppauge, NY	07/27/10 - 07/29/10
ASCLD/LAB International Preparation Course	White Plains, NY	05/25/10 - 05/27/10
DNA Symposium - Office of the Chief Medical Examiner, New York, NY	New York, NY	09/23/09
Expert Witness Testimony Workshop, DCJS	Albany, NY	9/14/09 - 9/15/09
DNA Workshop given by Dr. John Butler Office of the Chief Medical Examiner, New York, NY	New York, NY	03/25/09
Cedar Crest College Forensic Science Training Institute: Statistical Interpretation of Forensic DNA Evidence	Allentown, PA	06/16/08 - 06/17/08
HID 7500 RT-PCR, Minifiler and Quantifiler Training, Applied Biosystems, Suffolk County Crime Laboratory	Hauppauge, NY	05/15/08
Local Laboratory DNA Academy, Northeast Regional Forensic Institute, SUNY Albany	Albany, NY	7/17/07 - 8/31/07
Applied Biosystems HID 3130 Systems Training Program Suffolk County Crime Laboratory	Hauppauge, NY	04/13/07 - 04/14/07
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Suffolk County Criminal Courts, NY	Forensic Biology (Serology and DNA)	8
EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist II	07/13 - Current
Suffolk County Crime Laboratory	Forensic Scientist I	03/08 – 07/13
On Assignment Staffing Agency assigned to the Suffolk County Crime Laboratory	Research Assistant / Laboratory Technician	09/05 – 03/08
Center for Molecular Genetics & Microbiology, Stony Brook University	Research Technician II	07/04 – 05/05
Altana, Inc.	Associate Microbiologist	08/03 – 07/04
Cold Spring Harbor Laboratory	Media Maker / Research Technician	09/02 – 08/03
Veterans Affairs Medical Center	Research Technician	07/01 – 07/02
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
Northeastern Association of Forensic Scientists, member.	2006 - 2013	
PUBLICATIONS / PRESENTATIONS:		
OTHER QUALIFICATIONS:		



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 06/28/10

Name: Kellie M. (Wales) Gauthier P#: 8691 Classification: Forensic Scientist II

Current Discipline of Assignment: DNA/Biology

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	X
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of West Florida	8/98 - 5/02	Biology	B.S.
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
ASCLD/LAB- International Preparation Course	Henderson, NV	12/01-12/03/09	
Cold Case Analysis Training	Chicago, IL	07/15-07/16/09	
Hair Evaluation for DNA Analysis	Las Vegas, NV (Online Course)	01/14/09	
Annual Review of DNA Data Accepted at NDIS	Las Vegas, NV (Online Course)	11/18/08	
Seminar: The Parachute Case	Washington DC	02/22/08	
Seminar: Bringing Forensic Science to the Battlefield	Washington DC	02/21/08	
Seminar: Human Identification in a Post 9/11 World	Washington DC	02/20/08	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Workshop: DNA Mixture Interpretation	Washington DC	02/19/08
Conference: American Academy of Forensic Sciences 60 <sup>th</sup> Annual Meeting	Washington DC	02/19/08-02/23/08
Annual Review of DNA Data Accepted at NDIS	Las Vegas, NV	01/31/08
Applied Biosystems Training on 3130xl Genetic Analyzer	Las Vegas, NV	11/01/07
Workshop: Forensic DNA Profiling	Las Vegas, NV	01/25-26/07
Workshop: Forensic Population Genetics and Statistics	Las Vegas, NV	11/27/06
FBI CODIS Training	McLean, VA	11/06
Conference: Bode Advanced DNA Technical Workshop	Captiva Island, FL	06/06
Workshop: Presenting Statistics in the Courtroom	Captiva Island, FL	06/06
Training: Differential Extraction	Las Vegas, NV	06/06
Training: Serological Techniques and DNA Screening - Colleen Proffitt, MFS	Las Vegas, NV	5/06
Conference: American Academy of Forensic Sciences 58 <sup>th</sup> Annual Meeting	Seattle, WA	2/20/06-2/25/06
Seminar: Racial Profiling SNP's	Seattle, WA	2/23/06
Seminar: The Atypical Serial Killer	Seattle, WA	2/22/06
Seminar: Bioterrorism Mass Disasters	Seattle, WA	2/21/06
Workshop: Sexual Homicide - Fantasy Becomes Reality	Seattle, WA	2/21/06
Workshop: Advanced Topics in STR DNA Analysis	Seattle, WA	2/20/06
National Incident Management System (NIMS) an Introduction	Las Vegas, NV	8/05
Drivers Training II	Las Vegas, NV	7/05

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Workshop: Future Trends in Forensic DNA Technology - Applied Biosystems	Orlando, FL	9/04
Workshop: Southern Association of Forensic Scientists (SAFS) - Paternity Index DNA Statistics	Orlando, FL	9/04
Workshop: Forensic Epidemiology - Joint Training for Law Enforcement Hazardous Materials and Public Health Officials on Investigative Response to Bio-terrorism	Orlando, FL	7/04
Forensic Technology Training - Florida Department of Law Enforcement	Orlando, FL	4/04
Biology Discipline Meeting	Tampa, FL	3/04
Workshop: Future Trends in Forensic DNA Technology - Applied Biosystems	Orlando, FL	9/03
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Clark County: Justice, District	DNA	30
EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist	5/05 - present
Florida Dept. of Law Enforcement	Forensic Technologist	8/03 - 5/05
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
American Academy of Forensic Sciences - Trainee Affiliate	10/06 - 12/09	
PUBLICATIONS / PRESENTATIONS:		
None		
OTHER QUALIFICATIONS:		
None		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 01/22/14

Name: Brianne Huseby

P# 14783

Classification: Forensic Scientist II

Current Discipline of Assignment: Bio/DNA Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support / DNA	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Washington	1997-2001	Zoology, minor in Chemistry	BS
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
DNA FAM/ArmedXpert Training	WSP- Seattle Crime Lab	06/25-26/13	
NIST Mixture Interpretation Webinar	WSP- Seattle Crime Lab	06/13/13	
FBI NDIS Annual Review	WSP- Seattle Crime Lab	05/31/13	
Applied Biosystems HID Univ-Future Trends	WSP- Seattle Crime Lab	09/13/12	
CODIS 7.0 Training – FBI	WSP- Seattle Crime Lab	09/11/12	
Plexor HY Demonstration/Training – Promega	WSP- Seattle Crime Lab	08/01/12	
CODIS 7.0 Training – FBI	WSP- Seattle Crime Lab	03/23/12	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
NDIS Annual Eligibility Training – FBI	WSP- Seattle Crime Lab	01/31/12
Criminalistics Workshop – Schneck	WSP- Seattle Crime Lab	12/07-08/11
NWAFS- HID Future Trends in DNA	Tacoma, WA	09/26/11
NDIS Annual Eligibility Training – FBI	WSP- Seattle Crime Lab	01/14/11
Hair Evaluation for DNA Analysis – Schneck	WSP- Seattle Crime Lab	06/01-02/10
FBI NDIS Annual Review	WSP- Seattle Crime Lab	03/31/10
AAFS General Meeting	Seattle, WA	02/26/10
Advances in Forensic DNA Analysis – AAFS	Seattle, WA	02/22/10
DNA Population Statistics – Carmody	WSP- Seattle Crime Lab	07/31/09
DNA Mixture Training – Shutler, Hodge	WSP- Seattle Crime Lab	01/06/09
Future Trends in DNA Technology –ABI	WSP- Seattle Crime Lab	08/12/08
Qiagen EZ1 Biorobot Demo and Training	WSP- Seattle Crime Lab	11/29/07
Case Approach Tools – PCFSI	WSP- Seattle Crime Lab	09/22/07
Future Trends in DNA Technology –ABI	WSP- Seattle Crime Lab	06/06/06
AAFS General Meeting	Seattle, WA	02/22-24/06
FBI Audit Training Course	Seattle, WA	02/21-22/06
ABI 7000/Quantifiler Training	WSP- Seattle Crime Lab	02/07/06
NWAFS General Meeting	Tacoma, WA	11/15/05
CODIS Eligibility Guidelines	WSP- Seattle Crime Lab	07/26/05
Clothing Examination – PCFSI	WSP- Seattle Crime Lab	06/24/05
Population Genetics and Statistics – NFSTC	Seattle, WA	05/19/05
Comparison Fluorescence STR Data – Myriad	Seattle, WA	02/16/05
Future Trends in DNA Technology –ABI	Seattle, WA	09/21/04
ABI 7000 Quantifiler Kit – ABI	Seattle, WA	04/14-15-04
Bloodstain Pattern Analysis – Tom Bevel	Seattle, WA	02/23-27/04
DNA Population Statistics – Carmody	WSP- Seattle Crime Lab	11/19/03
Presentation Skills – WSP	Olympia, WA	09/09-11/03

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Trends in Forensic DNA Technology –ABI	WSP- Seattle Crime Lab	09/03/03
Basic Microscopy – Schneck	WSP- Seattle Crime Lab	05/14-16/03
STR DNA Analysis and Typing – CCI	Sacramento, CA	01/28-31/03
Courtroom Testimony – Ron Smith	Criminal Justice TC – Burien	01/06-07/03
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Superior Court (WA state, King, Kitsap, Clallam Counties)	Biology/DNA	32
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Dept.	Forensic Scientist 2	2013-present
Washington State Patrol	Forensic Scientist 3	2005-2013
Washington State Patrol	Forensic Scientist 2	2003-2005
Washington State Patrol	Forensic Scientist 1	2002-2003
University of Washington	Laboratory Technologist	1998-2002
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
American Academy of Forensic Sciences, Northwest Association of Forensic Scientists	2002-present	
PUBLICATIONS / PRESENTATIONS:		
N/A		
OTHER QUALIFICATIONS:		

CURRICULUM VITAE -Name

N/A
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**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 08/22/2013Name: Gayle Johnson P#: 10208 Classification: Forensic Scientist ICurrent Discipline of Assignment: Latent Prints

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints	X	Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Footwear Impressions		Technical Support /	
Quality Assurance			

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
Lewis Clark State College	1982-1986	Natural Science/Chemistry	BS
University of Phoenix	2005-2007	Business Management/ Accounting	BS

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Photoshop for the Latent Print Examiner	Central Point, Oregon	03/19 - 03/22/13
7 <sup>th</sup> Annual Tri-Division Educational Conference	Las Vegas, NV	11/6 – 11/8/12
Analysis of Distortion in Latent Prints	Las Vegas, NV	02/20 - 02/22/12
25 <sup>th</sup> Anniversary AFIS Internet User Conference	Henderson, NV	8/29 – 8/31/11
2011 NSDIAI Quarterly Training	North Las Vegas, NV	7/13/11



ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
EMPLOYMENT HISTORY		
Employer	Job Title	Date
LVMPD Forensic Laboratory	Forensic Scientist I	7/2012 - present
LVMPD Forensic Laboratory	Forensic Scientist Trainee	7/2011 – 7/2012
LVMPD DSD	Accounting Technician	09/2007 – 7/2011
PROFESSIONAL AFFILIATIONS		
Organization		Date(s)
PUBLICATIONS / PRESENTATIONS:		
8/30/11 "Biology of Friction Ridge Skin for Tenprint Examiners", 25 <sup>th</sup> Anniversary AFIS Internet Conference, Henderson, NV		
OTHER QUALIFICATIONS:		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 01/25/11

Name: Craig King P#: 9971 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
Towson University	9/1996-5/1998	Biology	B.S.
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
HID University 240, Basic GMIDX	Las Vegas, NV	07/28/09	
Hair Evaluation for DNA Analysis	Las Vegas, NV	03/16/09	
Forensic Biology Screening Workshop-NFSTC	Las Vegas, NV	10/15 - 10/19/07	
Promega Workshop-Applied Statistics	Hollywood, CA	10/01/07	
18 <sup>th</sup> Internat'l. Symposium on Human Identification	Hollywood, CA	10/01 - 10/04/07	
AAFS 59 <sup>th</sup> ANNUAL MEETING	San Antonio, TX	2/07	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Advanced Topics in STR DNA		
AAFS 58 <sup>th</sup> ANNUAL MEETING	Seattle, WA	2/06
AAFS 57 <sup>th</sup> ANNUAL MEETING	New Orleans, LA	2/05
14 <sup>th</sup> Internat'l. Symposium on Human Identification	Phoenix, AZ	10/03
AAFS 55 <sup>TH</sup> ANNUAL MEETING	Chicago, IL	2/03
Forensic Mitochondrial DNA Analysis: A Community Forum Workshop Recovery, Examination, and Evidence of Decomposed and Skeletonized Bodies: An Anthropological and Entomological Approach Workshop		
AAFS 54 <sup>TH</sup> Annual Meeting	Atlanta, GA	2/02
Forensic Imaging Techniques	Las Vegas, NV	01/08
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Las Vegas District Court	DNA	2
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD	Forensic Scientist II	01/11-Present
DAE Systems	Forensic Scientist III	10/09-01/11
LVMPD	Forensic Scientist II	05/07-10/09
American Registry of Pathology/Armed Forces DNA Identification Laboratory	Forensic Scientist II	08/03-05/07
American Registry of Pathology/Armed Forces DNA Identification Laboratory	Forensic Scientist I	07/01- 08/03

PROFESSIONAL AFFILIATIONS	
Organization	Date(s)
None	
PUBLICATIONS / PRESENTATIONS:	
Presenter at AAFS 59 <sup>TH</sup> ANNUAL MEETING “Drowned at Sea: Identification of a Sailor From the USS Gherardi Fifty-Two Years Later”	
11/07- Grand jury presentation on DNA and DNA processing at the LVMPD Forensic Lab	
4/08- Teach DNA and collection techniques to the new LVMPD CSA Academy	
OTHER QUALIFICATIONS:	
None	

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 01/15/08

Name: Julie Marschner P#: 8806 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

<b>EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)</b>			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	
<b>EDUCATION</b>			
Institution	Dates Attended	Major	Degree Completed
Virginia Commonwealth University	08/2003 - 12/2004	Forensic Science	M.S.
CA Polytechnic State University, San Luis Obispo	06/1997 - 06/2001	Biological Sciences	B.S.
<b>ADDITIONAL TRAINING / SEMINARS</b>			
Course / Seminar	Location	Dates	
Internship: Virginia Department of Forensic Science - Forensic Biology and DNA Section	Richmond, VA	6/04 to 08/04	
Orientation for Civilian Employees	Las Vegas, NV	10/05	
Drivers Training II	Las Vegas, NV	10/05	
11 th National CODIS Conference	Arlington, VA	11/05	
National Institute of Justice Expert Systems Testbed Project	Huntington, WV	2/06	
American Academy of Forensic Sciences 58 <sup>th</sup> Annual Meeting	Seattle, WA	2/06	
Serological Techniques and DNA Screening - Colleen Proffitt, MFS	Las Vegas, NV	5/06	
Bode Advanced DNA Technical Workshop	Captiva Island, FL	06/06	

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Bode Workshop - "Presenting Statistics in the Courtroom"	Captiva Island, FL	06/06
Differential Extraction	Las Vegas, NV	06/06
Complex Mixture Interpretation	Lakewood, CO	08/06
17 <sup>th</sup> International Symposium on Human Identification	Nashville, TN	10/06
Advanced Topics in Statistics	Nashville, TN	10/06
CODIS 5.7.3 Software Training	McLean, VA	11/06
Forensic Population Genetics and Statistics	Las Vegas, NV	11/27/06
13 <sup>th</sup> National CODIS Conference	Burlingame, CA	10/07
FBI DNA Auditor Training	Burlingame, CA	10/07
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Clark County District Court	Biology/DNA	4
EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department Forensic Lab	Forensic Scientist	07/2005 - Present
Perlegen Sciences, Mountain View, CA	Research Assistant II	07/2001 - 08/2003
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
American Academy of Forensic Sciences - Trainee Affiliate in Criminalistics	02/07 - Present	

PROFESSIONAL AFFILIATIONS	
Organization	Date(s)
PUBLICATIONS / PRESENTATIONS:	
None	
OTHER QUALIFICATIONS:	
None	

[FL 11/00]

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 02/23/11

Name: Crystal May P#: 9288 Classification: Forensic Lab Technologist

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support / DNA	X

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of New Haven	8/03-12/04	Forensic Science-Criminalistics	M.S.
Saint-Mary-of-the-Woods College	8/99-6/03	Biology	B.S.

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Forensic Biology Screening	Las Vegas, NV	09/29/10
Terminal Operator Certification	Las Vegas, NV	09/24/10
Plexor HY and Identifiler Plus	Las Vegas, NV	09/09/10
DNA Mixture and Interpretation & Statistics	Las Vegas, NV	07/15/10
Promega Plexor HY Overview	Las Vegas, NV	07/13/10
Evidence Evaluation and Collection for the Presence of DNA	Las Vegas, NV	03/10/10



ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
AB HID University RT-PCR	Las Vegas, NV	02/03/10
AB HID University 240, Basic GMIDX	Las Vegas, NV	07/28/10
Urine Drug Screen Training Completion	Las Vegas, NV	06/18/09
Siemens Syva VIVA-E Analyzer	Las Vegas, NV	06/16/09
Blood Drug Screen Training Completion	Las Vegas, NV	03/02/09
Hair Evaluation for DNA Analysis	Las Vegas, NV (WVU online)	02/09/09
Orasure Forensic Toxicology Training 101	Las Vegas, NV	01/27/09
Biological Fluid Identification	Sacramento, CA	07/15/08-07/18/08
AB CE Troubleshooting and GMID-X	Las Vegas, NV	06/04/08
AB7500 RT-PCR/Quant & Quant Duo Kit	Las Vegas, NV	06/24/08
Forensic Photography	Las Vegas, NV	02/14/08
Forensic Imaging Techniques	Las Vegas, NV	01/08
Applied Biosystems Training on 3130xl Genetic Analyzer	Las Vegas, NV	11/01/07
Introduction to Firearm Safety	Las Vegas, NV	10/24/07
Biological Terrorism	Las Vegas, NV (online)	12/27/06
National Incident Management System	Las Vegas, NV (online)	12/27/06
ABFDE Daubert Symposium 2006	Las Vegas, NV	11/06
Heartsaver First Aid (American Heart Association)	Las Vegas, NV	10/20/06
Drivers Training II	Las Vegas, NV	9/21/06
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
None		
EMPLOYMENT HISTORY		

<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
LVMPD Forensic Laboratory	Forensic Laboratory Technologist	6/07-present
LVMPD Forensic Laboratory	Forensic Laboratory Technician	7/06-6/07
Denny's Pharmacy	Pharmacy Tech	8/05-6/06
Lucas County Coroner's Office	Toxicology Intern	05/05-08/05
University of New Haven	Chemistry Teaching Asst	9/03-12/04
Saint-Mary-of-the-Woods College	Chemistry Lab Asst	10/99-6/03
Argonne National Laboratory	Electrochemical Intern	05/02-08/02
<b>PROFESSIONAL AFFILIATIONS</b>		
<i>Organization</i>		<i>Date(s)</i>
None		
<b>PUBLICATIONS / PRESENTATIONS:</b>		
Electrochemistry Communications, "New Cathode Materials for Silver-based Primary Batteries: AgCuO <sub>2</sub> and Ag <sub>2</sub> Cu <sub>2</sub> O <sub>3</sub> " C.D. May, T.T. Vaughey 6 (2004) 1075-1079.		
<b>OTHER QUALIFICATIONS:</b>		
None		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 06/25/10

Name: Kimberly B. Murga P#: 10140 Classification: Forensic Laboratory Manager

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance (DNA Technical Leader)	X	Technical Support	
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
George Washington University	1995-1997	Forensic Science	MFS
Chaminade University of Honolulu	1990-1995	Criminal Justice	BS
Chaminade University of Honolulu	1990-1995	Biology	BA
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
The NIJ Conference	Arlington, VA	June 14-16, 2010	
Applied Biosystems Real Time PCR, Theory, Quantification, Data Analysis and Troubleshooting Training (4 Hours)	Las Vegas, NV	February 3, 2010	
Northeast Regional Forensic Institute Leadership Assessment: Developing the Next Generation of Leaders	Albany, NY	January 14-15, 2010	
ASCLD/LAB International Preparation Course	Henderson, NV	December 1-3, 2009	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Promega Technical Leaders Workshop	Las Vegas, NV	October 15, 2009
Promega 20 <sup>th</sup> International Symposium on Human Identification	Las Vegas, NV	October 12-15, 2009
QAS DNA Auditor Refresher Training	Las Vegas, NV	October 11-12, 2009
Police Executive Research Forum Workshop: "DNA: Challenges and Opportunities"	Washington DC	September 23, 2009
Nevada Statewide Mass Fatality Workshop	Las Vegas, NV	July 27-28, 2009
Nevada Statewide Mass Fatality Conference	Las Vegas, NV	May 12, 2009
Civilian Supervisory Development Program, Track II	Las Vegas, NV	September 22-26, 2008
Leadership Skills For Challenging Times	Las Vegas, NV	August 11-14, 2008
LVMPD Driver's Training Certification	Las Vegas, NV	July 15, 2008
Domestic Violence and Sexual Assault Investigations	Reno, NV	May 15, 2008
California Association of Criminalists 8-Hour DNA Workshop	San Diego, CA	May 6, 2008
Applied Biosystems 3130XL Genetic Analyzer Training (6 hours)	Las Vegas, NV	November 2, 2007
LVMPD Introduction to Firearm Safety	Las Vegas, NV	October 24, 2007
National Forensic Science Technology Center Forensic Biology Screening Workshop	Las Vegas, NV	October 15-19, 2007
Mid-Atlantic Association of Forensic Scientists	Washington DC	May, 2007
Applied Biosystems 2-Day Workshop	Washington DC	May, 2006
National Seminars Group, "The Creativity Day Camp for Managers, Supervisors and Team Leaders"	Rockville, MD	November 2005
The National Association of Medical Examiners Meeting	Los Angeles, CA	October 2005

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
FBI DNA Auditor Training Program	Quantico, VA	September 2005
The International Society for Optical Engineering, Defense and Security 2005: Homeland Security, Law Enforcement, and Battleship Technologies	Orlando, FL	March 2005
Applied Biosystems Future Trends in Forensic DNA Technology	Bethesda, MD	September 2004
Promega Annual Meeting	Phoenix, AZ	September 2003
Promega Annual Meeting, "Basic Principles in Statistics"	Phoenix, AZ	September 2003
American Academy of Forensic Sciences Annual Meeting	Chicago, IL	February 2003
SkillPath Seminars, "The Essentials of Communicating with Diplomacy and Professionalism"	Silver Spring, MD	October 2002
Midwestern Association of Forensic Scientists Annual Meeting	Milwaukee, WI	September 2002
Midwestern Association of Forensic Scientists Annual Meeting, "Court Room Testimony" Workshop	Milwaukee, WI	September 2002
George Carmody Statistics Course "Population Statistics and Forensic DNA Analysis"	Rockville, MD	July 2001
American Academy of Forensic Sciences Annual Meeting	Seattle, WA	February 2001
American Academy of Forensic Sciences Meeting, "The Testifying Expert" Workshop	Seattle, WA	February 2001
Joint Task Force Full Accounting Meeting	Honolulu, HI	January 2000
International Association of Forensic Scientists Meeting	Los Angeles, CA	August 1999
International Association of Forensic Scientists Meeting, "Bombing Crime Scene and Evidence" Workshop	Los Angeles, CA	August 1999
International Association of Forensic Scientists Meeting, "Human Bite Mark Investigation" Workshop	Los Angeles, CA	August 1999

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
American Academy of Forensic Sciences Annual Meeting	Orlando, FL	February 1999
American Academy of Forensic Sciences Annual Meeting, "DNA Proficiency Testing" Workshop	Orlando, FL	February 1999
Fred Pryor Systems, "How to Supervise People"	Bethesda, MD	May 1998
Mid-Atlantic Association of Forensic Scientists Annual Meeting	Rockville, MD	May 1998
American Academy of Forensic Sciences Annual Meeting	San Francisco, CA	February 1998
American Academy of Forensic Sciences Annual Meeting, "Forensic Expert Witness Court Testimony"	San Francisco, CA	February 1998
American Academy of Forensic Sciences Annual Meeting, "Recovery, Examination and Analysis of Decomposed and Skeletonized Remains" Workshop	San Francisco, CA	February 1998
Armed Forces Institute of Pathology, "DNA Databanks and Repositories"	Chicago, IL	November 1997
Armed Forces Institute of Pathology, "Basic Forensic Pathology"	Rockville, MD	October 1997
American Academy of Forensic Sciences Annual Meeting	New York, NY	February 1997
American Academy of Forensic Sciences Annual Meeting, "Deadly Paraphilias" Workshop	New York, NY	February 1997
American Academy of Forensic Sciences Annual Meeting, "Multi disciplinary Symposium on the Use of Forensic Science" Workshop	New York, NY	February 1997
Mid-Atlantic Association of Forensic Scientists, "Introduction to Criminalistics"	Gaithersburg, MD	October 1996
Mid-Pacific Association of Forensic Scientists, "Forensics on the Cutting Edge 1995"	Honolulu, HI	March 1995
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>

COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
United States Military Court System	DNA: Autosomal STRs	2
United States Military Court System	DNA: Y-STRs	1
4 <sup>th</sup> Judicial District Court, Rusk County, Texas	DNA: Autosomal STRs	2
District Court, Nevada (VII District)	DNA: Autosomal STRs	6
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Laboratory Manager	2/08 - present
Las Vegas Metropolitan Police Department	Technical Leader, DNA	7/07- 2/08
Armed Forces DNA Identification Laboratory	Assistant Technical Leader, DNA	9/05-7/07
Armed Forces DNA Identification Laboratory	Supervisory DNA Analyst	2/01-9/05
Armed Forces DNA Identification Laboratory	DNA Analyst	4/99-2/01
Armed Forces DNA Identification Laboratory	Branch Chief, Proficiency Test Operations	1/00-12/01
Armed Forces DNA Identification Laboratory	Mitochondrial DNA Technician/Technologist	11/97-4/99
Armed Forces DNA Identification Laboratory	Quality Assurance Officer, Proficiency Test Operations Branch	5/96-11/97
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
American Academy of Forensic Sciences, Member, Criminalistics Section	2003-Present	
American Academy of Forensic Sciences, Student, Trainee, and Associate Member, Criminalistics Section	1996-2003	
Mid-Atlantic Association of Forensic Scientists	1999-2008	

**PUBLICATIONS / PRESENTATIONS:**

The International Society for Optical Engineering, Defense and Security Symposium 2007: "Caught in the Iraqi War: How DNA was used to Confirm the Genetic Link between an Injured Four-Year Old Girl and her Family", Orlando, FL, April 2007

The International Society for Optical Engineering, Defense and Security Symposium 2007: "An Overview of the Armed Forces Medical Examiner System and its Use of Cutting Edge Technologies to Deal the with Global War on Terrorism", Orlando, FL, April 2007

Sexual Assault Response Team Training Program, "DNA and Its Application to Forensic Science", Rockville, MD, April 2006

The International Society for Optical Engineering, Defense and Security Symposium 2005: "The CSI Effect on Science: The Real Issues Regarding Human Identification and Forensic Science", Orlando, FL, April 2005

Sexual Assault Response Team Training Program, "DNA and Its Application to Forensic Science", Bethesda, MD, April 2005

C Torwalt, **K Murga**, J Epp, AT Balancharna, Y Daoudi, DA Lee, BC Smith. Cervical Smears as an Alternative Source of DNA in the Identification of Human Skeletal Remains. Canadian Society of Forensic Science 2005; 38 (3): 165-169

XXXV International Congress on Military Medicine: "Terror in the Skies After the World Trade Towers: The Identification and Reassociation of Remains from the Pentagon and Somerset Plane Crashes", Washington DC, September 2004

American Academy of Forensic Sciences: "A DNA Paternity Case Involving a Two-Week Old Fetus", Chicago, IL, February 2003.

American Academy of Forensic Sciences, "The Bombing of the USS Cole: The Role of DNA in Sending Seventeen Heroes Home", Chicago, IL, February 2003

American Academy of Forensic Sciences, "Terror in the Skies After the World Trade Towers: The Identification and Reassociation of Remains from the Pentagon and Somerset Plane Crashes", Chicago, IL, February 2003

The 8<sup>th</sup> National CODIS User's Conference, "Pentagon and Pennsylvania", Arlington, VA, November 2002

Midwestern Association of Forensic Scientists, "Terror in the Skies After the World Trade Towers: The Identification and Reassociation of Remains from the Pentagon and Somerset Plane Crashes", Milwaukee, WI, September 2002

Midwestern Association of Forensic Scientists, "Laboratory Information Systems Applications for Analysis of DNA Typing in the Workplace: New and Improved Methods for Enhancing Efficiency of Case Working Units", Milwaukee, WI, September 2002



PUBLICATIONS / PRESENTATIONS:	
Chaminade University of Honolulu, "DNA Forensic Techniques and Case Studies", Honolulu, HI, November 2001	
Sonoma State University, "When Bad Things Happen to Good People: The Use of DNA to Identify Remains", Sonoma, CA, February 2001	
American Academy of Forensic Sciences Annual Meeting: "The Role of DNA Analysis in Mass Disasters", Seattle, WA, February 2001	
Chaminade University of Honolulu, "Forensics and DNA", Honolulu, HI, January 2000	
International Association of Forensic Sciences Meeting, "The Mount Baker Crash: Six World War II Soldiers Recovered and Identified After 52 Years Using mtDNA and Anthropological Methods", Los Angeles, CA, August 1999	
Chaminade University of Honolulu, "Forensics and DNA", Honolulu, HI, March 1998	
OTHER QUALIFICATIONS:	
Commendable Action Certificate, Las Vegas Metropolitan Police Department, January 2008	
Dedication to the Mission Award, Armed Forces DNA Identification Laboratory, September 2003	
American Academy of Forensic Sciences Regional Award on behalf of the Midwestern Association of Forensic Scientists, February 2003	
Outstanding Achievement Award, Armed Forces DNA Identification Laboratory, Armed Forces Institute of Pathology, 1999	

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 06/25/10

Name: Carol J. Retamozo P#: 14280 Classification: Forensic Scientist I

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Footwear Impressions		Technical Support /	
Quality Assurance			
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Central Florida	01/08 – 08/08	Forensic Science <i>Minor: Chemistry</i>	BS
University of Central Florida	05/01 – 12/03	Molecular Biology and Microbiology	BS
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
FDLE Crime Laboratory Analyst Training Program	Orlando, FL	Dec. 2008 to Feb. 2010	
Applied Biosystems HID University <i>Future Trends in Forensic DNA Technology Seminar Series</i>	Orlando, FL	Oct. 2009	
Advanced DNA Training	Huntington, WV	Dec. 2009	

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
FDLE Biology/DNA Section Discipline Meeting	Largo, FL	May 2008
Beckman Coulter Basic Biomek 3000 Customer Training	Orlando, FL	Jun. 2008
Hair Examination for the DNA Analyst	Morgantown, WV	Aug. 2007
Applied Biosystems 7500 Real Time PCR System: Quantifiler Kits and Standard Operator Training	Orlando, FL	Oct. 2006
FDLE Screening Forensic Technologist Training Program	Orlando, FL	Oct. 2006 to Nov. 2006
National Forensic Science Technology Center Pre-Screening Workshop	Largo, FL	May 2006
FDLE Forensic Technologist Training Program	Orlando, FL	Dec. 2005 to Jun. 2006
American Academy of Forensic Sciences Annual Meeting	Atlanta, GA	Feb. 2002
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Florida Circuit Courts: 5 <sup>th</sup> Circuit, 7 <sup>th</sup> Circuit, 9 <sup>th</sup> Circuit (2), 18 <sup>th</sup> Circuit and 19 <sup>th</sup> Circuit	Serology	6
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist I	06/21/10 to Present
Florida Department of Law Enforcement	Crime Laboratory Analyst – Biology/DNA Section	12/2008 to 05/2010
Florida Department of Law Enforcement	Screening Forensic Technologist – Biology/DNA Section	11/2006 to 12/2008
Florida Department of Law Enforcement	Forensic Technologist – Biology, DNA Section	12/2005 to 11/2006

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Florida Department of Law Enforcement	Intern – Toxicology Section	07/2004 to 12/2004
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
American Academy of Forensic Sciences, Associate Member, Criminalistics Section	2002 to Present	
PUBLICATIONS / PRESENTATIONS:		
University of Central Florida, Introduction to Forensics Class, “Forensic Biology” (Serology), Orlando, FL March 2010		
Florida Department of Law Enforcement, Stetson University Forensics Class, “Forensic Biology,” Orlando, FL April 2009		
OTHER QUALIFICATIONS:		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
CURRICULUM VITAE**

Date: 01/09/14

Name: Allison Rubino

P#: 1478  
4

Classification: Forensic Scientist I

Current Discipline of Assignment: Biology/DNA Detail

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Toxicology/Blood Alcohol	
Toolmarks		Toxicology/Breath Alcohol	
Trace Evidence		Toxicology/Drugs	
Arson Analysis		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	x	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	x
Quality Assurance		Technical Support / DNA	

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Scranton	08/03-05/07	Biochemistry	B.S.
University of New Haven	08/07-05/09	Forensic Science (Criminalistics)	M.S.

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
More Ys in half the time. See Y: An Overview of the Global PPY23-YHRD Database Project	Webinar (Armed Forces DNA Identification Laboratory/AFDIL)	October 2013
Introducing TrueAllele Casework at the New York State Police	Webinar (AFDIL)	October 2013
Recovery of Human DNA Profiles from Poached Deer Remains/ Australian Centre for Ancient DNA	AFDIL	February 2013
Lecture about Quant Duo	AFDIL	January 2013
Y-STR History and Review	AFDIL	January 2013

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
LCN Y-filer	AFDIL	December 2012
Promega Fusion	Webinar (AFDIL)	December 2012
Globalfiler System	Webinar (AFDIL)	November 2012
Topics and Techniques for Forensic DNA Analysis	NYC OCME	April 2012
Cognitive Factors in Forensic Decision Making	NYC OCME	September 2011
Forensic Ethics Training	NYC OCME	August 2011
Principles of Genetics	Farmingdale State College	August – December 2011
Forensic Relationship Training	Marshall University at NYS Police Academy	July 2011
Advanced DNA Training	Marshall University	June 2011
TrueAllele Casework Technology by Cybergenetics	Suffolk County Crime Laboratory	April 2011
American Academy of Forensic Science Meeting	Chicago, Illinois	February 2011
Forensic Toxicology	University of Verona	November 2010
Advanced Analytical Techniques in Biomedical and Forensic Investigations	University of Verona	October 2010
19th Annual Markle Symposium Police Involved Shootings-Investigation of Critical Incidents and Issues	Ledyard, CT	September 2010
HID Future Trends in DNA Technology	HID University at NYC OCME	August 2010
Statistics 110	Farmingdale State College	July 2010
Forensic Scientist Criminal Trial Training	New York Prosecutor's Training Institute	March 2010
18th Annual Markle Symposium Investigating International Crimes	Ledyard, CT	April 2009
American Academy of Forensic Science meeting	Denver, CO	February 2009
17th Annual Markle Symposium Conspiracies: Investigating Complex Cases	Ledyard, CT	March 2008
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
None		
EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist I (In-Training)	January 2013- Present
Armed Forces DNA Identification Laboratory (AFDIL)	Forensic Scientist I - Technician	June 2012 – December 2013
Lab Support, A Division of On Assignment/ Suffolk County Crime Laboratory	Research Associate/ Forensic Scientist I	April 2009 – June 2012
University of Verona/University of New Haven	Research Student	January – December 2010
University of New Haven	Graduate Assistant	August 2007 – May 2009
Suffolk County Crime Laboratory	Intern	August 2008
University of Verona	Intern	July 2008
PROFESSIONAL AFFILIATIONS		
Organization	Date(s)	
American Academy of Forensic Sciences	2009-Present	
PUBLICATIONS / PRESENTATIONS:		
American Academy of Forensic Sciences meeting in Chicago, Illinois February 2011; presented a poster in the Toxicology section		
OTHER QUALIFICATIONS:		
<i>Instrumental and Computer Skills:</i> Qiagen - EZ1 Robotics, Qiagility Applied Biosystems – 7500 RT-PCR and software, GeneAmp PCR System 9700, 3130 Genetic Analyzer and software, and GeneMapper ID software v3.2.1 Windows and Macintosh software - Microsoft Word, Excel and PowerPoint, Access TrueAllele Data Review System		

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FORENSIC LABORATORY  
STATEMENT OF QUALIFICATIONS**

Date: 07/01/10

Name: Beata Vida P#: 14279 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Footwear Impressions		Technical Support /	
Quality Assurance			
EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
University of Central Florida	01/2005-present	Anthropology	BA-in progress
Minnesota State University Moorhead	01/1997-05/2001	Biology	BA
Brevard Community College	08/2005-05/2005	Crime Scene Technology	AS
ADDITIONAL TRAINING / SEMINARS			
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>	
8 <sup>th</sup> Annual Advanced DNA Technical Workshop by BODE Technology Group	Amelia Island, FL	05/19/09-05/20/09	
FBI DNA Auditor 2-day Workshop	Amelia Island, FL	05/17/09-05/18/09	
19 <sup>th</sup> International Symposium on Human Identification by the Promega Corporation	Hollywood, CA	10/14/08-11/16/08	
Forensic Population Genetics Workshop	Hollywood, CA	10/13/08	



ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
Statewide Biology Discipline Meeting	Largo, FL	05/14/08-05/15/08
Florida Statewide DNA Conference	Largo, FL	05/12/08-05/13/08
3130 HID Class by Applied Biosystems	Orlando, FL	05/01/07-05/03/07
Serology/DNA Crime Laboratory Analyst Training Program	Orlando, FL	06/2006-06/2007
7000/7500 Sequence Detection Systems Training	Orlando, FL	10/19/06
Biomek 2000/3000 Training	Orlando, FL	09/25/06
GeneMapper ID Computer Software Training	Orlando, FL	09/2006
COURTROOM EXPERIENCE		
<i>Court</i>	<i>Discipline</i>	<i>Number of Times</i>
Orange, Brevard, Osceola, Seminole and Volusia Counties, Florida	Serology/DNA	15
EMPLOYMENT HISTORY		
<i>Employer</i>	<i>Job Title</i>	<i>Date</i>
Las Vegas Metropolitan Police Department	Forensic Scientist II	06/14/2010-present
Florida Department of Law Enforcement	Crime Laboratory Analyst	04/2006-05/28/2010
Florida Department of Law Enforcement	Forensic Technologist	12/31/05-04/2006
PROFESSIONAL AFFILIATIONS		
<i>Organization</i>	<i>Date(s)</i>	
American Academy of Forensic Sciences	01/2006-present	
International Association for Identification	06/2004-present	
PUBLICATIONS / PRESENTATIONS:		
University of Central Florida – Introductory Forensic Science Class presentation 03/24/2010		
Detective Training presentation – DNA Training For New Detectives 10/2009		
OTHER QUALIFICATIONS:		


# ASCLD/LAB-International

## STATEMENT OF QUALIFICATIONS

<b>Name</b>	Christine Whittle	<b>Date</b>	06/16/15
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<b>Laboratory</b>	Las Vegas Metropolitan Police Department Forensic Laboratory
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<b>Job Title</b>	Forensic Scientist II
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Indicate all disciplines in which you do casework:

<input type="checkbox"/>	Drug Chemistry	<input type="checkbox"/>	Toxicology
<input type="checkbox"/>	Firearms/Toolmarks	<input checked="" type="checkbox"/>	Biology
<input type="checkbox"/>	Trace Evidence	<input type="checkbox"/>	Questioned Documents
<input type="checkbox"/>	Latent Prints	<input type="checkbox"/>	Crime Scene
<input type="checkbox"/>	Digital & Multimedia Evidence		

List all category(ies) of testing in which you do casework:

DNA Nuclear, Individual Characteristic Database, Body Fluid Identification
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### Breath Alcohol Calibration Categories

<input type="checkbox"/>	Toxicology - Breath Alcohol Measuring Instruments (The work of the laboratory MUST include calibration certificates- do not check the box if work is limited to breath/alcohol testing)
<input type="checkbox"/>	Toxicology - Breath Alcohol Calibration Reference Material

**Education:** List all higher academic institutions attended (list high school only if no college degree has been attained)

Institution	Dates Attended	Major	Degree Completed
University of South Florida	1999-2003	Microbiology	Bachelor of Science
University of Central Florida	2005-2012	Undeclared	NA
Eastern Florida State College	1997-2014	Undeclared	NA

**Other Training:** List continuing education, workshops, in-service and other formal training received. Please include the course title, source and date of the training.

FDLE Forensic Technologist Training Program	Dec 2005-July 2006
NFSTC Conventional Screening Program	May 30-June 2, 2006
Applied Biosystems RT-PCR Training	October 19, 2006
WVU Hair Examination for the DNA Analyst	August 3, 2007
2008 Florida Statewide DNA Conference	May 12-13, 2007
2008 FDLE Biology Discipline Meeting	May 14-15, 2007
FDLE Crime Laboratory Analyst Training Program	Decemeber 2007-April 2008
Population Statistics and Forensic DNA Analysis	September 28-30, 2009
Bode Ninth Annual Advanced DNA Workshop East	May 23-27, 2010
Bode Processing Compromised Evidence Workshop	May 23, 2010
Bode Mixture Interpretation Workshop	May 24, 2010
Plexor®HY System and Analysis Software Training	May 3-4, 2011
Marshall University Forensic Y-STR Training	May 23-26, 2011
Promega 23 <sup>rd</sup> International Symposium for Human Identification	October 15-18 <sup>th</sup> , 2012
Promega Mixture Interpretation Workshop	October 15, 2012
Promega Validation of New Techniques and Assays Workshop	October 18, 2012

2013 FDLE Biology Discipline Meeting	February 5-6, 2013
Bode 12 <sup>th</sup> Annual Advanced DNA Technical Workshop East	May 20-24, 2013
6-Dye Evolution:Future CE Fragment Analysis Course	May 20, 2013
Bode Forensic Paternity and Kinship Statistics Workshop	May 21, 2013
NIST DNA Mixture Interpretation Workshop & Webcast	April 12, 2013
AAFS 66 <sup>th</sup> Annual Scientific Meeting	February 17-22, 2014
Development of Emerging DNA Technologies Workshop	February 17, 2014

**Courtroom Experience:** List the discipline/category(ies) of testing in which you have qualified to testify as an expert witness and indicate over what period of time and approximately how many times you have testified in each.

Forensic Biology/DNA-Since August of 2010-Testimony given 20 times

**Professional Affiliations:** List any professional organizations of which you are or have been a member. Indicate any offices or other positions held and the date(s) of these activities.

**Employment History:** List all scientific or technical positions held, particularly those related to forensic science. List current position first. Be sure to indicate employer and give a brief summary of principal duties and tenure in each position.

<b>Job Title</b>	Forensic Scientist II	<b>Tenure</b>	May 2015-Present
<b>Employer</b>	Las Vegas Metropolitan Police Department Forensic Laboratory		
Provide a brief description of principal duties:			
Performs a variety of scientific laboratory analyses including DNA analysis on biological evidence, provides scientific consultation, interprets test results and forms conclusions, prepares reports and testifies as an expert witness.			

<b>Job Title</b>	Crime Laboratory Analyst	<b>Tenure</b>	November 2007-May 2015
<b>Employer</b>	Florida Department of Law Enforcement		
Provide a brief description of principal duties:			
Performs analytical examinations on serological evidence, characterize samples using STR DNA analysis, generates reports based on the results of examinations, testifies on casework findings			

<b>Job Title</b>	Forensic Technologist	<b>Tenure</b>	December 2005-November 2007
<b>Employer</b>	Florida Department of Law Enforcement		
Provide a brief description of principal duties:			
Provided technical support to the analysts in the Biology section through duties such as: reagent preparation, instrument maintenance, evidence screening, and general housekeeping duties			

Job Title		Tenure	
Employer			
Provide a brief description of principal duties:			

Job Title		Tenure	
Employer			
Provide a brief description of principal duties:			

**Other Qualifications:** List below any scientific publication and/or presentation you have authored or co-authored, research in which you are or have been involved, academic or other teaching positions you have held, and any other information which you consider relevant to your qualification as a forensic scientist.  
(Use additional sheets if necessary.)

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<b>Las Vegas Metropolitan Police Department</b> <b>Forensic Laboratory</b> <b>Report of Examination</b> <b>Latent Prints</b>		<b>Distribution Date:</b> August 11, 2016 <b>Agency:</b> LVMPD <b>Location:</b> BAC <b>Primary Case #:</b> 160528-1147 <b>Incident:</b> Robbery, Robbery WDW <b>Requester:</b> William L Majors <b>Lab Case #:</b> 16-04601.2 <b>Supplemental 1</b>
<b>Subject(s):</b>	Bobby MCCOY (AFIS) Latasha ALLEN (AFIS) Keandre VALENTINE (Suspect)	

The following evidence was examined and results are reported below.

#### Latent Print Examination

Lab Item #	Impound Pkg #	Card #	Description	Results and Conclusions
Item 1	008177 - 1	Q1	One lift card from "Interior glass of left front door window" (1)	Two suitable print(s) marked A and B: A - Identified to the right index finger of VALENTINE, Keandre.  B - Identified to the right middle finger of VALENTINE, Keandre.
		Q2	One lift card from "Exterior right front door below handle" (2)	One suitable print(s) marked A: A - Identified to the right middle finger of MCCOY, Bobby.*
		Q3	One lift card from "Right rear exterior door handle" (3)	One suitable print(s) marked A: A - The latent print was excluded from the following: VALENTINE, Keandre MCCOY, Bobby ALLEN, Latasha  A - Searched through AFIS with negative results and registered in the database.
		Q4	One lift card from "Right rear exterior door along back edge" (4)	No suitable latent prints.
		Q5	One lift card from "Right rear exterior door along back edge" (5)	One suitable print(s) marked A: A - Identified to the right thumb of ALLEN, Latasha.*

Lift cards are from a " 2016 Mazda 3, CA Temp Tag 32691555, VIN/JM1BM1T77G1344926"

\*Results previously reported by FS Gouldthorpe P# 8646 on 7/18/2016.

#### Exemplar Prints

Name	ID	Description
VALENTINE, Keandre	5090875	LVMPD Archive finger and palm prints dated 6/16/2016
MCCOY, Bobby	244618FD6	FBI fingerprints downloaded from IAFIS on 8/6/2016
ALLEN, Latasha	918601RC8	FBI fingerprints downloaded from IAFIS on 8/6/2016

The evidence is returned to secure storage.

Technical Reviewer: Forensic Scientist Eric Sahota P#9932

---This report does not constitute the entire case file. The case file may be comprised of worksheets, images, analytical data and other documents.---

*Gayle Johnson*

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Gayle A Johnson, #10208  
Forensic Scientist II

- END OF REPORT -

  
CLERK OF THE COURT

PHILIP J. KOHN, PUBLIC DEFENDER  
NEVADA BAR NO. 0556  
TEGAN C. MACHNICH, DEPUTY PUBLIC DEFENDER  
NEVADA BAR NO. 10944  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
(702) 455-3601  
Tegan.Machnich@ClarkCountyNV.gov  
Attorney for Defendant

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-16-316081-1
	)	
v.	)	DEPT. NO. III
	)	
KEANDRE VALENTINE,	)	DATE: September 1, 2016
	)	TIME: 9:00 a.m.
Defendant.	)	

**MOTION FOR PRODUCTION OF DISCOVERY**

COMES NOW, the Defendant, KEANDRE VALENTINE, by and through TEGAN C. MACHNICH, Deputy Public Defender and hereby requests that the Court order the State of Nevada to produce the discovery discussed herein **at least 30 days before trial or reasonably soon thereafter** pursuant to NRS 174.235; NRS 174.285; Kyles v. Whitley, 514 U.S. 419 (1995); Brady v. Maryland, 373 U.S. 83 (1963) (and their progeny).

This Motion is made and based upon all the papers and pleadings on file herein, the attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 19<sup>th</sup> day of August, 2016.

PHILIP J. KOHN  
CLARK COUNTY PUBLIC DEFENDER

By: /s/ Tegan C. Machnich  
TEGAN C. MACHNICH, #11642  
Chief Deputy Public Defender



**DECLARATION**

TEGAN C. MACHNICH makes the following declaration:

1. I am an attorney licensed to practice law in the State of Nevada and I am a Chief Deputy Public Defender for the Clark County Public Defender's Office, counsel of record for Defendant Valentine, in the present matter;

2. I make this Declaration in support of Defendant's Motion for Production of Discovery;

3. I am more than 18 years of age and am competent to testify as to the matters stated herein. I am familiar with the procedural history of the case and the substantive allegations made by The State of Nevada. I also have personal knowledge of the facts stated herein or I have been informed of these facts and believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 19<sup>th</sup> day of August, 2016.

/s/ Tegan C. Machnich  
TEGAN C. MACHNICH

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **BRIEF STATEMENT OF FACTS**

3 Mr. Valentine is charged with seven counts of Robbery with use of a Deadly Weapon,  
4 three counts of Burglary while in Possession of a Firearm, one count of Attempt Robbery with Use  
5 of a Deadly Weapon and three counts of Possession of Credit or Debit Card without Cardholder's  
6 Consent all arising from incidents on May 26<sup>th</sup> and May 28<sup>th</sup>, 2016. On May 28, 2016, after what  
7 police describe as "several robberies...within a short time lapse and with the same MO of a BMA  
8 armed with a firearm, and driving a newer white, unregistered Mazda", an officer with the  
9 LVMPD located a car matching the description in the neighborhood near the last reported robbery.  
10 Mr. Valentine was found sleeping in the apartment associated with the vehicle's owner. Also  
11 located in the apartment were several other people, a disassembled firearm and some of the stolen  
12 property including credit cards.

13 **ARGUMENT**

14 **I. The State is required to provide Defendant with inculpatory and exculpatory**  
15 **information, per Nevada statute, as well as under the United States and Nevada**  
16 **Constitutions**

17 **A. Nevada Statutory Requirements**

18 Under NRS 174.235, the State is required to disclose evidence relating to the prosecution  
19 of a defendant that is within the possession, custody or control of the State, including:

- 20 • written or recorded statements or confessions made by the defendant;
- 21 • written or recorded statements made by a witness the prosecuting attorney intends  
22 to call during the case in chief of the State;
- 23 • results or reports of physical or mental examinations, scientific tests or scientific  
24 experiments made in connection with the particular case; and
- 25 • books, papers, documents, tangible objects, or copies thereof, which the prosecuting  
26 attorney intends to introduce during the case in chief of the State.

27 NRS 174.235(1)(a)-(c).

28 This includes medical data/imaging/films/reports and/or slides, histological, colposcopic,  
or otherwise. The Sixth Amendment's right to counsel guarantees obligate defense counsel to

1 conduct “an adequate pre-trial investigation into medical evidence.” Gersten v. Senkowski, 426  
2 F.3d 588, 605 (2d Cir. 2005). This duty includes obtaining and reviewing pertinent medical  
3 imaging such as colposcopic slides, even when the State’s medical expert has opined that the  
4 medical examination(s) reveal no significant findings or are otherwise “normal.” Id. at 605, 607-  
5 10 (“If a medical examination of the alleged victim failed to reveal any evidence clinically  
6 indicative of sexual penetration, that failure would constitute strong affirmative evidence that  
7 forced sexual penetration did not occur.”). Thus, the discovery obligation(s) set forth in NRS  
8 174.235(2) require prosecutors to disclose otherwise invasive physical imaging and/or testing.

9 The District Court has authority to order the production of any non-privileged materials in  
10 the possession, control or custody of the State<sup>1</sup> under NRS 174.235 if the evidence sought is  
11 “material to the preparation of the defense”. Riddle v. State, 96 Nev. 589, 590 (Nev. 1980).

12 Based on NRS 174.235, Defendant requests that the State turn over all such information,  
13 whether exculpatory or inculpatory, in the State’s custody or control.

#### 14 B. Constitutional Requirements

15 The United States and Nevada constitutions require the State to provide the defense with all  
16 favorable evidence in its actual or constructive possession prior to trial. Failure to do so results in  
17 a violation of the Due Process clauses of the Fifth and Fourteenth Amendments of the United  
18 States Constitution, and Article I, Section 8 of the Nevada Constitution. This rule applies  
19 regardless of how the State has chosen to structure its overall discovery process. See Strickler v.  
20 Greene, 527 U.S. 263 (1999); Kyles, 514 U.S. 419; Brady, 373 U.S. at 86; Jimenez v. State, 112  
21 Nev. 610, 618 (Nev. 1996). The withholding of exculpatory evidence constitutes a due process  
22 violation regardless of the prosecutor’s motive for doing so. Jimenez, 112 Nev. at 618 (“It is a  
23 violation of due process for the prosecutor to withhold exculpatory evidence, and his motive for  
24 doing so is immaterial . . . The prosecutor represents the state and has a duty to see that justice is  
25 done in criminal prosecution.”); Wallace v. State, 88 Nev. 549, 551-52 (Nev. 1972).

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26  
27 <sup>1</sup> The State must turn over any documents, papers, or books related to the case that are in the possession,  
28 control and custody of any government agent or agency. See Kyles, 514 U.S. at 437-38 (1995) (stating that  
exculpatory evidence “cannot be kept out of the hands of the defense just because the prosecutor does not  
have it”).

1 Under the law, the State must turn over all material evidence that is (1) favorable to the  
2 accused, in that it is exculpatory or impeachment evidence, and (2) within the actual or  
3 constructive possession of anyone acting on behalf of the State. See Banks v. Dretke, 540 U.S.  
4 668, 691 (2004). Material evidence is evidence that is logically connected with the facts of  
5 consequence or the issues in the case. Wyman v. State, 125 Nev. 592, 608 (Nev. 2009).

6  
7 **II. The State is required to disclose both inculpatory and exculpatory information prior to trial**

8 A. The State must disclose all inculpatory evidence, regardless of whether the material  
9 is intended for use in the government's case in chief

10 Prosecutors may not lawfully withhold inculpatory material and information from the  
11 defense simply because they do not intend to present the material or information during the  
12 government's case in chief. State v. Harrington, 9 Nev. 91, 94 (Nev. 1873); People v. Bunyard,  
13 756 P.2d 795, 809 (Cal. 1988); People v. Carter, 312 P.2d 665, 675 (Cal. 1957). Any holding to  
14 the contrary would allow prosecutors to engage in unfair surprise by withholding inculpatory  
15 material from the government's case in chief, only to surprise the defense by using it in rebuttal.

16 B. The State must disclose all statements made by a defendant, regardless of whether  
17 the statement(s) are reduced to writing

18 NRS 174.235 creates an affirmative duty for the State to disclose any statement allegedly  
19 made by the defendant, or for which the defendant can be held vicariously liable. Courts have  
20 recognized that there is a fundamental fairness involved in "granting the accused equal access to  
21 his own words, no matter how the Government came by them." See, e.g., U.S. v. Caldwell, 543  
22 F.2d 1333, 1353 (D.D.C. 1974). This "fairness" should extend not only to written or recorded  
23 statements, but unrecorded oral statements as well as statements for which a defendant can be held  
24 vicariously liable. Under NRS 51.035(3)(a)-(e),<sup>2</sup> a defendant can be vicariously liable for a  
25 statement made by a third party. See also Fields v. State, 125 Nev. 785 (Nev. 2009) (finding  
26 evidence of defendant's silence admissible following his wife's complaint that she was in jail

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27 <sup>2</sup> NRS 51.035(3)(b) excepts from the definition of hearsay a "statement offered against a party" that is "[a]  
28 statement of which [the party against whom it is offered] has manifested his adoption or believe in its truth."

1 because his conduct constituted an adoptive admission). Thus, NRS 174.235 should be construed  
2 to include within the definition of a defendant's "statement," both the words actually uttered by the  
3 defendant and any statements for which the defendant may be held vicariously liable.

4 C. The State must disclose any/all rough notes prepared in connection with the  
5 investigation of the instant matter

6 Raw notes made by any law enforcement officer or other prosecution agent in connection  
7 with the investigation of instant matter must be disclosed to the defense. Notably, this does not  
8 include information amounting to work product. In Hickman v. Taylor, 329 U.S. 495, 508-11  
9 (1947), the United States Supreme Court recognized the privileged nature of discussions relating to  
10 the preparation of a case of trial.<sup>3</sup> The "work product doctrine" announced in Hickman shelters  
11 not only material generated by an attorney in preparation for trial, but by his/her agent, as well:

12 At its core, the work product doctrine shelters the mental processes of the  
13 attorney, providing a privileged area within which he can analyze and  
14 prepare his client's case. But the doctrine is an intensely practical one,  
15 grounded in the realities of litigation in our adversary system. One of  
16 those realities is that attorneys often must rely on the assistance of  
17 investigators and other agents in preparation for trial. It is therefore  
18 necessary that the doctrine protect material prepared by agents for the  
19 attorney as well as those prepared by the attorney as well as those  
20 prepared by the attorney himself. Moreover, the concerns reflected in the  
21 work-product doctrine do not disappear once trial has begun . . . .

22 U.S. v. Nobles, 422 U.S. 225, 238-39 (1975).

23 Codifying this, NRS 174.235(2) exempts from discovery by a criminal defendant:

24 <sup>3</sup> "In performing his various duties, however, it is essential that a lawyer work with a certain degree of  
25 privacy, free from unnecessary intrusion by opposing parties and their counsel . . . Proper preparation of a  
26 client's case demands that he assemble information, sift what he considers to be the relevant from the  
27 irrelevant facts, prepare his legal theories and plan his strategy without undue and needless interference . . .  
28 This work is reflected, of course, in interviews, statements, memoranda, correspondence, briefs, mental  
impressions, personal beliefs, and countless other tangible and intangible ways – aptly . . . termed . . . as the  
'work product of the lawyer.' Were such materials open to opposing counsel on mere demand, much of  
what is now put down in writing would remain unwritten. An attorney's thoughts, heretofore inviolate,  
would not be his own. Inefficiency, unfairness and sharp practices would inevitably develop in the giving  
of legal advice and in the preparation of cases for trial. The effect on the legal profession would be  
demoralizing. And the interests of clients and the cause of justice would be poorly served." Hickman v.  
Taylor, 329 U.S. 495, 508-11 (1947).

- 1 (a) An internal report, document or memorandum that is prepared by or on  
2 behalf of the prosecuting attorney in connection with the investigation or  
3 prosecution of the case.
- 4 (b) A statement, report, book, paper, document, tangible object or any other  
5 type of item or information that is privileged or protected from disclosure  
6 or inspection pursuant to the constitution or laws of this state or the  
7 Constitution of the United States.

8 Accordingly, only raw notes generated by, or on behalf of, the prosecutor are exempted  
9 from disclosure. Any other raw note(s) compiled during the investigation of this matter must be  
10 turned over pursuant to the disclosure obligation conferred by NRS 174.235 or, in the case of  
11 exculpatory material. Brady v. Maryland, 373 U.S. 83 (1963).

12 **III. The State must turn over all information that is favorable to the accused, whether or**  
13 **not it is the subject of a specific discovery request**

14 The State's constitutional obligation to produce material evidence exists whether or not the  
15 defendant has filed a discovery motion or made specific discovery requests. See, e.g., U.S.  
16 CONSTITUTION AMEND. V, VI, XIV; NEV. CONST. Art. 1, Sect. 8; Kyles, 514 U.S. at 434-35;  
17 Pennsylvania v. Ritchie, 480 U.S. 39, 57 (1986); United States v. Bagley, 473 U.S. at 667, 682,  
18 685 (plurality opinion) (1985); State v. Bennett, 119 Nev. 589 (Nev. 2003); Jimenez, 112 Nev. at  
19 618 (stating that "It is a violation of due process for the prosecutor to withhold exculpatory  
20 evidence, and his motive for doing so is immaterial . . . The prosecutor represents the state and has  
21 a duty to see that justice is done in criminal prosecution"); Roberts v. State, 110 Nev. 1121 (Nev.  
22 1994). Given the important rights involved and the strong potential for reversal if those rights are  
23 violated, the United States Supreme Court has long counseled that "the prudent prosecutor will  
24 resolve doubtful questions in favor of disclosure." U.S. v. Agurs, 427 U.S. 97, 108 (1976).  
25 Ultimately, prosecutors are tasked with a "broad duty of disclosure." Strickler, 527 U.S. at 281.  
26 Accordingly, any question as to whether certain material, information, and/or evidence falls within  
27 the purview of Brady should be resolved in favor of disclosure. Agurs, 427 U.S. at 108; See also  
28 Kyles, 514 U.S. at 434 ("[A] prosecutor anxious about tacking too close to the wind will disclose a  
favorable piece of evidence.").

1       The State’s constitutionally-mandated Brady obligation arises regardless of whether a  
2 Defendant specifically requests certain favorable evidence. See Kyles, 514 U.S. at 433 (stating  
3 that “regardless of request, favorable evidence is material. . .”); Bagley, 473 U.S. at 680-82  
4 (finding the prosecution’s constitutional duty to disclose favorable evidence is governed by the  
5 materiality standard and not limited to situations where a defendant requests favorable evidence).  
6 However, a specific Brady request will result in reversal “if there exists a reasonable possibility  
7 that the claimed evidence would have affected the judgment of the trier of fact.” Roberts v. State,  
8 110 Nev. 1121 (Nev. 1994); See also Jimenez, 112 Nev. at 619; State v. Bennett, 119 Nev. 589  
9 (Nev. 2003). Absent a specific request, reversal is warranted, “if there exists a reasonable  
10 probability that, had the evidence been disclosed, the result of the proceeding would have been  
11 different.” Bagley, 473 U.S. at 667, 682, 685; Ritchie, 480 U.S. at 57. A “reasonable probability”  
12 is a probability sufficient to undermine confidence in the outcome. Bagley, 473 U.S. at 678, 685;  
13 Ritchie, 480 U.S. at 57; Roberts, 110 Nev. at 1129. The State must disclose all material evidence  
14 favorable to the defense, regardless of the nature of the instant request. Additionally, as more fully  
15 addressed below, the prosecutor must meet with detectives, crime scene analysts, investigators,  
16 and any other State actors and potential witnesses prior to trial to determine whether they possess  
17 evidence favorable to the accused. See, e.g., Strickler, 527 U.S. at 281.

18       A.     Exculpatory Evidence

19       Exculpatory evidence is that which tends to favor the accused. Brady, 373 U.S. at 87. The  
20 Due Process Clause of the Fifth and Fourteenth Amendments require that the State disclose “any  
21 information about its witnesses that could cast doubt on their credibility.” U.S. v. Jennings, 960  
22 F.2d 1488, 1490 (9th Cir. 1992); See also Bagley, 473 U.S. 667. Impeachment evidence,  
23 therefore, is exculpatory evidence within the meaning of Brady. See Giglio v. United States, 405  
24 U.S. 150, 154 (1972); see also Youngblood v. West Virginia, 547 U.S. 867 (2006); Bagley, 473  
25 U.S. at 676 (requiring disclosure of all impeachment evidence). In other words, the State’s duty to  
26 disclose extends to evidence bearing on the credibility of its witnesses. The Nevada Supreme  
27 Court has interpreted the meaning of evidence “favorable to the accused” as evidence that  
28 “provides grounds for the defense to attack the reliability, thoroughness, and good faith of the

1 police investigation, to impeach the credibility of the state's witnesses" or evidence that may  
2 "bolster the defense case against prosecutorial attacks." Mazzan, 116 Nev. at 67.

3 To be clear, exculpatory material includes all information that would tend to affect the  
4 reliability and credibility of a witness. Thus, information within government control, which shows  
5 that a witness gave inconsistent statements, had motive to lie, tried to recant, expressed reluctance  
6 to testify against the accused, received benefits as a result of his or her accusation, or other types of  
7 information affecting credibility and reliability, is Brady material and must be disclosed.

8 Prosecutors must disclose the identity of witnesses possessing exculpatory information, as  
9 no legitimate interest is served by precluding the defense from calling such witnesses for trial.  
10 United States v. Eley, 335 F.Supp. 353 (N.D. Ga. 1972); United States v. Houston, 339 F.Supp.  
11 762 (N.D. Ga. 1972).

12 The U.S. Constitution guarantees a criminal defendant the right to present evidence of  
13 third-party guilt. See Holmes v. South Carolina, 547 U.S. 319 (2006) (holding that refusal to allow  
14 defendant to present evidence of third party guilt deprives him of a meaningful right to present a  
15 complete defense under the 14th and 6th Amendment of the U.S. Constitution). Thus, prosecutors  
16 must disclose any/all evidence that another perpetrator committed the charged crime(s). Lay v.  
17 State, 116 Nev. 1185, 1195-96 (Nev. 2000) (finding that State's failure to disclose evidence of  
18 another perpetrator violated Brady). This includes evidence that another individual was arrested in  
19 connection with the charged crime. Banks v. Reynolds, 54 F.3d 1508, 1518 n.21 (10th Cir. 1995).  
20 It also includes evidence of investigative leads pointing to other suspects. Jimenez, 112 Nev. at  
21 622-23 (withholding evidence of investigative leads to other suspects, regardless of admissibility,  
22 constitutes Brady violation). Finally, prosecutors must provide the actual documents, evidence,  
23 and/or reports pertaining to evidence of third-party guilt; it is not enough for prosecutors to  
24 provide the defense with a summary of the information relating to other suspects. Mazzan, 116  
25 Nev. at 69 (summary of prosecutor's perspective on written reports relating to potential suspects  
26 was constitutionally inadequate and reports should have been disclosed pursuant to Brady);  
27 Bloodworth, 512 A.2d at 1059-60 (Md. 1986).

28 B. "Favorable evidence" includes impeachment evidence



1 The Due Process Clause of the Fifth and Fourteenth Amendments require that the State  
2 disclose “any information about its witnesses that could cast doubt on their credibility.” U.S. v.  
3 Jennings, 960 F.2d 1488, 1490 (9th Cir. 1992); see also U.S. v. Bagley, 473 U.S. 667 (1985).  
4 Accordingly, ‘favorable evidence’ includes impeachment information pertaining to any/all  
5 government witnesses. Youngblood v. West Virginia, 547 U.S. 867 (U.S. 2006); U.S. v. Bagley,  
6 473 U.S. at 676 (requiring disclosure of all impeachment evidence); Giglio v. U.S., 405 U.S. 150,  
7 154 (1972).

8 The Nevada Supreme Court has directly addressed what is considered “favorable to the  
9 accused.” In Mazzan v. Warden, the Court stated:

10 Due process does not require simply the disclosure of “exculpatory”  
11 evidence. Evidence also must be disclosed if it provides grounds for the  
12 defense to attack the reliability, thoroughness, and good faith of the police  
13 investigation, to impeach the credibility of the state’s witnesses, or to  
14 bolster the defense case against prosecutorial attacks. Furthermore,  
15 “discovery in a criminal case is not limited to investigative leads or reports  
16 that are admissible in evidence.” Evidence “need not have been  
17 independently admissible to have been material.”

18 116 Nev. 48, 67 (Nev. 2000) (citations omitted).

19 See also, Strickler, 527 U.S. at 281-82 (stating that a Brady violation occurs when (1)  
20 evidence is favorable to the accused because it is exculpatory or impeaching; (2) evidence was  
21 suppressed by the State, either willfully or inadvertently; and (3) prejudice ensued); Bloodworth v.  
22 State, 512 A.2d 1056, 1059-60 (Md. 1986) (finding that the prosecution committed a Brady  
23 violation when it failed to disclose a detective’s statement suggesting another possible suspect). In  
24 Mazzan, the Supreme Court provided a non-exclusive list of the type of evidence that the State  
25 must turn over:

- 26 1) Forensic testing which was ordered but not completed, or which was  
27 completed but did not inculcate the defendant (e.g., fingerprint analysis  
28 that returned as “inconclusive”);
- 2) Criminal records or other evidence concerning State’s witnesses which  
might show bias, motive to lie, or otherwise impeach credibility (e.g., civil  
litigation);

- 1           3)     Evidence that the alleged victim in the instant case has claimed to be a  
2                 victim in other cases;
- 3           4)     Leads, evidence, or investigations that law enforcement discounted or  
4                 failed to pursue;
- 5           5)     Evidence that suggests an alternate suspect, or calls into question whether  
6                 a crime actually occurred;
- 7           6)     Anything that is inconsistent with prior or present statements of a State's  
8                 witness, including the initial failure to make a statement which is later  
9                 made or testified to.

10           In addition to the specific types of evidence listed above and discussed in Mazzan, the State is  
11           obligated to turn over to Defendant any exculpatory or mitigation evidence.

12           C.     Mitigation Evidence

13           Brady material applies not only to evidence regarding the defendant's innocence or guilt,  
14           but also to **mitigation** evidence. For example: the victim of a robbery identifies a defendant as one  
15           of two people who robbed her. The victim also tells police that this defendant actively prevented  
16           his co-defendant from hitting her during the robbery. Although the victim's statement would  
17           clearly go to establishing the defendant's guilt, it would also constitute Brady material because, if  
18           he is ultimately convicted, the defendant's effort to aid the victim might justify the mitigation of  
19           his sentence. Anything which could convince the court to impose less than a maximum sentence  
20           or rebut alleged aggravating circumstances is relevant to punishment and, therefore, **must** be  
21           produced by the State. See Jimenez, 112 Nev. at 619.

22           D.     Cooperation Agreements and Benefits

23           Impeachment evidence includes any/all cooperation agreement(s) between a government  
24           witness and prosecutors. Giglio, 405 U.S. at 154 (requiring disclosure of cooperation agreement  
25           between government witness and prosecutors). It also includes benefits provided to a state  
26           witness, regardless of whether an explicit deal is outlined. Browning v. State, 120 Nev. 347, 369  
27           (Nev. 2004). It is the witness' own anticipation of reward, not the intent of the prosecutor, which  
28           gives rise to the required disclosure. Moore v. Kemp, 809 F.2d 702, 726, 729-30 (11th Cir. 1987),  
cert. denied, 481 U.S. 1054 (1987); Duggan v. State, 778 S.W.2d 465, 468 (Tex. Crim. App. 1989)  
(holding that agreements need not be express or formal arrangements, and understanding merely

1 implied, suggested, insinuated, or inferred to be of possible benefit to witness constitutes proper  
2 material for impeachment). ‘Benefits’ are not limited to agreement made in relation to the specific  
3 case at issue. Jimenez, 112 Nev. at 622-23. For example, prosecutors must disclose evidence that  
4 a witness acted as a paid informant on one or more occasions. Bennett, 119 Nev. at 603.

5 Finally, ‘benefits’ can include, but are not necessarily limited to, travel and/or lodging  
6 benefits, as well as counseling, treatment, or other assistance, including immigration assistance of  
7 any kind, whether actual or anticipatory. This is relevant to issues regarding possible bias,  
8 credibility, and motive to lie, all of which constitute impeachment evidence. See Davis v. Alaska,  
9 415 U.S. 308 (1974).

#### 10 E. Criminal Histories

11 Impeachment material includes evidence relating to a witness’ criminal history. Briggs v.  
12 Raines, 652 F.2d 862, 865-66 (9th Cir. 1981) (under Brady, rap sheet useful to prove a witness’  
13 history or propensity for a relevant character trait should be produced). This encompasses  
14 information that is more than ten (10) years old. See Moore, 809 F.2d 702 (entire criminal record  
15 should be disclosed). It further includes criminal history information maintained by law  
16 enforcement agencies other than the Las Vegas Metropolitan Police Department,<sup>4</sup> such as the  
17 federal government’s National Crime Information Center (“NCIC”) database.<sup>5</sup>

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18 <sup>4</sup> See Odle v. U.S., 65 F. Supp. 2d 1065 (N.D. Cal. 1999), *rev’d* on other grounds by Odle v. Woodford,  
19 238 F.3d 1084 (9th Cir. 2001) (holding that “. . . knowledge may be imputed to the prosecutor, or a duty to  
20 search may be imposed, in cases where a search for readily available background information is routinely  
21 performed, such as routine criminal background checks of witnesses.” Id. at 1072 (citations omitted)  
22 (emphasis added); United States v. Perdomo, 929 F.2d 967 (3d Cir. 1991) (adopting Fifth Circuit’s rationale  
23 in requiring government to obtain complete criminal history on prosecution witness(es)); U.S. v. Thornton,  
24 1 F.3d 149 (3d Cir. 1993) (prosecutor charged with producing impeachment evidence actually or  
25 constructively in his possession as “prosecutors have an obligation to make a thorough inquiry of all  
26 enforcement agencies that had a potential connection with the witnesses . . . .”); Martinez v. Wainwright,  
621 F.2d 184, 187-89 (5th Cir. 1980) (defendant entitled to criminal records of state-government witnesses,  
including data obtainable from the FBI; prosecutor’s lack of awareness of alleged victim’s criminal history  
does not excuse duty to obtain and produce rap sheet). But cf. United States v. Blood, 435 F.3d 612, 627  
(6th Cir. 2006) (no Brady violation where prosecutor did not produce to the defense the printout of the  
NCIC check but disclosed that the witness in question had no criminal history; “the Government is only  
required to disclose its informant’s criminal history if he has one”).

<sup>5</sup> Federal law permits disclosure of NCIC information under circumstances such as that here. 28 C.F.R.  
Chapter 1 addresses the U.S. Dept. of Justice and Criminal Justice Information Systems. 28 C.F.R. Sec.  
20.33 sets forth the instances in which NCIC information may be disclosed. It provides for NCIC  
disclosure “...(1) To criminal justice agencies for criminal justice purposes...” 28 C.F.R. Sec. 20.3(g)  
defines criminal justice agencies as: “...(1) Courts; and [other entities set forth in that section].”

1 F. Evidence Contradicting Statements of Government Witnesses

2 Impeachment evidence encompasses prior statements and/or other evidence that contradicts  
3 government witnesses. Accordingly, prosecutors must disclose prior inconsistent statements by  
4 key government witnesses. Lay, 116 Nev. at 1199. Prosecutors must also disclose statements  
5 and/or evidence that contradict(s) the testimony of other government witness(es). Rudin v. State,  
6 120 Nev. 121, 139 (2004).

7 G. Confidential Records

8 A witness can be attacked by “revealing possible biases, prejudices, or ulterior motives of  
9 the witnesses as they may relate directly to the issues or personalities on the case at hand. The  
10 partiality of a witness is . . . always relevant as discrediting the witness and affecting the weight of  
11 his testimony.” Davis, 415 U.S. at 354; See also Lobato v. State, 120 Nev. 512 (Nev. 2004)  
12 (discussing the “nine basic modes of impeachment.”) Accordingly, impeachment evidence can  
13 derive from otherwise privileged and/or confidential material. When this occurs, the privileged  
14 and/or confidential nature of the material at issue must yield to a defendant’s constitutionally  
15 secured right to confront and cross-examine those who testify against him. Davis, 415 U.S. at 356  
16 (state’s interest in maintaining confidentiality of juvenile records must yield to defendant’s right to  
17 cross-examine as to bias); See also United States v. Nixon, 418 U.S. 683, 713 (1974) (generalized  
18 assertion of privilege must yield to demonstrated, specific need for evidence in a pending criminal  
19 case). Thus, prosecutors must obtain and disclose privileged/confidential records pertaining to  
20 government witnesses when the records contain information bearing on witness credibility.

21 This includes mental health records. See United States v. Lindstrom, 698 F.2d 1154, 1166-  
22 67 (11th Cir. 1983) (requiring disclosure of government witness’ mental health records); United  
23 States v. Robinson, 583 F.3d 1265, 1271-74 (10th Cir. 2009) (requiring disclosure of material  
24 portions of confidential informant’s mental health records); Wyman v. State, 125 Nev. 592, 607-08

25  
26 Additionally, 28 C.F.R. Sec. 20.3 defines the “[a]dministration of criminal justice” to include the  
27 “performance of any of the following activities . . . adjudication . . . .” Therefore, the C.F.R. authorizes  
28 prosecutors to access and disclose NCIC data pursuant to Court order as part of a criminal case  
adjudication.

1 (Nev. 2009) (trial court abused discretion by denying defendant's request for certificate of  
2 materiality to obtain accuser's out-of-state mental health records); Burns v. State, 968 A.2d 1012,  
3 1024-25 (Del. 2009) (defendant entitled to therapy records). It also includes Child Protective  
4 Services (or the functional equivalent) and school records. See Ritchie, 480 U.S. at 60 (defendant  
5 entitled to in camera review of Child and Youth Services records); State v. Cardall, 982 P.3d 79,  
6 86 (Utah 1999) (defendant entitled to complainant's school psychological records indicating she  
7 had propensity to lie and had fabricated prior rape allegations). It further includes parole/probation  
8 records, as well as jail/prison records. See United States v. Strifler, 851 F.2d 1197, 1201 (9th Cir.  
9 1988), cert. denied, 489 U.S. 1032 (1989); Carriger v. Stewart, 132 F.3d 463, 479-82 (9th Cir.  
10 1997) (requiring production of Department of Corrections file on principle government witness).  
11 And it includes juvenile records. Davis, 415 U.S. at 356. See also Bennett, 119 Nev. at 603  
12 (failure to disclose co-conspirator's juvenile records in penalty hearing amounted to Brady  
13 violation). Thus, prosecutors cannot lawfully refuse disclosure of impeachment information on the  
14 basis that the information is privileged and/or confidential.

15 H. Favorable evidence includes witnesses with exculpatory information

16 Prosecutors must disclose the identity of witnesses possessing exculpatory information, as  
17 no legitimate interest is served by precluding the defense from calling such witnesses for trial.  
18 U.S. v. Eley, 335 F.Supp. 353 (N.D. Ga. 1972); U.S. v. Houston, 339 F.Supp. 762 (N.D. GA  
19 1972).

20 I. Favorable evidence includes evidence of third-party guilt

21 The U.S. Constitution guarantees a criminal defendant the right to present evidence of  
22 third-party guilt. See Holmes v. South Carolina, 547 U.S. 319 (2006) (holding that refusal to allow  
23 defendant to present evidence of third party guilt deprives him of a meaningful right to present a  
24 complete defense under the 14<sup>th</sup> and 6<sup>th</sup> Amendment of the US Constitution). Thus, prosecutors  
25 must disclose any/all evidence that another perpetrator committed the charged crime(s). Lay v.  
26 State, 116 Nev. 1185, 1195-96 (2000) (State's failure to disclose evidence of another perpetrator  
27 violated Brady). This includes evidence that another individual was arrested in connection with  
28 the charged crime. Banks v. Reynolds, 54 F.3d 1508, 1518 n.21 (10th Cir. 1995). It also includes

1 evidence of investigative leads pointing to other suspects. Jimenez v. State, 112 Nev. 610, 622-23  
2 (1996) (withholding evidence of investigative leads to other suspects, regardless of admissibility,  
3 constitutes Brady violation). Finally, prosecutors must provide the actual documents, evidence,  
4 and/or reports pertaining to evidence of third-party guilt; it is not enough for prosecutors to  
5 provide the defense with a summary of the information relating to other suspects. Mazzan v.  
6 Warden, 116 Nev. 48, 69 (2000) (summary of prosecutor's perspective on written reports relating  
7 to potential suspects were constitutionally inadequate and reports should have been disclosed  
8 pursuant to Brady); Bloodworth v. State, 512 A.2d 1056, 1059-60 (1986).

9 J. Favorable evidence includes any/all evidence that may mitigate a defendant's  
10 sentence

11 Favorable evidence also includes evidence which could serve to mitigate a defendant's  
12 sentence upon conviction. Jimenez v. State, 112 Nev. 610 (1996).

13 K. Any question as to what amounts to Brady material should be resolved in favor of  
14 disclosure

15 Ultimately, prosecutors are tasked with a "broad duty of disclosure." Strickler v. Greene,  
16 527 U.S. 263, 281 (1999); cf. U.S. v. Agurs, 427 U.S. 97, 108 (1976) (finding that "the prudent  
17 prosecutor will resolve doubtful questions in favor of disclosure"). As the Nevada Supreme Court  
18 has explained:

19  
20 Due process does not require simply the disclosure of "exculpatory"  
21 evidence. Evidence also must be disclosed if it provides grounds for the  
22 defense to attack the reliability, thoroughness, and good faith of the police  
23 investigation, to impeach the credibility of the state's witnesses, or to  
24 bolster the defense case against prosecutorial attacks. Furthermore,  
"discovery in a criminal case is not limited to investigative leads or reports  
that are admissible in evidence." Evidence "need not have been  
independently admissible to have been material."

25 Mazzan v. Warden, 116 Nev. 48, 67 (2000) (citations omitted). Significantly, the government's  
26 disclosure obligation exists even "when the defendant does not make a Brady request."<sup>6</sup> Bagley,

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28 <sup>6</sup> However, a specific Brady request will result in reversal "if there exists a reasonable possibility that the  
claimed evidence would have affected the judgment of the trier of fact." Roberts v. State, 110 Nev. 1121

1 supra at 680-82. Accordingly, any question as to whether certain material, information, and/or  
2 evidence falls within the purview of Brady should be resolved in favor of disclosure. U.S. v.  
3 Agurs, 427 U.S. 97, 108 (1976) (“[T]he prudent prosecutor will resolve doubtful questions in favor  
4 of disclosure.”); See also Kyles v. Whitley, 514 U.S. 419, 439 (1995) (“[A] prosecutor anxious  
5 about tacking too close to the wind will disclose a favorable piece of evidence.”).

6 **IV. The State is responsible for all evidence in its actual or constructive possession, and**  
7 **has an affirmative duty to obtain such evidence**

8 In Kyles, the United States Supreme Court held that prosecutors have an **affirmative**  
9 **obligation** to obtain Brady material and provide it to the defense, even if the prosecutor is initially  
10 unaware of its existence. 514 U.S. at 433 (emphasis added). The Supreme Court noted that the  
11 affirmative duty “to disclose evidence favorable to a defendant can trace its origins to early 20th  
12 century strictures against misrepresentation and is of course most prominently associated with this  
13 Court’s decision in Brady v. Maryland . . .” Id. at 432. As the Supreme Court made clear, this  
14 obligation exists even where the defense does not make a request for such evidence. Id.

15 In finding that the State had breached its duty to Kyles, the Court discussed the  
16 prosecutor’s “affirmative duty” in detail:

17  
18 This in turn means that the individual prosecutor has a **duty to learn** of  
19 any favorable evidence known to the others acting on the government’s  
20 behalf in the case, **including the police** . . . Since then, the prosecutor has  
21 the means to discharge the government’s Brady responsibility if he will,  
22 any argument for excusing a prosecutor from disclosing what he does not  
23 happen to know about boils down to a plea to substitute the police for the  
24 prosecutor, and even for the courts themselves, as the final arbiter’s of the  
25 government’s obligation to ensure fair trials.

26 (1994); See also Jimenez v. State, supra; State v. Bennett, 119 Nev. 589 (2003). Absent a specific request,  
27 reversal is warranted, “if there exists a reasonable probability that, had the evidence been disclosed, the  
28 result of the proceeding would have been different.” U.S. v. Bagley, supra, 473 U.S. at 667, 682, 685  
(1985); Pennsylvania v. Ritchie, 480 U.S. 39, 57 (1986). A ‘reasonable probability’ is a probability  
sufficient to undermine confidence in the outcome. Bagley, 473 U.S. at 678, 685; Ritchie, 480 U.S. at 57.”  
Roberts, supra, at 1129.

1 Kyles, 514 U.S. at 437-38 (citations and footnotes omitted) (emphasis added). See also Carriger,  
2 132 F.3d at 479-82 (holding that “. . . the prosecution has a duty to learn of any exculpatory  
3 evidence known to others acting on the government’s behalf.”) (citations omitted).

4 The Nevada Supreme Court addressed the prosecutor’s affirmative duty in Jimenez, stating  
5 that, “It is a violation of due process for the prosecutor to withhold exculpatory evidence, and his  
6 **motive for doing so is immaterial.**” 112 Nev. at 618 (emphasis added). Furthermore, the  
7 affirmative obligation exists even if law enforcement personnel withhold “their reports without the  
8 prosecutor’s knowledge,” because “the state attorney is charged with **constructive knowledge**  
9 **and possession** of evidence withheld by other state agents, such as law enforcement officers.” Id.  
10 at 620 (emphasis added). This existence of an “affirmative duty” means that individual  
11 prosecutors cannot use ignorance as an excuse for failing to meet discovery obligations. A lack of  
12 subjective knowledge on the part of a particular prosecutor does not excuse or assuage a discovery  
13 violation because the individual prosecutor is legally responsible for contacting all State agents to  
14 determine if they are in possession of Brady material.

15 The constructive knowledge imputed to a prosecutor applies even if the evidence is being  
16 held by an out-of-jurisdiction agent that is cooperating with local law enforcement. In Bennett, the  
17 Nevada Supreme Court ruled, “In this case, a Utah police detective was aware of the evidence.  
18 We conclude that it is appropriate to charge the State with constructive knowledge of the evidence  
19 because the Utah police assisted in the investigation of this crime . . . .” 119 Nev. at 603. Thus,  
20 out-of-state police agencies, probation officers, welfare workers, employees of Child Protective  
21 Services, jail personnel, and the like are all potential State agents from whom the prosecution must  
22 affirmatively collect Brady material. “Exculpatory evidence cannot be kept out of the hands of the  
23 defense just because the prosecutor does not have it, where an investigative agency does.” United  
24 States v. Zuno-Acre, 44 F.3d 1420, 1427 (9th Cir. 1995).

25 When prosecutors fail to uphold this affirmative obligation, they violate constitutional due  
26 process. See U.S. CONST. AMEND. V, XIV; NEV. CONST. Art. I, § 8. Thus, the disclosure  
27 obligations outlined above extend not only to material directly in the possession of prosecutors, but  
28 material of which prosecutors are in constructive possession, as well.



1     **V.     Defendant’s specific discovery requests**

2             The following specific requests are meant to help assist the State in its duty to find and turn  
3 over the required material. The requests are not in any way intended to be a limit on, or a  
4 substitute for, the generalized duties described above. Based on the foregoing legal authority,  
5 Defendant requests that this Honorable Court enter an order directing prosecutors to disclose the  
6 following<sup>7</sup>:

7             **1.     Statements of the Defendant**

8             **All statements** made by the defendant, in any form, written or recorded, including  
9 but not limited to:

- 10            a)     Statements made at the time of arrest or during transport to the detention  
11                center.
- 12            b)     Any conversations, telephonic or otherwise, intercepted by any/all law  
13                enforcement agencies, including federal authorities.
- 14            c)     The substance of any statements made by the defendant and any co-  
15                defendants which the prosecution intends to use as evidence at trial,  
16                including but not limited to any conversations or correspondence overheard  
17                or intercepted by any jail personnel or other inmates which have not been  
18                recorded or memorialized.
- 19            d)     Any notes made by State actors that contain details of statements by the  
20                defendant or co-defendant.
- 21            e)     If an audio or video recording exists of said statements, the recording must  
22                be provided to the defense along with any associated notes and transcripts.
- 23            f)     If a recording was made, but later lost, edited or destroyed, that fact must be  
24                revealed, along with the circumstances surrounding the spoliation of  
25                evidence.

26            **2.     Statements of Potential Witnesses**

27            **All statements** of witnesses and potential witnesses, in any form, written or  
28            recorded, including but not limited to:

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<sup>7</sup> Significantly, this request is not in any way intended to be a substitute for the generalized duties described above.

- 1 a) Any **audio or video recording** collected by prosecutors, investigating  
2 officers or any other law enforcement agent as part of the investigation of  
3 this matter and any related matters. If a recording was made, but later lost,  
4 edited or destroyed, that fact must be revealed, along with the circumstances  
5 surrounding the spoliation of evidence.
- 6 b) Any **notes** of interviews that were not later recorded, such as notes of patrol  
7 officers, or notes of phone calls made to potential witnesses, or attempts to  
8 contact such witnesses. This also includes any police reports, notes, or other  
9 documents that contain information pertaining to this case or any witnesses  
10 in this case, no matter what the form or title of the report, including:
- 11 1) Case Monitoring Forms;
  - 12 2) 911 recordings;
  - 13 3) Relevant dispatch logs; and
  - 14 4) Any report of information related to the case given by anyone to any  
15 police department or crime tip organization such as Crime Stoppers,  
16 and any reward or benefit received for such tip.

### 12 3. **Crime Scene Analysis, Evidence Collection, and Forensic Testing**

13 The State must produce all requests, results, reports, and/or notes of any and all  
14 **crime scene analysis, evidence collection** and/or **forensic testing** performed in  
15 this case.<sup>8</sup> This includes, but is not limited to:

- 16 a) All photographs, videos, or audio recordings related to the collection and  
17 testing of evidence.
- 18 b) All documents recording what physical evidence was taken in the case,  
19 where it was stored, and any related chain of custody documents.
- 20 c) Any reports and/or results from any medical, pathological, toxicological,  
21 chemical, biochemical, laboratory, forensic or scientific examinations,  
22 investigations or analyses.
- 23 d) **Fingerprints:** Photographs, reports, recordings and fingerprint exemplars  
24 resulting from any attempts to collect fingerprints from the crime scene,  
25 whether or not conclusive results were obtained.
- 26 e) **Testing Results:** The State must provide the results of any and all:
- 27 1) Fingerprint collection and comparison;
  - 28 2) AFIS (Automated Fingerprint Identification System) searches and/or  
results;
  - 3) DNA testing;
  - 4) CODIS (Combined DNA Index System) searches and/or results;

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<sup>8</sup> This is required under NRS 171.1965 1(b) and NRS 174.235 1(b).

- 5) Toxicological analyses;
- 6) Footwear impressions;
- 7) Trace evidence analyses;
- 8) Any forensic analysis of cellular telephones;
- 9) Any requests for forensic analysis regardless of the outcome of such request;
- 10) Neuropathological, toxicological, or other medical evaluations of the named victim or percipient witnesses performed through this investigation. This includes the complete case file for any testing done, including, raw data, photographs, rough notes, draft reports, recorded or otherwise memorialized notes relied upon by experts in rendering an opinion in this case.

#### **4. Preservation of, and Access to, Raw Evidence**

Access to and preservation of any and all material collected in the investigation of this case, included but not limited to:

- a) Forensic material;
- b) Raw data;
- c) Video surveillance;
- d) Photographic negatives;
- e) Un-edited digital files;
- f) Biological samples; and
- g) Toxicological samples.

#### **5. Electronic Communications and Associated Warrants**

- a) Any and all intercepted electronic and/or oral communications and/or any and all communications sent to and from handset and/or telephone and/or computers pursuant to the investigation of this case or any related matters.
- b) This requests includes, but is not limited to: Audio, Push to Talk, Data, Packet Data, electronic messaging encompassing Global System for Mobile Communications (GMS), Short Message Service (SMS), Multimedia Messaging Service (MMS), and Internet Relay Chat, File Transfer Protocol (FTP), Internet Protocol (IP), Voice Over Internet Protocol (VOIP), Transmission Control Protocol (TCP) and electronic mail or other internet based communications, obtained by any State actors, including federal authorities, via subpoena, interception or other means.

#### **6. Monitoring, Tracking, and Associated Warrants**

Any and all data, recordings, reports and documentation of voice monitoring devices and/or geographic tracking devices and/or pen register and/or trap and trace

1 device installed pursuant to interception, warrant or other means, as obtained by any  
2 law enforcement agency, including federal authorities, pertaining to the instant  
3 matter or any related matter.

4 **7. All 911 and 311 Calls, Including Recordings, Reports & Transcripts**

5 This request includes, but is not limited to, car-to-car audio communications, car-to-  
6 dispatch radio communications, and the Unit Log incident print out related to the  
7 instant event.

8 **8. Alternate Suspect and Other Exculpatory Evidence**

9 Any and all information which shows that the defendant did not commit the  
10 crime(s) alleged, or which shows the possibility of another perpetrator, co-  
11 conspirator, aider and abettor, or accessory after the fact, including the name(s) of  
12 those individual(s).

13 This includes, but is not limited to, any information concerning an arrest of any  
14 other individual for the charged crime and any information suggesting a possible  
15 perpetrator other than the defendant.

16 **9. Identification and Mis-Identification**

17 All statements of identification associated with this case, including any information  
18 concerning witnesses who who did not identify the Defendant as the perpetrator of  
19 the alleged crime.

20 This request includes:

- 21 a) Any statements identifying another person as the perpetrator of this offense;  
22 b) Any prior statement by eyewitnesses who now identify my client as  
23 involved in this offense that they previously could not identify anyone;  
24 c) A copy of all photographic lineups shown to any witnesses for the purposes  
25 of identifying suspects in this case, including lineups created without the  
26 Defendant in them;  
27 d) Other identification procedures, if any, used to identify suspects in this case,  
28 including show-ups, lineups, photo-array lineups, single photo show-ups,  
photo compilations and composite drawings.

The State must also disclose:

- a) The identify of each witness who was shown an identification procedure;  
b) The date such procedure occurred;  
c) The time such a procedure occurred;  
d) The names of all persons who were present when the procedure took place;  
e) Instructions given to the witness prior to the procedure being conducted;

- 1 f) The results of the procedure, including as exact a rendition as possible of  
2 what the witness said, how long the witness took to make the identification  
3 if it was made, and any hesitancy or uncertainty of the witness in making the  
4 identification; and  
5 g) Whether or not the witness before or after the procedure was informed that  
6 they had picked the suspect officers believed committed the crime.

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9 **10. Chain of Custody**

10 All relevant reports of chain of custody, including reports of any destruction of any  
11 evidence in the case.<sup>9</sup>

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14 **11. Documents, Notes, and Reports Used by Witnesses to Prepare for Testimony**

15 Any documents used to prepare State's witnesses for preliminary hearing or trial,  
16 including any and all notes and reports of any expert in the case, to include mental  
17 health workers.

18 This includes any preliminary reports or notes, not included in a final report.

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21 **12. Witness Contact Information**

22 All updated witness contact information, to include last known address and phone  
23 numbers. This includes the names/contact information for witnesses who may have  
24 information tending to exculpate the instant defendant.

25  
26  
27 **13. Notes and Reports Related to Police Investigation**

28 Any and all records of the Las Vegas Metropolitan Police Department and any  
other law enforcement agencies involved in the investigation of this or any related  
matter, including photocopies or other reproduction(s) of any and all handwritten or  
other notes.

This also includes, but is not limited to, any notes documenting alternate suspects,  
investigative leads that were not followed up on, or any other matter bearing on the  
credibility of any State witness.

**14. Audio, Video, and Photographs**

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<sup>9</sup> Destruction of evidence can result in dismissal of the case or a jury instruction stating such evidence is presumed favorable to the accused. Crockett v. State, 95 Nev. 859, 865 (1979); Sparks v. State, 104 Nev. 316, 319 (1988); Sanborn v. State, 107 Nev. 399, 409 (1991).

Any and all photographs, video recordings, and/or audio recordings related to the case within the possession or control of the State or any State actors.<sup>10</sup> This request specifically includes body cameras worn by police officers.

### **15. Witness Compensation**

Disclosure of any and all compensation, express or implied, promises of favorable treatment or leniency, or any other benefit that any of the State's witnesses may of have received in exchange for their cooperation with this or any related prosecution.

This includes but is not limited to:

- a) Any and all records and notes from the victim witness office of the District Attorney, including any/all records of any expectation of any benefit or assistance to be received, or already received by any witness in this case;
- b) Any monetary benefits received as well as any express or implied promises made to any witness to provide counseling and/or treatment and/or provide immigration assistance (including, but not limited to, U-Visa documentation) as a result of the witness' participation in this case;
- c) The names of any and all agencies and workers or other referrals that were given to any witness and/or his/her family member, relative or guardian in connection with this case or any related matter;
- d) An estimate of future benefits to be received by any witness during or after the trial, including travel expenses.

### **16. Prior Statements**

To the extent that it is not covered by prior discovery requests, defense requests disclosure of any and all statements, tangible or intangible, recorded or unrecorded, made by any witness that are in any manner consistent or inconsistent with the written and/or recorded statements previously provided to the defense

This includes, but is not limited to, any oral statements made to any employee or representative of the District Attorney's office or any other government employee, local or federal, during pre-trial conferences or other investigative meetings.

### **17. Impeachment Information**

Any and all impeachment information located in the personnel files of any police witness called to testify at trial or any pretrial hearing in this matter.

This includes, but is not limited to, any Statement of Complaint regarding the witness or this investigation, any Employee Notice of Internal Investigation, any Internal Affairs Investigative Report of Complaint, any witness statement, any Bureau Investigation Supervisory Intervention, and any other document maintained

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<sup>10</sup> Id.

1 or generated by the Office of Internal Affairs, Critical Incident Review Panel, or  
2 other investigative agency.

3 **18. Criminal Histories**

4 Criminal history information on any witness, actual or potential, relating to specific  
5 instances of misconduct or from untruthfulness may be inferred and/or which could  
6 lead to admissible evidence, impeachment or otherwise.

7 This includes, but is not limited to, NCIC data, juvenile records, misdemeanors,  
8 out-of-state arrests and convictions, outstanding arrest warrants or bench warrants,  
9 and cases which were dismissed or not pursued by the prosecuting agency, and any  
10 other information that would go to the issue(s) of credibility and/or bias, or lead to  
11 the discovery of information bearing on credibility/bias, whether or the information  
12 is directly admissible by the rules of evidence.<sup>11</sup>

13 In addition those witnesses, actual or potential, known to the State or any law  
14 enforcement agency involved in the investigation of this or any related matter, the  
15 defense requests the above-referenced criminal history/impeachment information  
16 for all lay-witnesses mentioned in the sections above.

17 In addition to any other requirements imposed by Brady, the defense requests that  
18 the District Attorney be required to run the aforementioned witnesses, in addition to  
19 any other lay witnesses prosecutors intend to call or upon whose testimony or  
20 statements the State will rely during either the guilt or penalty phases of trial,  
21 through an NCIC check and allow defense counsel to review the NCIC reports on  
22 those witnesses. The defense requests that the NCIC information be provided to  
23 defense counsel as soon as possible. If there is no NCIC record for a particular  
24 witness, the State can make that representation. While the defense is not insisting  
25 that prosecutors run NCICs expert or law enforcement witnesses, the defense  
26 requests that the State be ordered to comply with any Brady obligations with  
27 respect to these witnesses.

28 **19. Any additional police reports or records not mentioned above that fall within  
the scope of discovery.**

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<sup>11</sup> The State usually is under the mistaken impression that they only must disclose felony conviction s from the last 10 years that can be used as impeachment under NRS 50.095. However, in Davis v. Alaska, supra, the US Supreme Court found that a witness can be attacked by “revealing possible biases, prejudices, or ulterior motives of the witnesses as they may relate directly to the issues or personalities on the case at hand. The partiality of a witness is...always relevant as discrediting the witness and affecting the weight of his testimony.” Id. at 354. The court found that the State’s policy interest in protecting the confidentiality of a juvenile offender’s record must yield to the defendant’s right to cross-examine as to bias. Id. at 356. See also Lobato v. State, 120 Nev. 512 (2004), discussing the “nine basic modes of impeachment.” Therefore, juvenile records, misdemeanors and older criminal records may yield information relevant to many forms of impeachment other than that outlined in NRS 50.095.

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**NOTICE OF MOTION**

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff:

YOU WILL PLEASE TAKE NOTICE that the Public Defender’s Office will bring the above and foregoing Motion on for hearing before the Court on the 1st day of September, 2016, at 9:00 a.m.

DATED this 19<sup>th</sup> day of August, 2016.

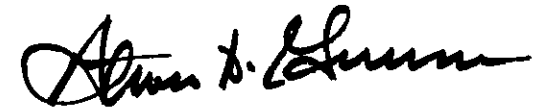
PHILIP J. KOHN  
CLARK COUNTY PUBLIC DEFENDER

By: /s/ Tegan C. Machnich  
TEGAN C. MACHNICH, #11642  
Chief Deputy Public Defender

**CERTIFICATE OF ELECTRONIC SERVICE**

A COPY of the above and foregoing MOTION FOR PRODUCTION OF DISCOVERY was served via electronic e-filing to the District Attorney’s Office on this 19<sup>th</sup> day of August, 2016.

By /s/ Patty Barber-Bair  
An employee of the Clark County Public  
Defender’s Office



CLERK OF THE COURT

**RSPN**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**MICHAEL R. DICKERSON**  
Deputy District Attorney  
Nevada Bar #013476  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

KEANDRE VALENTINE,  
#5090875

Defendant.

CASE NO: C-16-316081-1

DEPT NO: III

**STATE'S RESPONSE TO DEFENDANT'S MOTION FOR  
PRODUCTION OF DISCOVERY**

DATE OF HEARING: 09/01/16  
TIME OF HEARING: 9:00 A.M.

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through MICHAEL R. DICKERSON, Deputy District Attorney, and hereby submits the attached Points and Authorities in Response to Defendant's Motion For Production Of Discovery.

This Response is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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1 **POINTS AND AUTHORITIES**

2 **BRIEF STATEMENT OF THE CASE**

3 On June 29, 2016, Defendant Keandre Valentine was charged by way of Indictment  
4 with the crimes of Robbery With Use Of A Deadly Weapon (Category B Felony - NRS  
5 200.380, 193.165 - NOC 50138); Burglary While In Possession Of A Deadly Weapon  
6 (Category B Felony - NRS 205.060 - NOC 50426); Attempt Robbery With Use Of A Deadly  
7 Weapon (Category B Felony - NRS 200.380, 193.330, 193.165 - NOC 50145); Possession Of  
8 Document Or Personal Identifying Information (Category E Felony - NRS 205.465 - NOC  
9 50697) and Possession Of Credit Or Debit Card Without Cardholder's Consent (Category D  
10 Felony - NRS 205.690 - NOC 50790). On July 7, 2016, Defendant pled not guilty and invoked  
11 his statutory right to a trial within sixty (60) days. Defendant's trial is currently set for  
12 September 6, 2016.

13 Defendant filed the instant motion on August 19, 2016. Since Defendant's first  
14 appearance in District Court, the State has consistently provided Defendant discovery as it  
15 became available. As such, Defendant should have the entirety of discoverable material in his  
16 possession. The State's response to the Defendant's motion is as follows.

17 **ARGUMENT**

18 **I. GENERAL LAW RELATED TO DISCOVERY**

19 **A. The Court Can Only Compel "Discovery" Under The Nevada Revised Statutes**

20 Under Common Law, a defendant has no right of discovery. State v. Wallace, 399 P.2d  
21 909, 97 Ariz. 296 (1965). This, of course, can be superseded by statutory enactment and that  
22 is the case in Nevada. Regarding the law of discovery in the State of Nevada, NRS 174.235,  
23 *et. seq.*, controls. The Nevada Supreme Court has held that even an accused's statement is not  
24 constitutionally compelled through pre-trial discovery. Mears v. State, 83 Nev. 3, 7, 422 P.2d  
25 230, 232 (1967), Thompson v. State, 93 Nev. 342, 565 P.2d 1011 (1977).

26 In Franklin v. Eighth Judicial District Court, 85 Nev. 401, 455 P.2d 919 (1969)<sup>1</sup>, the  
27 Nevada Supreme Court held that the lower court erred in granting defendant's Motion to

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<sup>1</sup> Superseded by statute on other grounds as stated in State v. Loyle, 101 Nev. 65, 66, 692 P.2d 516, 517 (1985)  
(discussing legislative enactment of NRS 177.015(2) in regard to State's appeal rights from motion to suppress).

1 Discovery, inspect and copy statements of all persons to be called by the prosecution as  
2 witnesses at trial, since NRS 174.245 does not authorize discovery of inspection of statements  
3 made by State witnesses or perspective State witnesses to agents of the State. Nor does the  
4 defendant enjoy a constitutional right to discover them. With regard to the discovery statutes  
5 previously alluded to, the Court stated that:

6 “Those provisions (NRS 174.235-174.295) represent the  
7 legislative intent with respect to the scope of allowable pre-trial  
8 discovery and are not lightly to be disregarded.”

9 Franklin, 85 Nev. at 403, 455 P.2d at 920. From the aforementioned, it is clear that Nevada’s  
10 discovery statutes are to be strictly construed and adhered to since no Common Law right of  
11 discovery existed. It should, therefore, also be clear that the defendant’s motion, so far as it  
12 exceeds the requirements of NRS 174.235, *et. seq.*, must be denied.

13 NRS 174.235 outlines what discovery is to be provided by the State of Nevada. It  
14 includes:

15 1. Written or recorded statements or confessions made by the  
16 defendant or any witness the State intends to call during the case  
17 in chief of the State, within the custody of the State or which the  
18 State can obtain by an exercise of due diligence. (1)(a).

19 2. Results or reports of physical or mental examinations,  
20 scientific tests or scientific experiments made in connection to the  
21 case, within the control of the State, or which the State may learn  
22 of by an exercise of due diligence. (1)(b).

23 3. Books, papers, documents, tangible objects which the State  
24 intends to introduce during its case in chief, within the possession  
25 of the State, or which the State may find by an exercise of due  
26 diligence. (1)(c).

27 The statute makes clear the defense is not entitled to any internal report, document or  
28 memorandum prepared by the State in connection with the investigation or prosecution of the  
case. (2)(a). Nor is the defense entitled to any report or document that is privileged.

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## II. BRADY MATERIAL AND ITS PROGENY

### **A. Brady And Its Progeny Does Not Authorize The Court To Order Discovery. They Are Remedies If The State Fails To Disclose An Item Which Is Found To Have Been Required To Be Disclosed Post Trial.**

The State has an obligation to disclose exculpatory evidence pursuant to Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194 (1963). Giglio v. United States, 405 U.S. 150, 92 S. Ct. 763 (1972), requires that certain impeaching material be disclosed as well. The rule of Brady v. Maryland, 373 U.S. 83 (1963), which requires the State to disclose to the defendant exculpatory evidence, is founded on the constitutional requirement of a fair trial. Brady is not a rule of discovery, however. As the Supreme Court held in Weatherford v. Bursy, 429 U.S. 545, 559, 97 S. Ct. 837, 846 (1977):

There is no general constitutional right to discovery in a criminal case, and Brady did not create one... ‘the Due Process Clause has little to say regarding the amount of discovery which the parties must be afforded....’

Wardius v. Oregon, 412 U.S. 470, 474, 93 S. Ct. 2208, 2212, 37 L.Ed.2d 82 (1973).

In addition, Brady does not require the State to conduct trial preparation and investigation on behalf of the defense. The obligation is to produce exculpatory information which the defense would not be able to obtain itself through an ordinary exercise of diligence.

While defense attorneys routinely claim they need to be provided the information in order to conduct the investigation to determine if there is any exculpatory information, that claim is simply not the law. In the Ninth Circuit, the obligation for the prosecution to examine information is triggered by a defense request with no requirement that the defense make a showing that the information is likely to contain helpful information. United States v. Henthorn, 931 F.2d 29, 31 (9<sup>th</sup> Cir. 1990) (holding that the “government is incorrect in its assertion it is the defendant’s burden to make an initial showing of materiality,” rather the “obligation to examine the files arises by virtue of making a demand for their production”); United States v. Santiago, 46 F.3d 885, 895 (9<sup>th</sup> Cir. 1995) (“[u]nder Henthorn, the government has a duty, upon defendant’s request for production, to inspect for material information the

1 personnel records of federal law enforcement officers who will testify at trial, regardless of  
2 whether the defense has made a showing of materiality”); cf. Sonner v. State, 112 Nev. 1328,  
3 930 P.2d 707 (1996) (requiring materiality before a review of a police officer’s personnel  
4 file.).

5 **B. The State Makes The Determination At Its Own Peril If It Will Disclose The**  
6 **Information, Not The Defense Or The Court**

7 This, of course, does not mean that files are produced for the defense. Henthorn  
8 explains that following that examination, “the files need not be furnished to the defendant or  
9 the court unless they contain information that is or may be material to the defendant’s case.”  
10 Henthorn, 931 F.2d at 31. Thus, the only time disclosure is required is if the State finds  
11 information that qualifies as Brady material. If the prosecutor is unsure, the information  
12 should be provided to the court for review. As the court explained:

13 We stated that the government must ‘disclose information  
14 favorable to the defense that meets the appropriate standard of  
15 materiality . . . . If the prosecution is uncertain about the  
16 materiality of information within its possession, it may submit the  
17 information to the trial court for an in camera inspection and  
18 evaluation. . . .’ As we noted in Cadet, the government has a duty  
19 to examine personnel files upon a defendant’s request for their  
20 production.

21 Id. at 30-31 (internal citation omitted). Despite this procedure, Defendant’s routinely request  
22 the Court to order production of information to them, or to the Court. It is not the Court’s  
23 responsibility under the Constitution. It is the prosecution’s responsibility.

24 Moreover, Brady and its progeny are **post-trial** remedies for the prosecution’s failure  
25 to perform its responsibility. Brady does not support the defense’s request to conduct an  
26 investigation independent of the prosecution, or to ensure the prosecution completes its duty.

27 **III. TIMING OF DISCLOSURES**

28 **A. True Brady Material**

Traditionally, Brady material is information which indicates that Defendant did not  
commit the crime, or his sentence should be less based upon culpability. The State’s duty  
under Brady is ongoing. When reviewing cases on appeal, however, courts decide allegations

1 of tardy Brady disclosures according to the facts surrounding the disclosure and if the alleged  
2 Brady information was used in the trial. The Ninth Circuit has recognized that “Brady does  
3 not necessarily require that the prosecution turn over exculpatory material before trial. To  
4 escape the Brady sanction, disclosure ‘must be made at a time when [the] disclosure would be  
5 of value to the accused.’” United States v. Gordon, 844 F.2d 1397, 1403 (9<sup>th</sup> Cir. 1988). With  
6 this precedent, the Ninth Circuit has typically found no prejudice when alleged Brady  
7 information was disclosed at some point before trial. Notwithstanding, whenever the State is  
8 in possession of true Brady material, it is the practice of the undersigned to immediately turn  
9 over such information.

#### 10 **B. Impeachment Material**

11 From Brady, a line of cases related to the credibility of testifying witnesses, the Court  
12 established rules and requirements for impeachment material, or Giglio material. The right to  
13 impeach witnesses is based on the Confrontation Clause of the Constitution. The United States  
14 Supreme Court has held that the Confrontation Clause is not “a constitutionally compelled  
15 right of pretrial discovery.” Pennsylvania v. Ritchie, 480 U.S. 39, 52, 107 S. Ct. 989, 999  
16 (1987). Instead, the right to confrontation is a **trial** right, “designed to prevent improper  
17 restrictions on the types of questions that defense counsel may ask during cross-examination.”  
18 It “does not include the power to require the pretrial disclosure of any and all information that  
19 might be useful in contradicting unfavorable testimony.” It guarantees the opportunity for  
20 effective cross-examination, “not cross-examination that is effective in whatever way, and to  
21 whatever extent the defense might wish.” Id. at 53, 107 S. Ct. at 999 (citing Delaware v.  
22 Fensterer, 474 U.S. 15, 20, 106 S. Ct. 292, 294 (1985)).

23 Almost universally, courts have held that there is no Giglio obligation if the witness  
24 does not testify.<sup>2</sup> See United States v. Green, 178 F.3d 1099, 1109 (10<sup>th</sup> Cir. 1999) (holding  
25 that Giglio did not apply when the government “did not ever call” its confidential informant  
26 as a witness); United States v. Mullins, 22 F.3d 1365, 1372 (6<sup>th</sup> Cir. 1994) (finding “no  
27 authority that the government must disclose promises of immunity made to individuals the

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<sup>2</sup> The exception to this rule is where the witness will not testify, but the witness’ hearsay statement will be admitted, then the witness’ credibility may be in issue. See United States v. Jackson, 345 F.3d 59, 70-71 (2nd Cir. 2003).

1 government does not have testify at trial,” and holding that a grant of immunity could not be  
2 “‘favorable to the accused’ as impeachment evidence because the government did not call [the  
3 witness] and, thus, there was no one to impeach”); see also United States v. Pena, 949 F.2d  
4 751, 758-59 (5<sup>th</sup> Cir. 1991) (impeachment evidence regarding a non-testifying witness is an  
5 insufficient basis upon which to grant a new trial); United States v. Storey, 956 F. Supp. 934,  
6 942 (D. Kan. 1997) (holding that while impeachment evidence falls within the Brady rule,  
7 “[s]uch evidence as it pertains to an informant, however is only discoverable if the informant  
8 testifies”); Kowalczyk v. United States, 936 F. Supp. 1127, 1149 (E.D.N.Y. 1996) (holding  
9 that “[t]he Government was not obligated to produce the Janis arrest record, assuming the  
10 prosecution was in possession of such information, as Janis was not a witness at trial”); United  
11 States v. Hill, 799 F. Supp. 86, 90 (D. Kan. 1992), (denying defense request for any  
12 information which could be used to impeach non-witnesses); United States v. Villareal, 752  
13 F. Supp. 851, 853 (N.D. Ill. 1991) (holding that “[a]s for statements by government witnesses  
14 that qualify as impeachment materials, the government is under no obligation to disclose this  
15 information before trial,” and that “the government is under no obligation at any time to  
16 provide impeachment evidence for non-witnesses”); United States v. Coggs, 752 F. Supp. 848,  
17 849, (N.D. Ill. 1990) (holding that the government is not required to produce impeachment  
18 evidence impacting non-witnesses, reasoning that “[r]equiring that the government provide  
19 impeachment evidence for non-witnesses will not further the interest sought to be served by  
20 Giglio-allowing for a meaningful determination of witness credibility”). Finally, evidence of  
21 impeachment of a witness need not be disclosed until the witness testifies. United States v.  
22 Rinn, 586 F.2d 113 (9<sup>th</sup> Cir. 1978) (“[S]ince information concerning “favors or deals” merely  
23 goes to the credibility of the witness, it need not be disclosed prior to the witness  
24 testifying.”). Thus, unless the witness is going to testify, there is no basis to disclose any  
25 impeachment material.

26 **C. Brady And Its Progeny Do Not Require The State To Prepare And Supply The**  
27 **Defendant With A Defense**

28 The State notes that neither Brady nor any of its progeny require disclosure of evidence  
that defense through their own efforts could obtain. If the defendant requests documents or



evidence from the State which is obtainable through his own efforts, the State has no obligation to disclose them. Defense counsel is required to utilize his or her ability and resources to obtain necessary information and evidence to prepare a defense and not simply rely upon the disclosures of the State. The State has no obligation to disclose “reasonably available” evidence to the defense. Steese v State, 114 Nev. 479, 495, 960 P.2d 321, 331 (1998); see Browning v. State, 120 Nev. 347, 370, 91 P.3d 39, 55 (2004). The Nevada Supreme Court has repeatedly held that, “The State is under no obligation to accommodate a defendant’s desire to flail about in a fishing expedition” Matter of Halverson, 123 Nev. 493, 169 P.3d 1161 (2007) (quoting Sonner v. State, 112 Nev. 1328, 1340-41, 930 P.2d 707, 715 (1996)).

#### **IV. DEFENDANT’S SPECIFIC DISCOVERY REQUESTS**

Defendant makes nineteen (19) specific requests for discovery without providing any explanation as to why this information is relevant and material and/or whether it is even in the custody and control of the State. Prior to addressing Defendant’s requests the State notes that without first making a showing of materiality for each of the items requested, there is no obligation for the State to disclose them. Defendant fails to identify why the requested items would be material and exculpatory and thus the State technically at this point has no obligation to disclose such items. “A defendant must advance some factual predicate which makes it reasonably likely the requested file will bear information material to his or her defense. A bare assertion that a document ‘might’ bear such fruit is insufficient.” See Matter of Halverson, 123 Nev. 493, 169 P.3d 1161 (2007). Nonetheless, the State will address each of Defendant’s bare requests for purposes of efficiency.

The State previously subpoenaed and/or requested the case records from the Las Vegas Metropolitan Police Department. The State subsequently provided Defendant all such records on or about August 9, 2016 to August 15, 2016.

##### **1. Statements of the Defendant**

The State objects to Defendant’s overbroad and seemingly impossible request as it exceeds the scope of disclosure required by law. Defendant, in his motion, specifically requests that the State produce any statements of the defendant or of any State witnesses

1 including those for which Defendant may be vicariously liable, including oral unrecorded and  
2 unmemorialized statements. This request would seem to include any oral statement which  
3 may also be obtained during pretrial conferences. Such a request far exceeds the State's  
4 discovery obligations outlined in NRS 174.235, and does not comport with Nevada law.

5 More specifically, the Nevada Supreme Court has rejected Defendant's assertion that  
6 he is entitled to oral statements of Defendant:

7 "Pretrial discovery of the accused's statements is not  
8 constitutionally compelled by the Fourteenth Amendment." Mears  
9 v. State, 83 Nev. 3, 7, 422 P.2d 230, 232 (1967). Further, voluntary  
10 disclosure is not contemplated by our statutory provisions  
concerning criminal discovery. See NRS 174.235(1).

11 Thompson v. State, 93 Nev. 342, 565 P.2d 1011 (1977). As such, there is no authority to order  
12 discovery of oral statements of Defendant which have not be memorialized in any manner,  
13 and the same rationale applies for oral statements of other witnesses. Additionally, to the  
14 extent that this request may be construed as a request for statements of witnesses made during  
15 the course of pretrial conferences with the State, such materials are explicitly protected from  
16 disclosure pursuant to NRS 174.235(2). See also, Lisle v. State, 113 Nev. 679, 696, 941 P.2d  
17 459 (1997) (Prosecutor's notes from pretrial conference of witness constituted attorney work  
18 product and were not subject to disclosure), holding limited on other grounds by Middleton v.  
19 State, 114 Nev. 1089, 1117 n. 9, 968 P.2d 296, n. 9 (1998).

## 20 **2. Statement of Potential Witnesses**

21 The State has no objection to this request as it pertains to written witness statements  
22 and those statements made by witnesses to police officers during the investigation that were  
23 audio or video recorded, or memorialized in a police report. While the State usually  
24 voluntarily provides all written or recorded statements of witnesses, except those protected as  
25 confidential, the State's decision to over include discovery does not expand the nature of those  
26 items subject to mandatory disclosure by court order based upon statutory or constitutional  
27 authority. The State objects to rest of this request as being vague, overbroad, and compound.  
28 Additionally, portions of the request fall outside the scope of the State's obligations under

1 NRS 174.235, as well as Brady v. Maryland, 373 U.S. 83 (1963) and Giglio v. United States,  
2 405 U.S. 150 (1972). To the extent that the request and its multiple subparts fall within the  
3 State's obligations under NRS 174.235, Brady and Giglio, they are not specific requests.

4 The State objects to any order requiring the State to present to the defense statements  
5 made to the State during a pretrial conference. The State will not be taping its pre-trial  
6 conferences with witnesses. Should the defense wish to interview these witnesses prior to  
7 trial, the defense is free to contact any witnesses noticed by the State and conduct their own  
8 interviews. Should the witnesses say anything that is inconsistent with the statements  
9 previously provided, the State will provide that information to the defense.

10 Additionally, the State objects to Defendant's request for "[a]ny notes of interviews . .  
11 . such as notes of patrol officers, or notes of phone calls made to potential witnesses, or  
12 attempts to contact such witnesses." (Def. Mot. at 19:4-7.) This request is improper and  
13 additionally seeks attorney work product. The State addresses Defendant's request for notes  
14 *supra* in Subsection 13.

### 15 **3. Crime Scene Analysis, Evidence Collection, and Forensic Testing**

16 The State has no objection to this request as it pertains to crime scene investigation and  
17 forensic testing, however, as this request relates to the Las Vegas Metropolitan Police  
18 Department, their photograph laboratory will honor a defendant's request for the photographs  
19 maintained under the event number. All reports by crime scene analysts involved in the  
20 processing of scenes and all reports related to forensic analysis are part of the standard  
21 discovery provided in all cases, which actually exceeds the requirements of NRS 174.235.

### 22 **4. Preservation of, and Access to, Raw Evidence**

23 The State objects to this request as being vague, overbroad, compound, and duplicative.  
24 Additionally, all subparts of this request are boilerplate, having nothing to do with the instant  
25 case (example: the request for "Photographic negatives" is boilerplate and outdated in the  
26 current world of digital photography). Furthermore, this is not a request for discovery at all,  
27 it is a request that the State not destroy evidence, without specifically noting what the evidence  
28 in question is, and that the State provide "Access" to the evidence, without specifically noting

1 what type of access is being sought. Also, even absent an order from this Court, the State is  
2 under legal and ethical obligations not to destroy evidence. Given that the instant request is  
3 not for discoverable information, and the fact that the defense has not been denied access to  
4 any evidence in this case, the State requests that this Court deny the request outright.

##### 5 **5. Electronic Communications and Associated Warrants**

6 The State objects to the defense request as being vague, overbroad and compound. The  
7 Defendant has made no showing that the evidence sought is material to the preparation of the  
8 defense and the existence of the evidence is known or, by the exercise of due diligence, may  
9 become known to the district attorney. Thus, since the defense has not made the requisite  
10 showing, the court should deny the request for disclosure of electronic communications and  
11 associated warrants.

12 Moreover, Defendant broadly requests all communications intercepted by “federal  
13 authorities,” this requests falls far outside the preview of the statutory and case law addressing  
14 discovery, as the State is not in constructive possession of materials from law enforcement or  
15 government agencies outside the State. See In re Brown, 17 Cal.4th 873, 879 (1998) (quoting  
16 United States v. Auten, 632 F.2d 478, 481 (5th Cir.1980)); see also Smith v. Secretary Dept.  
17 of Corrections, 50 F.3d 801, 824 (10th Cir.1995) (prosecution team extends to law  
18 enforcement personnel and other arms of the state involved in investigative aspects); see also  
19 Moon v. Head, 285 F.3d 1301, 1309 (11th Cir. 2002) (prosecution team means “the prosecutor  
20 or anyone over whom he has authority”). Only if a prosecutor is in the “unique position to  
21 obtain information known to other agents of the government” should a trial court order the  
22 State to obtain and disclose such information. See Carriger v. Stewart, 132 F.3d 463 (9th Cir.  
23 1997). In this case, the State is in no such “unique position” to obtain the requested  
24 information, therefore, Defendant’s request should be further denied on these grounds as well.

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1                   **6. Monitoring, Tracking, and Associated Warrants**

2                   The State objects to Defendant's request as vague and overbroad, and because NRS  
3 174.235 does not cover trap and trace, cellular site, pen registers and GPS Trackers. However,  
4 if the State intends to utilize any information during the trial which was acquired by way of a  
5 court order and/or search warrant, the State will provide a copy to the defense.

6                   **7. All 911 and 311 Calls, Including Recordings, Reports & Transcripts**

7                   While the State has already provided Defendant with 911/311 audio and dispatch and  
8 officer logs, the State objects to this request as being vague, overbroad and compound.

9                   **8. Alternate Suspect and Other Exculpatory Evidence**

10                  The State objects to this request as being vague, overbroad, compound, and duplicative.  
11 As this overbroad request relates to the State's obligations under NRS 174.235, Brady v.  
12 Maryland, 373 U.S. 83 (1963) and Giglio v. United States, 405 U.S. 150 (1972), that State has  
13 made clear that it will provide said material as it becomes available.

14                  **9. Identification and Misidentification**

15                  The State objects to this request as being vague, overbroad, compound, duplicative, and  
16 without any legal authority of factual relevance cited to support such a request. As this  
17 overbroad request relates to the State's obligations under NRS 174.235, Brady v. Maryland,  
18 373 U.S. 83 (1963) and Giglio v. United States, 405 U.S. 150 (1972), that State has made clear  
19 that it will provide said material as it becomes available.

20                  **10. Chain of Custody**

21                  The State objects to this request as being vague, overbroad, compound, and duplicative  
22 (see Subsection 4 *supra*). As this request relates to the State's obligations under NRS 174.235,  
23 Brady v. Maryland, 373 U.S. 83 (1963) and Giglio v. United States, 405 U.S. 150 (1972), that  
24 State has made clear that it will provide said material as it becomes available.

25                  **11. Documents, Notes, and Reports Used by Witnesses to prepare for Testimony**

26                  The State objects to this request as being vague, overbroad, compound, and duplicative.  
27 The boilerplate language of this request does not even relate to this case, as the State does not  
28 intend to call "mental health workers" at this time. As this overbroad request relates to the

1 State's obligations under NRS 174.235, Brady v. Maryland, 373 U.S. 83 (1963) and Giglio v.  
2 United States, 405 U.S. 150 (1972), that State has made clear that it will provide said material  
3 as it becomes available.

#### 4 **12. Witness Contact Information**

5 The State objects to this request as it requests the State provide information outside  
6 the scope of its obligation under NRS 174.234. NRS 174.234 provides the law regarding the  
7 notice of witnesses. It provides that both sides must disclose witness names and addresses it  
8 intends to call in its case-in-chief not less than 5 judicial days before trial. See NRS 174.234  
9 (1) (a) (2). The State will continue to comply with NRS 174.234.

#### 10 **13. Notes and Reports related to Police Investigation**

11 Defendant requests the notes of all police officers in the case. This request is not  
12 covered by a single line of any discovery statute. If there is exculpatory information, the State  
13 obviously must produce it. However, there is no requirement that the notes of all officers be  
14 produced and the State requests that this Court not expand the statutory text to include such a  
15 requirement.

16 Courts have held that officer notes are not subject to discovery statutes. In State v.  
17 Bray, 569 P.2d 688 (Ore. App. 1977), an officer arrested a suspect on a DUI charge. He  
18 recorded observations in a booklet. He later prepared a report from his penciled notes and  
19 erased the notes. The final report was furnished to the defense. At trial, the court ruled that  
20 because the officer had taken notes while speaking to a witness and those notes had been  
21 destroyed, the State would be precluded from calling the witness at trial. The issue on appeal  
22 was whether the fragmentary notes of the officer constituted a statement within the meaning  
23 of the state discovery statutes. The Appellate Court reversed the trial court:

24 We construe the statute to require production of any "statement" which is  
25 intended by its maker as an account of an event or a declaration of a fact. The  
26 statutory purposes of providing witness statements are to minimize surprise,  
27 avoid unnecessary trial, provide adequate information for informed pleas and to  
28 promote truthful testimony by allowing examination based on prior inconsistent  
statements. . . Requiring preservation and availability of fragmentary notes  
intended only as a touchstone for memory would be more likely to discourage

1 police officers from taking notes, with a consequent reduction in accuracy, than  
2 to promote the statutory goals. Furthermore, it would be unfair and misleading  
3 to allow cross-examination of a witness based upon fragmentary or cryptic notes  
4 which were never intended to express a complete statement. For these reasons,  
we hold that fragmentary notes are not subject to production under discovery  
statutes.

5 Id. at 690; State v. Wrisley, 909 P.2d 877 (Ore. App. 1995) (noting that police notes are not  
6 discoverable when their substance is incorporated into a report disclosed to the defendant); see  
7 also State v. Jackson, 571 P.2d 523 (Ore. App. 1978) (holding that a rough draft of a report an  
8 officer dictated to a stenographer was not discoverable).

#### 9 **14. Audio, Video, and Photographs**

10 Defendant requests all photographs, video recordings and/or audio recordings related  
11 to this case, while specifically requesting Bodycam footage. The State has already made  
12 available and provided Bodycam footage related to this case to Defendant. Beyond the  
13 specific request for Bodycam footage, the State objects to this request as being vague,  
14 overbroad, and duplicative (see Subsections 1, 2, 3, and 7 *supra*). As this request relates to  
15 the State's obligations under NRS 174.235, Brady v. Maryland, 373 U.S. 83 (1963) and Giglio  
16 v. United States, 405 U.S. 150 (1972), that State has made clear that it will provide said  
17 material as it becomes available.

#### 18 **15. Witness Compensation**

19 The State objects to all requests for records under this request as being vague,  
20 overbroad, compound, and duplicative. However, if the State intends to call an individual at  
21 trial who was offered an inducement, pursuant to Giglio, the State must disclose the  
22 inducement. The State has no objection to this request as it relates to Giglio and will contact  
23 the Victim Witness Office to determine what, if any, funds were provided to the witnesses in  
24 this case. Aside from the statutorily required witness fees, the undersigned is not aware of any  
25 other promises or benefits provided to the witnesses in this case. The State further specifically  
26 objects to Defendant's requests for referrals as vague, overbroad and outside the dictates of  
27 Giglio.

28 //

1 Courts recognize that “[p]romises made by the state to a witness in exchange for his  
2 testimony relate directly to the credibility of the witness.” Alderman v. Zant, 22, F.3d 1541,  
3 1554 (11th Cir.), cert. denied 115 S. Ct. 673 (1994). Therefore, “pursuant to Giglio, the  
4 Government must disclose impeachment evidence, including all promises, inducements, or  
5 threats made to a witness in order to gain the cooperation of that witness in the investigation  
6 or prosecution of the defendant.” United States v. Mathur, 2012 U.S. Dist. LEXIS 7085 (Nev.  
7 2012). The rule requires that the jury know of any “promise which induces a key government  
8 witness to testify on the government’s behalf.” United States v. Cawley, 481 F.2d 702 (5th  
9 Cir. 1973). However,

10 The [Giglio] rule does not address nor require the disclosure of all  
11 factors which may motivate a witness to cooperate. The simple  
12 belief by a defense attorney that his client may be in a better  
13 position to negotiate a reduced penalty should he testify against a  
codefendant is not an agreement within the purview of Giglio.

14 Alderman, 22 F.3d at 1555.

15 The United States Supreme Court has recognized three “promises” to witnesses that  
16 constitute an inducement. Napue v. Illinois, 360 U.S. 264, 266 (1959) (promise of a reduced  
17 sentence); Giglio v. United States, 405 U.S. 150, 151 (1972) (promise of nonprosecution);  
18 United States v. Bagley, 473 U.S. 667, 671 (1985) (promise to pay informant money  
19 commensurate with services rendered). While the undersigned is not aware of any such  
20 inducements in this case, the State will provide that information if it exists.

## 21 **16. Prior Statemetns**

22 The State objects to this request as being vague, overbroad, compound, and duplicative.  
23 This request has been addressed *supra*, in Subsections 2, 8 and 9.

## 24 **17. Impeachment Information**

25 The State objects to Defendant’s requests for officer personnel files. Certainly, due  
26 process mandates the disclosure of favorable evidence, material for impeachment or  
27 exculpatory purposes, to an accused upon request. Brady v. Maryland, 373 U.S. 83 (1963).



1           However, the evidence must be material for one of those purposes in order for Brady  
2 to apply. United States v. Pitt, 717 F.2d 1334, 1339 (11th Cir. 1983).

3           In Pitt, the defense requested the personnel file for the chief case agent to search for  
4 impeachment information, without any showing that evidence material to the defense would  
5 be found in that file. The Court there stated:

6                       We fail to see how, and the appellant has failed to show us how,  
7 the contents of FBI Agent Lewis' personnel file would likely  
8 contain anything material to an alleged threat against Pitt,  
9 especially when the official records show that the agent was out of  
town on the day the alleged threat was made.

10                      The request for the agent's personnel file, under the facts of this  
11 case, was frivolous. Pitt was entitled to fish, but not with this thin  
a pole.

12           Id. at 1339.

13           The Nevada Supreme Court issued an opinion that requires some showing of  
14 materiality on the part of the defense before it could gain access to a personnel file. The file  
15 concerned an officer who was murdered and obviously would not be testifying. Sonner v.  
16 State, 112 Nev. 1328, 930 P.2d 707 (1996). The defense made no showing that there may  
17 have been favorable information in the file. Instead, the defense asserted a general right to  
18 search the file. The court rejected this assertion of a right to a generalized, unfocused search,  
19 but allowed for the possibility that a file could be accessible under some circumstances. The  
20 court reasoned, "[i]f Sonner had presented a foundation for believing that [the victim] had a  
21 reputation for being an 'aggressive' trooper who, consistent with his reputation, provoked  
22 Sonner's action, this might have been sufficient to warrant discovery of corroborating  
23 evidence" in the file. Id. at 1341, 930 P.2d at 716. This reasoning suggests that if that type of  
24 evidence had been in the file, the State would be required to produce it.

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1           Additionally, the LVMPD has serious concerns regarding the disclosure of material  
2 from personnel files. Confidentiality is one of the chief requirements in maintaining the  
3 effective ability to investigate complaints against officers. Confidentiality ensures that both  
4 police officers and citizens will freely contact the department without fear. As one court has  
5 stated:

6           It is clear a very real and very important need exists to maintain  
7 confidential integrity of the internal investigation in the police  
8 division. To do otherwise would seriously inhibit the chief in his  
9 control over the members of the division and their wide-ranging  
10 duties and responsibilities. This stream of information available  
11 to the chief and the persons within and without the division would  
12 diminish to a bare trickle if the source or sources of this  
13 information were stripped of its confidential character. That such  
an event would serve to defeat the general public good is  
supported by a logic almost tautological in its persuasiveness --  
for the desirability of an efficient well disciplined police force is  
manifest.

14 McMillan v. Ohio Civil Rights Comm'n, 315 N.E.2d 508, 515 (Ohio 1974).

15           Personnel files are confidential. All witnesses, including police officers, are assured  
16 that the information provided by them will not be voluntarily disclosed and that all legal means  
17 will be employed to protect this confidentiality. Police officers are compelled to cooperate  
18 with internal affairs investigations. Failure to cooperate can result in termination. Officers,  
19 knowing that their statements were subject to disclosure, would be less likely to completely  
20 cooperate. The knowledge that statements compelled from officers could later be disclosed to  
21 third parties for other cases would also act as disincentive for the department to fully  
22 investigate. As one court noted:

23           The members of a police department must be able to rely on their  
24 confidential records and notations being preserved for their  
25 internal use . . . for if it were otherwise, the knowledge that some  
26 of the confidential information recorded might later be exposed to  
outside parties would have a certain and chilling effect upon the  
internal use of such record-making.

27 City of Los Angeles v. Superior Court, 109 Cal. Rptr. 365, 369 (Ct. App. 1973).

28 //

1 Based on Nevada law, Defendant in the instant case is required to advance a foundation  
2 that the personnel files of the involved officers is likely to bear information material to the  
3 defense. Defendant's motion is simply an attempt to fish for information. As a result, the  
4 instant request should be denied. Alternatively, the State asks the Court to order the State to  
5 review the file and produce any information it deems discoverable.

6 **18. Criminal Histories**

7 The State objects to this request in so far as it is incredibly broad and outside of Nevada  
8 law. Defendant requests the criminal history of all witnesses whether or not resulting in a  
9 conviction including, the National Crime Information Center records for all witnesses,  
10 criminal convictions outside of the ten (10) year time-frame, juvenile records, any evidence of  
11 bad character of any witness known to the State, and any other information that would go to  
12 credibility and bias, whether or not that information is admissible by the rules of evidence.

13 Defendant's request is extremely overbroad and amounts to requiring that the State  
14 conduct an investigation for him so that he can conduct a smear campaign upon the victims  
15 and witnesses. Contrary to Defendant's belief, the State is not required to go on a fishing  
16 expedition to help Defendant develop a defense or to blacken the character of the victims or  
17 witnesses. Sonner v. State, 112 Nev. 1328, 1340-41, 930 P.2d 707, 715 (1996); NRS 50.095;  
18 Jones v. State, 93 Nev. 287, 564 P.2d 605 (1977). The defense is only entitled to felony  
19 convictions within the last ten years as well as any crimes involving moral turpitude. NRS  
20 50.095. The State will provide such information regarding felony convictions within the last  
21 ten years and convictions involving moral turpitude as such information becomes available.  
22 However, the State will not disclose National Crime Information Center (NCIC) data or  
23 records, as disclosure of NCIC records is prohibited by federal law. See 28 U.S.C.S. § 534;  
24 Quisano v. State, 2016 Nev. App. LEXIS 11, Fn. 13, 368 P.3d 415, 425, 132 Nev. Adv. Rep.  
25 9 (Nev. Ct. App. 2016) (recognizing the State is restricted from disclosing (NCIC) records  
26 under 28 U.S.C. § 534(b)).

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1 Pursuant to NRS 50.085, evidence of a witness's character is admissible only if it goes  
2 to truthfulness or untruthfulness. Moreover, extrinsic evidence, other than a prior criminal  
3 conviction, may not be used for the purpose of attacking the credibility of a witness. NRS  
4 50.095 addresses the issue of impeachment by evidence of conviction of a crime as follows:

5 1. For the purpose of attacking the credibility of a witness,  
6 evidence that the witness has been convicted of a crime is  
7 admissible but only if the crime was punishable by death or  
8 imprisonment for more than 1 year under the law under which the  
witness was convicted.

9 **2. Evidence of a conviction is inadmissible under this section if  
a period of more than 10 years has elapsed since:**

10 (a) The date of the release of the witness from confinement; or

11 (b) The expiration of the period of the witness's parole, probation  
or sentence, whichever is the later date.

12 3. Evidence of a conviction is inadmissible under this section if  
the conviction has been the subject of a pardon.

13 **4. Evidence of juvenile adjudications is inadmissible under  
this section.**

14 5. The pendency of an appeal therefrom does not render evidence  
15 of a conviction inadmissible. Evidence of the pendency of an  
appeal is admissible.

16 6. A certified copy of a conviction is prima facie evidence of the  
17 conviction.

18 (emphasis added).

19 The State opposes the release of any and all criminal history of the State's witnesses  
20 that is outside the mandates of the Nevada Revised Statutes. It is clear that Nevada's discovery  
21 statutes are to be strictly construed and adhered to since no Common Law right of discovery  
22 exists in Nevada. The rule of Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194 (1963), which  
23 requires the State to disclose to the Defendant any exculpatory evidence, is founded on the  
24 constitutional requirement of a fair trial. Brady is not a rule of discovery, however, as the  
25 Supreme Court held in Weatherford v. Bursy, 429 U.S. 545, 559, 97 S.Ct. 837, 846 (1977):

26 There is no generally constitutional right to discovery in a criminal  
27 case, and Brady did not create one [ . . . ] 'the Due Process Clause  
has little to say regarding the amount of discovery which the  
28 parties must be afforded [ . . . ]' Wardius v. Oregon, 412 U.S. 470,  
474, 93 S.Ct. 2208, 2212, 37 L.Ed.2d 82 (1973).

1 Thus, non-exculpatory evidence, such as the existence of any criminal record of a prosecution  
2 witness and documents or papers within the possession of the State, is obtainable in advance  
3 of trial only by virtue of discovery statutes. United States v. Kaplan, 554 F.2d 544 (3rd Cir.  
4 1977).

5 In the case of Riddle v. State, 96 Nev. 589, 613 P.2d 1031 (1980), the Nevada Supreme  
6 Court reaffirmed the structures of the provisions of NRS 174.234, *et. seq.*, by making the  
7 following statement:

8 The trial court is vested with the authority to order the discovery  
9 and inspection of materials in the possession of the state. The  
10 exercise of the court's discretion, however, is predicated on the  
11 showing that the evidence sought is material to the preparation of  
12 the defense and the existence of the evidence is known or, by the  
exercise of due diligence, may become known to the district  
attorney.

13 Riddle, 96 Nev. at 590, 613 P.2d at 1032 (citing NRS 174.235, 174.245). In Riddle, the  
14 defendant was charged with the offense of murder and filed a motion for discovery requesting  
15 evidence pertaining to the decedent's character. The trial court denied the motion and the  
16 Supreme Court in affirming said denial stated, after citing the relevant provisions of NRS  
17 174.235 and 174.245 that "evidence of the decedent's predisposition for violence would only  
18 be material if appellant had known of it at the time of the incident." Id. at 590, 613 P.3d at  
19 1032-33. The Court held that since the defendant's knowledge was not alleged in her motion  
20 for discovery, the denial of the motion was not an abuse of discretion. Id.

21 In addition, several Federal cases have interpreted Federal Rule of Criminal Procedure  
22 16(c), from which the Nevada statute at issue was adopted. While these cases are not binding  
23 on Nevada courts, they illustrate the uniform approach the federal courts have taken with  
24 discovery issues. In general, the criminal records of government witnesses are not  
25 discoverable under federal discovery rules absent a claim of materiality. United States v.  
26 Rodgers, 549 F.2d 490 (8th Cir. 1976).

27 //

28 //

1 In United States v. Conder, 423 F.2d 904 (6th Cir. 1970), the Sixth Circuit held that the  
2 required showing of materiality is not satisfied by mere conclusory allegations that the  
3 requested information is material to the preparation of the defense. Likewise, the Fifth Circuit  
4 in United States v. Ross, 511 F.2d 757, 762 (5th Cir. 1975), held that materiality means more  
5 than an abstract logical relationship to the issues of a case. In that case, defendant's conviction  
6 would not have enabled the defendant to alter the quantum of proof in his favor.

7 Defendant's motion lacks an assertion that his discovery request is reasonable.  
8 Moreover, he is not entitled to the juvenile records he seeks. Davis v. Alaska, 415 U.S. 308,  
9 94 S.Ct. 1105 (1974). Should Defendant seek to locate any juvenile records outside of the  
10 State he is just as capable of requesting a court order to unseal those records as the State is.

11 As to Defendant's blanket request for arrests or misdemeanor convictions, "mere  
12 arrests and convictions for misdemeanors may not ordinarily be admitted even for the limited  
13 purpose of attacking a witness's credibility." Sheriff, Washoe County v. Hawkins, 104 Nev.  
14 70, 76, 752 P.2d 769, 773 (1988); see also Azbill v. State, 88 Nev. 240, 246-47, 495 P.2d 1064,  
15 1068 (1064). Defendant is not entitled to the information he is seeking. Accordingly, his  
16 request should be denied.

17 The State is not required to engage in a fishing expedition for the defense. See Matter  
18 of Halverson, 123 Nev. 48, 169 P.3d 1161 (2007). For example, in United States v. Flores,  
19 540 F.2d 432 (9th Cir. 1976), the defendants moved prior to trial to compel the government to  
20 disclose the criminal history of the names and numbers of prior cases in which an informant-  
21 witness had testified on behalf of the government. The purpose of this evidence was to  
22 impeach the credibility of the informant. The Ninth Circuit affirmed the trial court's denial of  
23 that motion by holding that the defendant had made no showing of reasonableness. The Court  
24 stated, "[t]heir request was tantamount to asking the government to fish throughout public  
25 records and collate information which was equally available to the defense." Id. at 437.

26 Although a witnesses' criminal record may be material under some circumstances, it is  
27 not always relevant. Hill v. Superior Court, 112 Cal Rptr. 257, 518 P.2d 1353 (1974). In Hill,  
28 the defense sought production of a witness's felony conviction record. Because the witness

1 was the only eyewitness other than the defendants, and the corroboration of his report was not  
2 strong, the court found the requisite materiality and granted the defense motion. However, the  
3 court concluded, “[w]e do not hold that good cause exists in every case in which a defendant  
4 charged with a felony seeks discovery of any felony convictions any “rap sheet” of prosecution  
5 witnesses.” Id. at 1358.

6 In the present case, Defendant has requested the victim’s criminal background  
7 information. The State strenuously objects to defense requests that the State provide this  
8 information. Although Defendant liberally touts Brady v. Maryland, 373 U.S. 83 (1963) as  
9 the basis for his criminal background request, the defense has failed, however, to establish that  
10 the requested information falls within the scope of Brady, that is, that it might in some way be  
11 exculpatory or that it might somehow constitute impeachment evidence. Moreover, Defendant  
12 has not shown how such information might be "material." In other words, the defense has  
13 failed to show that the lack of any State witnesses’ criminal background information will  
14 somehow result in an unfair trial or will produce a verdict that is not worthy of confidence.  
15 See Kyles v. Whitley, 514 U.S. 419, 434 (1995).

16 The Supreme Court has stated that information is considered material if there is a  
17 "reasonable probability that, had the evidence been disclosed to the defense, the result of the  
18 proceeding would have been different." U.S. v. Bagley, 473 U.S. 667, 682 (1985). The  
19 Supreme Court defined reasonable probability as probability sufficient to "undermine  
20 confidence in the outcome" of the trial. Id. In addition, the Court in Bagley, stated that  
21 "[i]mpeachment evidence . . . as well as exculpatory evidence, falls within the Brady rule." Id.  
22 at 675. The Court defined impeachment evidence as "evidence favorable to an accused . . . so  
23 that, if disclosed and used effectively, it may make the difference between conviction and  
24 acquittal." Id. (internal quotes omitted).

25 In the present case, Defendant has failed to articulate even an arguable use of the  
26 victim’s criminal background information that would comport with the requirements as  
27 outlined by the Supreme Court in Brady, Kyles and Bagley. Defendant is simply looking for  
28

1 any information that he can use to cloud the facts of the case at bar and to cast aspersions on  
2 the victim.

3 Defendant further requests discovery of all criminal histories of “any witnesses.” As  
4 in Flores, such a shotgun request is inherently unreasonable as the State cannot be expected to  
5 go on a fishing expedition for all the documents requests. Moreover, Defendant has failed to  
6 provide how the requested information related to any and all criminal history of the State’s  
7 witnesses is reasonable.

8 As noted above, Defendant is only entitled to felony convictions within the last ten (10)  
9 years as well as convictions for crimes involving moral turpitude. Anything else is outside the  
10 scope of information the State is required to provide. Should the defense wish to know more  
11 about witnesses or the defendant himself than the State of Nevada is legally obligated to  
12 provide, the defense should conduct an investigation of their own.

13 **19. “Any additional police reports or records not mentioned above that fall within**  
14 **the scope of discovery”**

15 The State objects to this request as being vague, overbroad, and nothing more than a  
16 heading without any substantive request. As such the “request” should be denied.

17 **V. REQUEST FOR RECIPROCAL DISCOVERY**

18 The State is entitled to reciprocal discovery under NRS 174.245. The United States  
19 Supreme Court has observed that: “Discovery, like cross-examination, minimizes the risk that  
20 a judgment will be predicated on incomplete, misleading, or even deliberately fabricated  
21 testimony. The ‘State’s interest in protecting itself against an eleventh-hour defense’ is merely  
22 one component of the broader public interest in a full and truthful disclosure of critical facts.”  
23 Taylor v. Illinois, 484 U.S. 400, 411-412, 108 S.Ct. 646, 654 (1988). Justice Traynor of the  
24 California Supreme Court once noted: “absent the privilege against self-incrimination or other  
25 privileges provided by law, the defendant in a criminal case has no valid interest in denying  
26 the prosecution access to evidence that can throw light on issues in the case.” Jones v. Superior  
27 Court, 58 Cal.2d 56, 59, 22 Cal.Rptr. 879, 372 P.2d 919 (1962). The State hereby moves for  
28 an order that Defendant comply with his reciprocal discovery obligations under NRS 174.245,



1 and otherwise be barred from introducing any covered material at trial should he not comply  
2 with those obligations.

3 NRS 174.245 governing “Disclosure by defendant of evidence relating to defense;  
4 limitations,” provides in pertinent part:

5 1. Except as otherwise provided in NRS 174.233 to 174.295,  
6 inclusive, at the request of the prosecuting attorney, the defendant  
7 shall permit the prosecuting attorney to inspect and to copy or  
8 photograph any:

9 (a) Written or recorded statements made by a witness the  
10 defendant intends to call during the case in chief of the  
11 defendant, or copies thereof, within the possession, custody or  
12 control of the defendant, the existence of which is known, or  
13 by the exercise of due diligence may become known, to the  
14 defendant;

15 (b) Results or reports of physical or mental examinations,  
16 scientific tests or scientific experiments that the defendant  
intends to introduce in evidence during the case in chief of the  
defendant, or copies thereof, within the possession, custody or  
control of the defendant, the existence of which is known, or  
by the exercise of due diligence may become known, to the  
defendant; and

17 (c) Books, papers, documents or tangible objects that the  
18 defendant intends to introduce in evidence during the case in  
19 chief of the defendant, or copies thereof, within the possession,  
20 custody or control of the defendant, the existence of which is  
21 known, or by the exercise of due diligence may become  
22 known, to the defendant.

23 Thus, the Court should order Defendant and his counsel to comply with these statutory  
24 obligations prior to trial, particularly in the event Defendant plans to testify at trial or introduce  
25 evidence in his case-in-chief, such as percipient or expert witnesses, including testimony of  
26 individuals who will attempt to sponsor facts or evidence that Defendant did not commit the  
27 instant crimes. Because the State will have no recourse to an appeal should Defendant be  
28 acquitted in whole or part by withholding information he is obliged to turn over, only an order  
barring him from introducing late or never-disclosed evidence will ensure his compliance with  
his statutory obligations.

In particular, the State emphasizes that NRS 174.245 requires Defendant to turn over  
any witness statements or other statements by Defendant should Defendant’s own testimony  
or witness testimony be presented during the trial. This extends to any notes the defense  
investigator may have obtained in the course of interviewing witnesses if the investigator or

1 those witnesses will be testifying at trial. Neither the Fifth Amendment nor attorney-  
2 client/work product privilege shields such material from production. U.S. v. Nobles, 422 U.S.  
3 225, 95 S.Ct. 2160 (1975) (where defense counsel sought to impeach credibility of key  
4 prosecution witnesses by testimony of defense investigator regarding statements previously  
5 obtained from witnesses by the investigator, investigator's contemporaneous report might  
6 provide critical insight into the issues of credibility that investigator's testimony would raise,  
7 and court had inherent power to require production of the report without Fifth Amendment or  
8 work product privilege being implicated); accord Izazaga v. Superior Court, 54 Cal.3d 356,  
9 815 P.2d 304 (Cal. 1991).

10 Likewise, should Defendant's investigator or witnesses produce material bearing on the  
11 credibility of witnesses testifying at trial for Defendant, including himself, that material must  
12 be turned over to the State. Should Defendant fail to comply with the Court's order, exclusion  
13 of his evidence is an appropriate remedy. Taylor v. Illinois, 484 U.S. at 412-418, 108 S.Ct. at  
14 654-658 (recognizing that exclusion rather than granting the prosecution a continuance is a  
15 permissible remedy where a defendant fails to comply with his discovery obligations).

16 The State requests that the defense comply with the statute and provide the State with  
17 any and all evidence they intend to admit at trial.

## 18 CONCLUSION

19 The State will comply with Brady, its progeny, the Nevada Revised Statutes, and the  
20 Nevada and United States Constitutions. Based upon the foregoing, this Honorable Court  
21 should DENY in part Defendant's Motion per the State's response and order Defendant to  
22 provide reciprocal discovery to the State.

23 DATED this 25th day of August, 2016.

24 Respectfully submitted,

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

27 BY /s//MICHAEL R. DICKERSON  
28 MICHAEL R. DICKERSON  
Deputy District Attorney  
Nevada Bar #013476

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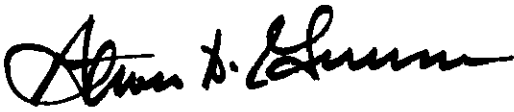
**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that service of State's Notice was made this 29th day of August, 2016,  
by Electronic Filing to:

PUBLIC DEFENDER’S OFFICE  
E-mail Address: pdclerk@ClarkCountyNV.gov

Shellie Ortega  
Secretary for the District Attorney's Office

mmo/GCU

  
CLERK OF THE COURT

NWEW  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
AGNES M. LEXIS  
Chief Deputy District Attorney  
Nevada Bar #011064  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

KEANDRE VALENTINE,  
#5090875

Defendant.

CASE NO: C-16-316081-1

DEPT NO: III

**SECOND SUPPLEMENTAL NOTICE OF WITNESSES  
AND/OR EXPERT WITNESSES  
[NRS 174.234]**

TO: KEANDRE VALENTINE, Defendant; and

TO: PUBLIC DEFENDER'S OFFICE, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief.

These witnesses are in addition to those witnesses endorsed on the Information or  
Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at  
the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

**\*See attached DNA REPORT**

//

1	NAME	ADDRESS
2	ACEVEDO (Pacheco), JESSICA – LVMPD P#13770 (or designee):	Expert in the field of
3	DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected	
4	to testify thereto.	
5	ADAMS, TIFFANY - LVMPD P#10072 (or designee):	Expert in the field of DNA
6	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
7	testify thereto.	
8	ALEXANDER, JORDAN – 1508 ROBIN ST., LVN 89106	
9	BAS, JENNIFER – LVMPD P#9944 (or designee):	Expert in the field of DNA extractions,
10	comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.	
11	BASS, MARVIN – 6312 SILVER EDGE ST., NLVN 89031	
12	BILYEU, RICHARD - LVMPD P#7524	
13	BRAVO-TORRES, LAZARO – 1104 LEONARD AVE., LVN 89106	
14	BROWN, JENNIFER (Thomas) – LVMPD P#10074 (or designee):	Expert in the field of
15	DNA extractions, comparisons, analysis, and the identification of bodily fluids and is expected	
16	to testify thereto.	
17	CHARAK, JESSICA – LVMPD P#14785 (or designee):	Expert in the field of DNA
18	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
19	testify thereto.	
20	CUSTODIAN OF RECORDS – CLARK COUNTY DETENTION CENTER	
21	CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS	
22	CUSTODIAN OF RECORDS - LVMPD RECORDS	
23	DANNENBERGER, KIM – LVMPD P#13772 (or designee):	Expert in the field of DNA
24	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
25	testify thereto. (USED TO BE TAYLOR)	
26	DAVIDOVIC, MARJORIE – LVMPD P#14726 (or designee):	Expert in the field of DNA
27	extractions, comparisons, analysis, and the identification of bodily fluids and is expected to	
28	testify thereto.	

1 DENTON, STEVE – C/O EZ PAWN, 821 N. RANCHO, LVN

2 DOWLER, CHRISTOPHER - LVMPD P#13730

3 ENDELMAN, DEREK - LVMPD P#14025

4 FAULKNER, DARRELL – 147 BEAVER LN., WACO ,TX 76705

5 FAULKNER, DEBORAH – 147 BEAVER LN., WACO, TX 76705

6 FOSTER, M. – LVMPD P#13221

7 GARCIA, SANTIAGO – 312 ESTELLA AVE., LVN 89107

8 GAUTHIER, KELLIE – LVMPD P#8691 (or designee): Expert in the field of DNA  
9 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
10 testify thereto.

11 GREGORY, TRACY – LVMPD P#9706

12 HENSON, JASON - LVMPD P#3918

13 HUSEBY, BRIANNE – LVMPD P#14783 (or designee): Expert in the field of DNA  
14 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
15 testify thereto.

16 JOHNSON, GAYLE – LVMPD P#10208 (or designee): LATENT PRINT EXAMINER -  
17 Expert in the science and techniques of fingerprint comparison, and comparisons done in this  
18 case and any reports prepared therefrom.

19 KING, CRAIG – LVMPD P#9971 (or designee): Expert in the field of DNA extractions,  
20 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

21 LUDWIG, DEAN - LVMPD P#12963

22 MAJORS, WILLIAM - LVMPD P#7089

23 MARSCHNER, JULIE – LVMPD P#8806 (or designee): Expert in the field of DNA  
24 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
25 testify thereto.

26 MAY, CRYSTAL – LVMPD P#9288 (or designee): Expert in the field of DNA extractions,  
27 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

28 MCBRIDE, OMARA – ADDRESS UNKNOWN

1 MURGA, KIM – LVMPD P#10140 (or designee): Expert in the field of DNA extractions,  
2 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

3 RETAMOZO, CAROL – LVMPD P#14280 (or designee): Expert in the field of DNA  
4 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
5 testify thereto.

6 RICHARDSON, COURTNEY - LVMPD P#14739

7 ROBERTSON, CASSANDRA – LVMPD P#14653 (or designee): Expert in the field of DNA  
8 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
9 testify thereto.

10 RUBINO, ALLISON – LVMPD P#14784 (or designee): Expert in the field of DNA  
11 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
12 testify thereto.

13 SIMMS, JOSHUA - LVMPD P#15111

14 SMITH, JEFFREY - LVMPD P#8177 (or designee): CRIME SCENE ANALYST: Expert in  
15 the identification, documentation, collection and preservation of evidence and is expected to  
16 testify as an expert to the identification, documentation, collection and preservation of the  
17 evidence in this case.

18 SPRONK, CIERRA - LVMPD P#15128

19 STOCKTON, DAVE - LVMPD P#9989

20 TICANO, T. – LVMPD P#6804

21 TORRES, JUAN CARLOS - 1104 LEONARD AVE., LVN 89106

22 UBBENS, ANDREW - LVMPD P#13119

23 VASQUEZ, ROSA - C/O CCDA, 200 LEWIS AVE., LVN 89101

24 VIDA, BEATA – LVMPD P#14279 (or designee): Expert in the field of DNA extractions,  
25 comparisons, analysis, and the identification of bodily fluids and is expected to testify thereto.

26 WATTS, DAVID - LVMPD P#8463

27 //

28 //

1 WHITTLE, CHRISTINE – LVMPD P#15383 (or designee): Expert in the field of DNA  
2 extractions, comparisons, analysis, and the identification of bodily fluids and is expected to  
3 testify thereto.

4 WILLIAMS, SHANISE – 1701 J. STREET, LVN

5 WISE, DAVID - LVMPD P#9838

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

9 BY /s//AGNES M. LEXIS  
10 AGNES M. LEXIS  
11 Chief Deputy District Attorney  
12 Nevada Bar #011064

13 **CERTIFICATE OF ELECTRONIC FILING**

14 I hereby certify that service of State's Notice was made this 12th day of August, 2016,  
15 by Electronic Filing to:

16 PUBLIC DEFENDER'S OFFICE  
17 E-mail Address: pdclerk@ClarkCountyNV.gov

18 Shellie Ortega  
19 Secretary for the District Attorney's Office

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28 mmo/GCU



<b>Las Vegas Metropolitan Police Department</b> <b>Forensic Laboratory</b>  <b>Report of Examination</b>  <b>Biology/DNA Forensic Casework</b>		<b>Distribution Date:</b> September 20, 2016 <b>Agency:</b> LVMPD <b>Location:</b> BAC <b>Primary Case #:</b> 160528-1147 <b>Incident:</b> Robbery, Robbery WDW <b>Requester:</b> Agnes Lexis <b>Lab Case #:</b> 16-04601.3
<b>Subject(s):</b>	Keandre Valentine (Suspect)	

The following evidence was examined and results are reported below.

Lab Item #	Impound Pkg #	Impound Item #	Description
Item 2	008177 - 2	2	Swab from trigger, grips and slide of "Glock 40"
Item 3	007089 - 1	1	Reference Standard from Keandre Valentine

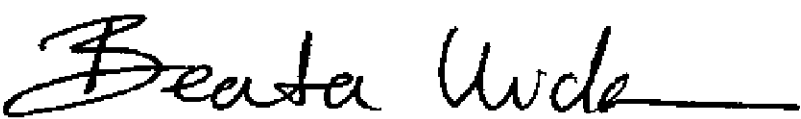
**DNA Results and Conclusions:**

Item 2 and Item 3 were subjected to PCR amplification at the following STR genetic loci: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, and FGA. The sex-determining Amelogenin locus was also examined.

**Lab Item 2**  
 The partial DNA profile obtained from the swab from the trigger, grips and slide of the "Glock 40" (Item 2) is consistent with a mixture of at least two individuals with at least one being a male. Due to the limited data available, no additional conclusions can be made regarding this partial mixture DNA profile.

The evidence is returned to secure storage.

---This report does not constitute the entire case file. The case file may be comprised of worksheets, images, analytical data and other documents.---



Beata Vida, #14279  
 Forensic Scientist II

- END OF REPORT -

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KEANDRE VALENTINE, ) No. 74468  
 )  
 Appellant, )  
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 vi. )  
 )  
 THE STATE OF NEVADA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

<b>PHILIP J. KOHN</b> Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610  Attorney for Appellant	<b>STEVE WOLFSON</b> Clark County District Attorney 200 Lewis Avenue, 3 <sup>rd</sup> Floor Las Vegas, Nevada 89155  <b>ADAM LAXALT</b> Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538  Counsel for Respondent
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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 2 day of August, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ADAM LAXALT  
STEVEN S. OWENS

SHARON G. DICKINSON  
HOWARD S. BROOKS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

KEANDRE VALENTINE, #1187170  
ELY STATE PRISON  
P.O. BOX 1989  
ELY, NV 89301

BY /s/ Carrie M. Connolly  
Employee, Clark County Public Defender's Office