

Electronically Filed
Dec 01 2017 03:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOT
THOMAS A. ERICSSON, ESQ.
Nevada Bar No. 4982
Oronoz & Ericsson, LLC
1050 Indigo Drive, Suite 120
Las Vegas, Nevada 89145
Telephone: (702) 878-2889
Facsimile: (702) 522-1542
tom@oronozlawyers.com
Attorney for Appellant

DISTRICT COURT
CLARK COUNTY, NEVADA

CALVIN ELAM,)	
)	
Appellant,)	CASE NO. C-15-305949-1
)	
v.)	DEPT. NO. XXI
)	
THE STATE OF NEVADA,)	
)	NOTICE OF APPEAL
Respondent.)	

NOTICE is hereby given that CALVIN ELAM, Appellant above named, hereby appeals to the Nevada Supreme Court from District Court's decision rendered in this action, the 31st day of October, 2017.

DATED this 13th day of November, 2017.

ORONOZ & ERICSSON, LLC

/s/ Thomas A. Ericsson, Esq.
THOMAS A. ERICSSON, ESQ.
Nevada Bar No. 4982
1050 Indigo Drive, Suite 120
Las Vegas, Nevada 89145
Telephone: (702) 878-2889
Attorney for Appellant

1 **CSERV**

2 THOMAS A. ERICSSON, ESQ.

3 Nevada Bar No. 4982

4 Oronoz & Ericsson, LLC

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6 Las Vegas, Nevada 89145

7 Telephone: (702) 878-2889

8 Facsimile: (702) 522-1542

9 tom@oronozlawyers.com

10 *Attorney for Appellant*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 CALVIN ELAM,

14 Appellant,

15 v.

16 THE STATE OF NEVADA,

17 Respondent.

CASE NO. C-15-305949-1

DEPT. NO. XXI

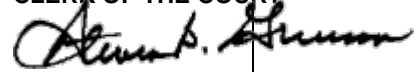
18 **CERTIFICATE OF ELECTRONIC SERVICE**

19 The undersigned herby certifies that electronic service was completed via the Odyssey E-
20 File & Serve System and emailed to the following recipient(s) on this 13th day of November,
21 2017.

22 STEVEN B. WOLFSON
23 Clark County District Attorney
24 PDMotions@clarkcountyda.com

25 /s/ Rachael Stewart

26 An Employee of Oronoz & Ericsson, LLC



ASTA
THOMAS A. ERICSSON, ESQ.
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Facsimile: (702) 522-1542
tom@oronozlawyers.com
Attorney for Appellant

DISTRICT COURT
CLARK COUNTY, NEVADA

CALVIN ELAM,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO.: C-15-305949-1

Supreme Court No: _____

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement: **Calvin Elam.**

2. The name of the judge who entered the order or judgment that is being appealed:

The Honorable Valerie Adair.

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

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

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

THOMAS A. ERICSSON, ESQ. Oronoz & Ericsson, LLC 1050 Indigo Drive, Suite 120 Las Vegas, Nevada 89145 (702) 878-2889 <i>Attorney for Appellant</i>	STEVEN B. WOLFSON Clark County District Attorney 200 Lewis Avenue Las Vegas, Nevada 89155 <i>Attorney for Respondent</i>
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6. Whether an attorney identified in response to paragraph 5 is not licensed to practice law in Nevada, and if so, whether the district court granted that attorney permission to appear under SCR 42, including a copy of any district court order granting that permission: **N/A.**

7. Whether appellant was represented by appointed or retained counsel in the district court: **Appointed.**

8. Whether appellant is represented by appointed or retained counsel on appeal: **Appointed.**

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

10. Date proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): **Indictment, filed April 17, 2015.**

11. A brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: **This is a direct appeal from the District Court's Judgment of Conviction.**

12. Whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

N/A.

13. Whether the appeal involves child custody or visitation: **N/A.**

14. In civil cases, whether the appeal involves the possibility of settlement. **N/A.**

DATED this 13th day of November, 2017.

Respectfully submitted,

By: /s/ Thomas A. Ericsson
THOMAS A. ERICSSON, ESQ.
Nevada Bar No. 4982
Oronoz & Ericsson, LLC
1050 Indigo Drive, Suite 120
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Telephone: (702) 878-2889
Attorney for Appellant

By: /s/ Thomas A. Ericsson

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Attorney for Appellant

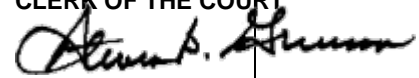
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ADAM PAUL LAXALT
Nevada Attorney General

STEVEN S. OWENS
Chief Deputy District Attorney

THOMAS A. ERICSSON
Counsel for Appellant

An employee of Oronoz & Ericsson, LLC



REQT
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Attorney for Appellant

DISTRICT COURT
CLARK COUNTY, NEVADA

CALVIN ELAM,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO.: C-15-305949-1

Supreme Court No:

DEPT. NO.: XXI

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: Court Recorder: Susie Schofield
District Court, Department No. XXI

CALVIN ELAM, Defendant named above, requests a preparation of a rough draft transcript of certain portions of the proceedings before the District Court, as follows:

Dates or dates of proceedings: June 18, 2015 (Calendar Call); August 18, 2015 (Motion for Discovery); June 15, 2017 (Calendar Call); June 19, 2017 (Jury Trial); June 20, 2017 (Jury Trial); June 21, 2017 (Jury Trial); June 22, 2017 (Jury Trial); June 23, 2017 (Jury Trial); June 26, 2017 (Jury Trial); June 27, 2017 (Jury Trial); August 29, 2017 (Sentencing); September 7, 2017 (Status Check); September 14, 2017 (Status Check); October 19, 2017 (Status Check).

Portion of the transcript requested: Entire Hearing, including word index.

1 This Notice requests a transcript of only those portions of the District Court
2 proceedings that counsel reasonably and in good faith believes are necessary to determine
3 whether appellate issues are present.

4 I recognize that I must personally serve a copy of this form on the above-named court
5 reporter and opposing counsel.

6 That the above-named court reporter shall have twenty (20) days from the date of
7 service of this document to prepare an original plus three copies and file with the District Court
8 Clerk the original rough draft transcript(s) requested herein.

9 Further, pursuant to NRAP 3C(d)(3)(iii), **the court reporter shall also deliver copies of**
10 **the rough draft transcript to the Supreme Court Clerk, to appellant's counsel and**
11 **respondent counsel** no more than twenty (20) days after the date of the appellant's request.

12 DATED this 13th day of November, 2017.

13 Respectfully submitted,

14 By: /s/ Thomas A. Ericsson
15 THOMAS A. ERICSSON, ESQ.
16 Nevada Bar No. 4982
17 Oronoz & Ericsson, LLC
18 1050 Indigo Drive, Suite 120
19 Las Vegas, Nevada 89145
20 Telephone: (702) 878-2889
21 *Attorney for Calvin Elam*
22
23
24

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Susie Schofield
Court Recorder
District Court, Dept. XXI
200 Lewis Avenue
Las Vegas, Nevada 89155
schofields@clarkcountycourt.us

/s/ Rachael Stewart
An employee of Oronoz & Ericsson, LLC

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1

State of Nevada
vs
Calvin Elam

§
§
§
§
§
§
§
§

Location: **Department 21**
Judicial Officer: **Adair, Valerie**
Filed on: **04/17/2015**
Cross-Reference Case Number: **C305949**
Defendant's Scope ID #: **2502165**
Grand Jury Case Number: **14BGJ062**
ITAG Case ID: **1684346**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT KIDNAPPING	F	03/10/2015	Case Flags: Appealed to Supreme Court Custody Status - Nevada Department of Corrections Bond/Bail Exonerated Charge Description Updated	
2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON	F	03/10/2015		
3. ASSAULT WITH A DEADLY WEAPON	F	03/10/2015		
4. UNLAWFUL USE OF AN ELECTRONIC STUN DEVICE	F	03/10/2015		
5. BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT	F	03/10/2015		
6. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON	F	03/10/2015		
7. ATTEMPT SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON	F	03/10/2015		
8. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	F	03/10/2015		

Warrants

Indictment Warrant - Elam, Calvin (Judicial Officer: Togliatti, Jennifer)

04/28/2015 3:54 PM Quashed

04/17/2015 11:45 AM Active

Fine: \$0

Bond: \$500,000.00

Cash or Surety

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-15-305949-1
Court	Department 21
Date Assigned	04/17/2015
Judicial Officer	Adair, Valerie


PARTY INFORMATION

Defendant	Elam, Calvin	<i>Lead Attorneys</i> Ericsson, Thomas A. <i>Retained</i> 702-878-2889(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE









EVENTS & ORDERS OF THE COURT

INDEX














04/17/2015  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Togliatti, Jennifer)

04/17/2015  Indictment
Indictment











DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1

04/17/2015	 Warrant <i>Indictment Warrant</i>
04/20/2015	 Indictment Warrant Return
04/22/2015	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
04/28/2015	Initial Arraignment (9:30 AM) (Judicial Officer: Adair, Valerie)
04/28/2015	Indictment Warrant Return (9:30 AM) (Judicial Officer: Adair, Valerie)
04/28/2015	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
04/28/2015	Warrant Quashed
04/28/2015	Plea (Judicial Officer: Adair, Valerie) <div style="margin-left: 20px;"><div>1. CONSPIRACY TO COMMIT KIDNAPPING Not Guilty PCN: Sequence:</div><div>2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:</div><div>3. ASSAULT WITH A DEADLY WEAPON Not Guilty PCN: Sequence:</div><div>4. UNLAWFUL USE OF AN ELECTRONIC STUN DEVICE Not Guilty PCN: Sequence:</div><div>5. BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT Not Guilty PCN: Sequence:</div><div>6. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:</div><div>7. ATTEMPT SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:</div></div>
04/29/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Volume 2, April 16, 2015</i>
04/29/2015	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Volume 1, April 9, 2015</i>
06/01/2015	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses [NRS 174.234]</i>
06/18/2015	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1







06/22/2015	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
07/15/2015	 Motion <i>Notice of Motion and Motion for Brady, Kyles, Giglio, and Related Discovery Materials</i>
07/15/2015	 Motion <i>Defendant's Notice of Motion and Motion to Set Reasonable Bail</i>
07/17/2015	 Opposition <i>State's Opposition to Defendant's Motion to Set Reasonable Bail</i>
07/21/2015	 Motion to Set Bail (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant's Motion to Set Reasonable Bail</i>
08/13/2015	 Opposition <i>State's Opposition to Defendant's Motion for Brady, Kyles, Giglio, and Related Discovery Materials</i>
08/18/2015	 Motion for Discovery (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant's Notice of Motion and Motion for Brady, Kyles, Giglio, and Related Discovery Materials</i>
01/21/2016	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
01/25/2016	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Attorney or Pro Per</i>
02/23/2016	 Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Negotiations/Reset Trial</i>
05/11/2016	 Notice of Change of Address <i>Notice Of Change Of Address</i>
08/11/2016	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
08/15/2016	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
09/08/2016	 Status Check: Negotiations/Trial Setting (9:30 AM) (Judicial Officer: Adair, Valerie) 09/08/2016, 10/06/2016, 10/20/2016
03/23/2017	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
03/27/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
04/11/2017	 Status Check: Negotiations/Trial Setting (9:30 AM) (Judicial Officer: Adair, Valerie)
05/19/2017	Disposition (Judicial Officer: Adair, Valerie) 4. UNLAWFUL USE OF AN ELECTRONIC STUN DEVICE Dismissed PCN: Sequence:

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1





	6. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:
	7. ATTEMPT SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:
06/01/2017	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
06/05/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
06/12/2017	 List of Witnesses Filed By: Defendant Elam, Calvin <i>Defendant's List of Witnesses</i>
06/15/2017	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
06/19/2017	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie) 06/19/2017-06/23/2017
06/19/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
06/20/2017	 Jury List
06/26/2017	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie) 06/26/2017-06/27/2017
06/26/2017	 Amended Jury List
06/27/2017	 Instructions to the Jury
06/27/2017	 Verdict
06/27/2017	Disposition (Judicial Officer: Adair, Valerie) 1. CONSPIRACY TO COMMIT KIDNAPPING Guilty PCN: Sequence: 2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 3. ASSAULT WITH A DEADLY WEAPON Guilty PCN: Sequence: 5. BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT Guilty PCN: Sequence:
06/30/2017	 Declaration

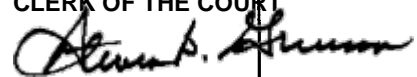
DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1

Witness Declaration For Preliminary-Hearing Testimony Through The Use Of Audiovisual Technology

08/11/2017	 PSI
08/29/2017	 Sentencing (9:30 AM) (Judicial Officer: Adair, Valerie)
09/07/2017	 Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) 09/07/2017, 09/14/2017 <i>FI Cards</i>
09/26/2017	 Sentencing (9:30 AM) (Judicial Officer: Adair, Valerie) 09/26/2017, 10/10/2017, 10/19/2017
09/28/2017	 PSI - Supplemental PSI
10/19/2017	Sentence (Judicial Officer: Adair, Valerie) 1. CONSPIRACY TO COMMIT KIDNAPPING Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:72 Months
10/19/2017	Sentence (Judicial Officer: Adair, Valerie) 2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:5 Years Consecutive Enhancement:Use of Deadly Weapon, Minimum:60 Months, Maximum:180 Months Concurrent: Charge 1
10/19/2017	Sentence (Judicial Officer: Adair, Valerie) 3. ASSAULT WITH A DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:72 Months Consecutive: Charge 2
10/19/2017	Sentence (Judicial Officer: Adair, Valerie) 5. BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:2 Years Consecutive: Charge 3 Credit for Time Served: 928 Days Condition 1. Register As A Sex Offender 2. Lifetime Supervision Fee Totals: Administrative Assessment Fee 25.00 \$25 DNA Analysis Fee 150.00 \$150 Genetic Marker Analysis AA Fee 3.00 \$3 Fee Totals \$ 178.00
10/31/2017	 Judgment of Conviction

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-15-305949-1

	<i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>	
11/13/2017	 Notice of Appeal (criminal) Party: Defendant Elam, Calvin <i>Notice of Appeal</i>	
11/13/2017	 Case Appeal Statement Filed By: Defendant Elam, Calvin <i>Case Appeal Statement</i>	
11/13/2017	 Request Filed by: Defendant Elam, Calvin <i>Request for Rough Draft Transcript</i>	
11/22/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Sentencing</i>	
DATE	FINANCIAL INFORMATION	
	Defendant Elam, Calvin	
	Total Charges	178.00
	Total Payments and Credits	0.00
	Balance Due as of 11/28/2017	178.00



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CALVIN THOMAS ELAM
#2502165

Defendant.

CASE NO. C-15-305949-1

DEPT. NO. XXI

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT KIDNAPPING (Category B Felony) in violation of NRS 200.310, 200.320, 199.480; COUNT 2 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.310, 200.320, 193.165; COUNT 3 – ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation of NRS 200.471; COUNT 4 – UNLAWFUL USE OF AN ELECTRONIC STUN DEVICE (Category B Felony) in violation of NRS 202.357; COUNT 5 – BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT (Category A Felony) in violation of NRS 200.400.4; COUNT 6 – SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON

(Category A Felony) in violation of NRS 200.364, 200.366, 193.165; COUNT 7 – ATTEMPT SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.364, 200.366, 193.165, 193.330; and COUNT 8 – OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON (Category B Felony) in violation of NRS 202.360; and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO COMMIT KIDNAPPING (Category B Felony) in violation of NRS 200.310, 200.320, 199.480; COUNT 2 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.310, 200.320, 193.165; COUNT 3 – ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation of NRS 200.471; and COUNT 5 – BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT (Category A Felony) in violation of NRS 200.400.4; thereafter, on the 19th day of October, 2017, the Defendant was present in court for sentencing with counsel THOMAS ERICSSON, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:

COUNT 1 - a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS; **COUNT 2** – LIFE with the eligibility for parole after serving a MINIMUM of FIVE (5) YEARS plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SIXTY (60) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 1;



COUNT 3 - a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM Parole

1 Eligibility of TWELVE (12) MONTHS, CONSECUTIVE to COUNT 2; **COUNT 5** - LIFE
2 with the eligibility for parole after serving a MINIMUM of TWO (2) YEARS,
3 CONSECUTIVE to COUNT 3; with NINE HUNDRED TWENTY-EIGHT (928) DAYS
4 credit for time served. COUNTS 4, 6 and 7 DISMISSED. COUNT 8 DISMISSED
5 WITHOUT PREJUDICE. The AGGREGATE TOTAL sentence is LIFE with ELIGIBILITY
6 for PAROLE AFTER SERVING a MINIMUM of THIRTEEN (13) YEARS.
7

8 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION
9 is imposed to commence upon release from any term of imprisonment, probation or
10 parole. In addition, before the Defendant is eligible for parole, a panel consisting of
11 the Administrator of the Mental Health and Development Services of the Department
12 of Human Resources or his designee; the Director of the Department of corrections or
13 his designee; and a psychologist licensed to practice in this state; or a psychiatrist
14 licensed to practice medicine in Nevada must certify that the Defendant does not
15 represent a high risk to re-offend based on current accepted standards of assessment.
16
17

18 ADDITIONALLY, the Defendant is ORDERED to REGISTER as a sex offender
19 in accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any
20 release from custody.
21

22 DATED this 26th day of October, 2017.
23
24

25 
26 VALERIE P. ADAIR
27 DISTRICT COURT JUDGE 
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2015

C-15-305949-1 State of Nevada
vs
Calvin Elam

April 17, 2015 11:45 AM Grand Jury Indictment

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: April Watkins

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Jimenez, Sonia V. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Edmond James, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 14BGJ062X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C305949-1, Department 21. State requested warrant and argued bail. COURT ORDERED, WARRANT ISSUED, bail SET in the TOTAL AMOUNT of \$500,000.00 and matter SET for initial arraignment. FURTHER ORDERED, Las Vegas Justice Court Case 15F03797X DISMISSED and exhibit(s) 1-37 lodged with Clerk of District Court.

I.W. (CUSTODY)

4/28/15 9:30 AM INITIAL ARRAIGNMENT (DEPT. 21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2015

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

April 28, 2015

9:30 AM

All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

JOURNAL ENTRIES

- INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

DEFENDANT ELAM ARRAIGNED, PLED GUILTY and INVOKED THE SIXTY (60) DAY RULE. COURT ORDERED, matter SET for trial. Defense has 21 days from the date of filing of the preliminary hearing transcript to file a writ.

CUSTODY

6/18/15 9:30 AM CALENDAR CALL

6/22/15 9:30 AM JURY TRIAL.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 18, 2015

C-15-305949-1 State of Nevada
vs
Calvin Elam

June 18, 2015 9:30 AM Calendar Call

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Andrea Natali

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Gaffney, Lucas	Attorney
	Jimenez, Sonia V.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. present in custody. Mr. Gaffney stated the parties have talked and agree to move the trial date; additionally, Deft. will waive his right to a speedy trial; therefore, requested a trial setting in January or February. Upon Court's inquiry as to the reason for a continuance, Ms. Jimenez advised it was the defense request to continue; however, she was not opposing the continuance; noting the DNA forensic testing and the fingerprinting are still be outstanding. Upon Court's inquiry as to whether the Deft. waived his right to a speedy trial, Deft. stated he was not waiving his right and requested to speak to his counselor. COURT SO NOTED. Matter TRAILED for Deft. to talk to his attorney.

Matter RECALLED. Same parties present as before. Upon Court's inquiry, Deft. waived his right to a speedy trial. COURT ORDERED, Jury Trial VACATED and RESET.

CUSTODY

1/21/15 9:30 AM - CALENDAR CALL

1/25/15 9:30 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 21, 2015

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

July 21, 2015 9:30 AM Motion to Set Bail

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Jimenez, Sonia V. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Following arguments by counsel, COURT ORDERED, bail as set is reasonable, therefore motion is DENIED WITHOUT PREJUDICE. FURTHER, motion calendared on 7/28/15 is RESET to 8/18/15 9:30 AM

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2015

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

August 18, 2015 9:30 AM Motion for Discovery

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 State of Nevada Plaintiff
 Thomson, Megan Attorney

JOURNAL ENTRIES

- Mr. Ericsson stated he received the opposition and additional discovery, but has not reviewed it. He did request that be Brady motion be addressed.

COURT ORDERED, Brady Motion is GRANTED. Mr. Ericsson to discuss the other issues with the State; if there are any other issues, counsel may place the matter back on calendar.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

January 21, 2016 9:30 AM Calendar Call

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Luzaich stated that parties are trying to resolve this matter and requested a continuance. Mr. Ericsson stated that he spoke with the defendant and he understands that more time is needed. COURT ORDERED, matter SET for a status check.

CUSTODY

2/23/16 9:30 AM SC: NEGOTIATIONS/RESET TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 23, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

February 23, 2016 9:30 AM Status Check

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Ericsson, Thomas A. Attorney
 Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Luzaich advised that the matter was not negotiated and requested a trial setting. COURT ORDERED, trial date SET.

CUSTODY

8/11/16 9:30 AM CALENDAR CALL

8/15/16 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 11, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

August 11, 2016 9:30 AM Calendar Call

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Colloquy regarding trial dates. Counsel stated they are still attempting to negotiate and requested a continuance. COURT ORDERED trial date VACATED and SET for status check.

CUSTODY

9/8/16 9:30 AM STATUS CHECK: NEGOTIATIONS/TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

September 08, 2016 9:30 AM

**Status Check:
Negotiations/Trial Setting**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Craggs, Genevieve C.	Attorney
	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Ericsson stated parties were very close to a resolution and requested additional time. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 10/6/16 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

October 06, 2016 9:30 AM

**Status Check:
Negotiations/Trial Setting**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Gaffney, Lucas	Attorney
	Mishler, Karen	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Gafney stated the matter was mis-calendared and requested matter be continued. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 10/20/16 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 20, 2016

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

**October 20, 2016 9:30 AM Status Check:
Negotiations/Trial Setting**

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Gaffney, Lucas	Attorney
	Pandukht, Taleen R	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Gafney stated that the matter was not resolved and requested a continuance. Court SET trial date.

CUSTODY

3/23/17 9:30 AM CALENDAR CALL

3/27/17 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 23, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

March 23, 2017 9:30 AM Calendar Call

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Luziach requested matter be continued for further negotiation. COURT SO ORDERED.

CUSTODY

4/11/17 9:30 AM STATUS CHECK: NEGOTIATIONS/TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 11, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

April 11, 2017

9:30 AM

**Status Check:
Negotiations/Trial Setting**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Alice Jacobson

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Counsel indicated they did not settle the case and to set it for trial. COURT ORDERED, trial dates SET.

CUSTODY

6/1/17 9:30AM CC

6/5/17 9:30AM JT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 01, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 01, 2017 9:30 AM Calendar Call

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Ericsson announced ready for trial. Ms. Luzaich stated an essential witness was in the hospital and requested a continuance. Mr. Ericsson made no objection. Court GRANTED a brief continuance. Counsel stated they would need 6-7 days for trial.

CUSTODY

6/15/17 9:30 AM CALENDAR CALL

6/19/17 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 15, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 15, 2017 9:30 AM Calendar Call

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Counsel announced ready for trial adding that 6-7 days would be needed and there would be approximately 14 witnesses. Court SET trial date and time.

CUSTODY

6/19/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 19, 2017

C-15-305949-1 State of Nevada
vs
Calvin Elam

June 19, 2017

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Mr. Ericsson put the offer on the record and stated the Deft. rejected the offer.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Introduction by the Court and by counsel. VIOR DIRE OATH given. Jury selection began. Court admonished and excused the prospective jurors for evening recess.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Colloquy as to which Prospective Jurors to release. Evening recess.

CONTINUED TO: 6/20/17 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 20, 2017

10:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Jury selection continued. Prospective Jurors excused for lunch recess.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Colloquy as to which Prospective Jurors to release.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY

Jury selection continued. Jury panel of 14 members selected and SWORN. Remaining panel thanked and excused. Introductions by Court. Indictment read. Openings by counsel.

Jury admonished and excused for evening recess.

CONTINUED TO: 6/21/17 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 21, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 21, 2017

10:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY

Counsel put Juror challenges on the record.

INSIDE THE PRESENCE OF THE JURY

Testimony and exhibits presented. (See worksheets) Court admonished and excused the Jury for evening recess.

OUTSIDE THE PRESENCE OF THE JURY

Mr. Ericsson moved to prevent the Deft's statement from being played to the Jury. Ms. Luzaich argued the Supreme Court's ruling against suppression of the statement. Court DENIED Mr. Ericsson's request.

CONTINUED TO: 6/22/17 12:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 22, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 22, 2017

12:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY

Testimony and exhibits presented. (See worksheets)

Court admonished and excused the Jury for the evening recess.

CONTINUED TO: 6/23/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 23, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 23, 2017 10:30 AM Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY

Testimony and exhibits presented. (See worksheets)

Court admonished and excused the Jury for the weekend recess.

CONTINUED TO: 6/26/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2017

C-15-305949-1 State of Nevada
vs
Calvin Elam

June 26, 2017

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Louisa Garcia

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented. (See worksheets).
Parties RESTED.

OUTSIDE THE PRESENCE OF THE JURY: Defendant advised of his right not to testify. Instructions settled.

INSIDE THE PRESENCE OF THE JURY: Court instructed the jury. Closing arguments by counsel. Marshal SWORN to take charge of the Jury; Court thanked and excused the alternate jurors. At the hour of 3:25 p.m., the jury retired to deliberate. At approximately 4:30 p.m., the Court released the jury and ordered them to return the following day at 9:00 a.m., to resume deliberations.

CUSTODY

6/27/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

June 27, 2017

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- At the time of 12:11 PM the Jury returned with the following verdict:

COUNT 1 - CONSPIRACY TO COMMIT KIDNAPPING - GUILTY;
COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON - GUILTY;
COUNT 3 - ASSAULT WITH A DEADLY WEAPON - GUILTY;
COUNT 4 - UNLAWFUL USE OF AN ELECTRONIC STUN DEVICE - NOT GUILTY;
COUNT 5 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT - GUILTY;
COUNT 6 - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON - NOT GUILTY;
COUNT 7 - ATTEMPT SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON - NOT GUILTY.

Jury polled at the request of Mr. Ericsson. Court thanked and excused the Jury.

At the request of Ms. Luzaich, Deft. REMANDED into custody without bail. Court referred the matter to Parole and Probation for a Presentence Investigation Report and ORDERED, SET for sentencing.

Upon inquiry of the Court, Ms. Luzaich elected not to proceed with the Ex-Felon in Possession of Firearm but would revive if the conviction is overturned. Ms. Luzaich requested the Court conditionally dismiss the charge so the State can revive it if necessary. COURT SO ORDERED.

CUSTODY

8/29/17 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

August 29, 2017 9:30 AM Sentencing

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Elam, Calvin Defendant
 Ericsson, Thomas A. Attorney
 Pieper, Danielle K. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted an email was received regarding the gang affiliation listed in the Presentence Investigation report (PSI) and ORDERED Ms. Pieper to obtain the FI cards. Mr. Ericsson stated there was also an issue with the race listed for the Deft. adding it should be Moorish-American. The Court advised it was immaterial to the Court but should be accurate. Mr. Ericsson stated he would contact Parole and Probation to go over the options. Court SET status check.

CUSTODY

9/7/17 9:30 AM STATUS CHECK: FI CARDS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

September 07, 2017 9:30 AM Status Check

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Einhorn, Kelsey R.	Attorney
	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Ericsson stated that Ms. Luzaich was in another department and requested the matter be continued. He further stated he received information from the State that said the last contact the Deft. had with law enforcement was in 2017 but the Deft. was in custody at that time. Court ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 9/14/17 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

September 14, 2017 9:30 AM Status Check

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Ericsson stated the FI cards were received and was made aware by Ms. Pieper that the State did not object to remove the gang affiliation reference from the Presentence Investigation Report (PSI). Ms. Pieper confirmed there was no objection. Mr. Ericsson requested the matter be continued to have a supplemental PSI prepared. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 9/26/17 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 26, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

September 26, 2017 9:30 AM Sentencing

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Overly, Sarah	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Ericsson stated there was no Presentence Investigation Report (PSI) filed and requested the matter be continued. Court ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 10/3/17 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 10, 2017

C-15-305949-1 State of Nevada
 vs
 Calvin Elam

October 10, 2017 9:30 AM Sentencing

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Einhorn, Kelsey R.	Attorney
	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Einhorn stated Ms. Luzaich asked her to request the matter be continued for her to be present.
COURT ORDERED, MATTER CONTINUED and directed Ms. Einhorn to notify the victim speaker of the new date.

CUSTODY

CONTINUED TO: 10/19/17 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-15-305949-1 State of Nevada
vs
Calvin Elam

October 19, 2017 9:30 AM Sentencing

HEARD BY: Adair, Valerie **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Elam, Calvin	Defendant
	Ericsson, Thomas A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted that there was notice of a victim speaker. Ms. Luzaich stated the speaker would not be able to make it. Argument by counsel. Statement by Deft. By virtue of the Jury's verdict and this Court's order, DEFT ELAM ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT KIDNAPPING (F), COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON, COUNT 3 - ASSAULT WITH A DEADLY WEAPON (F) and COUNT 5 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED AS FOLLOWS:

COUNT 1 - to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC);
COUNT 2 - to LIFE with the eligibility for parole after FIVE (5) YEARS with a CONSECUTIVE term of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon in the Nevada Department of Corrections (NDC) to run CONCURRENT with COUNT 1;

COUNT 3 - to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC) to run CONSECUTIVE to COUNT 2; COUNT 5 - to LIFE with the eligibility for parole after TWO (2) YEARS to run CONSECUTIVE to COUNT 3 in the Nevada Department of Corrections (NDC), with NINE HUNDRED TWENTY-EIGHT (928) DAYS credit for time served.

The Deft's AGGREGATE TOTAL SENTENCE is LIFE with the eligibility for parole after THIRTEEN (13) YEARS. COURT ORDERED, COUNTS 4, 6 and 7 DISMISSED. COURT FURTHER ORDERED, COUNT 8 DISMISSED WITHOUT PREJUDICE.

COURT ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Register as a sex offender in accordance with NRS 179D.460 within 48 hours after Deft's release.

BOND, if any, EXONERATED.

NDC

- Exhibits:**
1. **Proposed Indictment**
 2. **Instructions**
 3. **CD**
 4. **Photo**
 5. **Photo**
 6. **Photo**
 7. **Photo**
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 28. **Photo**
 29. **Photo**
 30. **Photo**
 31. **Photo**
 32. **Photo**
 33. **Photo**
 34. **Photo**
 35. **Photo**
 36. **Judgment of Conviction**
 37. **Transcript**

Exhibits 1-37, to be lodged with the Clerk of the Court.

EXHIBIT(S) LIST

Case No.: C305949

Hearing / Trial Date: 6/19/17

Dept. No.: XXI

Judge: Valerie Adair

Plaintiff: State of Nevada

Court Clerk: Jill Chambers

Recorder: Susie Schofield

Counsel for Plaintiff: Elissa Luzaich

vs.

Defendant: Calvin Elam

Counsel for Defendant: Thomas Ericsson

TRIAL BEFORE THE COURT

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Photo – Smith's storefront	JUN 20 2017	N	JUN 20 2017
2	Photo – Black female, red t-shirt	JUN 20 2017	N	JUN 20 2017
3	Photo – Black female, face close up	JUN 21 2017	N	JUN 21 2017
4	Photo – Black female, inside of bottom lip	JUN 21 2017	N	JUN 21 2017
5	Photo – Black female, legs	JUN 21 2017	N	JUN 21 2017
6	Photo – Black female, legs, close up on right leg	JUN 21 2017	N	JUN 21 2017
7	Photo – Black female, legs, close up on left leg	JUN 21 2017	N	JUN 21 2017
8	Photo – Black female, legs, knees to feet	JUN 21 2017	N	JUN 21 2017
9	Photo – Black female, back of legs	JUN 21 2017	N	JUN 21 2017
10	Photo – Black female, forearms, under	JUN 21 2017	N	JUN 21 2017
11	Photo – Black female, forearms, top	JUN 21 2017	N	JUN 21 2017
12	Photo – 2 apartment buildings	JUN 21 2017	N	JUN 21 2017
13	Photo – Streetview apartments on left	JUN 21 2017	N	JUN 21 2017
14	Photo – 900 house number	JUN 21 2017	N	JUN 21 2017
15	Photo – Stairs up to apartment	JUN 21 2017	N	JUN 21 2017
16	Photo – Door with D on it	JUN 21 2017	N	JUN 21 2017
17	Photo – Stairs, scooter, grill	JUN 21 2017	N	JUN 21 2017

EXHIBIT(S) LIST

Case No: **C305949**

State of Nevada

VS.

Calvin Elam

State's

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
18	Photo – Close up grill, plant	JUN 2 1 2017	N	JUN 2 1 2017
19	Photo – Item under grill	JUN 2 1 2017	N	JUN 2 1 2017
20	Photo – Grill by wall	JUN 2 1 2017	N	JUN 2 1 2017
21	Photo - Sheet balled up with tape	JUN 2 1 2017	N	JUN 2 1 2017
22	Photo – Power box 1112	JUN 2 1 2017	N	JUN 2 1 2017
23	Photo – Outside of apartment, dumpster, red stairs	JUN 2 1 2017	N	JUN 2 1 2017
24	Photo – Parking spot 1112, shoe	JUN 2 1 2017	N	JUN 2 1 2017
25	Photo – Shoe close-up	JUN 2 1 2017	N	JUN 2 1 2017
26	Photo – 2 dumpsters	JUN 2 1 2017	N	JUN 2 1 2017
27	Photo – Stair way, 110	JUN 2 1 2017	N	JUN 2 1 2017
28	Photo – Dumpster, side view	JUN 2 1 2017	N	JUN 2 1 2017
29	Photo – Inside of dumpster	JUN 2 1 2017	N	JUN 2 1 2017
30	Photo – Cord inside of dumpster	JUN 2 1 2017	N	JUN 2 1 2017
31	Photo – Black twine	JUN 2 1 2017	N	JUN 2 1 2017
32	Photo – 1108 address marker	JUN 2 3 2017	N	JUN 2 3 2017
33	Photo – White door, red trim	JUN 2 1 2017	N	JUN 2 1 2017
34	Photo – Kitchen, oven on right	JUN 2 1 2017	N	JUN 2 1 2017
35	Photo – Kitchen, sink on right	JUN 2 1 2017	N	JUN 2 1 2017
36	Photo – Broom, water bottle	JUN 2 1 2017	N	JUN 2 1 2017
37	Photo – Sink, broom	JUN 2 1 2017	N	JUN 2 1 2017
38	Photo – Mop bucket w/ mop	JUN 2 1 2017	N	JUN 2 1 2017
39	Photo – Oven, mac and cheese	JUN 2 1 2017	N	JUN 2 1 2017
40	Photo – Oven, packing tape	JUN 2 1 2017	N	JUN 2 1 2017
41	Photo – Sink, broom handle	JUN 2 1 2017	N	JUN 2 1 2017
42	Photo – Belt close up	JUN 2 1 2017	N	JUN 2 1 2017

EXHIBIT(S) LIST

Case No: **C305949**

State of Nevada

VS.

Calvin Elam

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
43	Photo – Long box	JUN 2 1 2017	N	JUN 2 1 2017
44	Photo – Black rifle in box	JUN 2 1 2017	N	JUN 2 1 2017
45	Photo – Living room, couch on right	JUN 2 1 2017	N	JUN 2 1 2017
46	Photo – Living room, bed, office chair	JUN 2 1 2017	N	JUN 2 1 2017
47	Photo – Doorway of room	JUN 2 1 2017	N	JUN 2 1 2017
48	Photo – High table, framed pics on wall	JUN 2 1 2017	N	JUN 2 1 2017
49	Photo – TV with Huggies boxes	JUN 2 1 2017	N	JUN 2 1 2017
50	Photo – Cabinet open on right	JUN 2 1 2017	N	JUN 2 1 2017
51	Photo – 2 dressers, crates	JUN 2 1 2017	N	JUN 2 1 2017
52	Photo – Hang up clothes	JUN 2 1 2017	N	JUN 2 1 2017
53	Photo – 2 trashcans	JUN 2 1 2017	N	JUN 2 1 2017
54	Photo – Shower, toilet	JUN 2 1 2017	N	JUN 2 1 2017
55	Photo – Pill bottle	JUN 2 1 2017	N	JUN 2 1 2017
56	Photo – Pill bottle close up	JUN 2 1 2017	N	JUN 2 1 2017
57	Photo – Black dresser	JUN 2 1 2017	N	JUN 2 1 2017
58	Photo – ID on black dresser	JUN 2 1 2017	N	JUN 2 1 2017
59	Photo – ID close up	JUN 2 1 2017	N	JUN 2 1 2017
60	Photo – Shotgun on box	JUN 2 1 2017	N	JUN 2 1 2017
61	Photo – Shotgun on box, trigger on top	JUN 2 1 2017	N	JUN 2 1 2017
62	Photo – Kitchen countertop, tissue	JUN 2 1 2017	N	JUN 2 1 2017
63	Photo – Map of Culley E.S. close up	JUN 2 0 2017	N	JUN 2 0 2017
64	Photo – Map Jones addresses	JUN 2 0 2017	N	JUN 2 0 2017
65	Photo – White Sentra	JUN 2 1 2017	N	JUN 2 1 2017
66	Photo – Mug Shot	JUN 2 1 2017	N	JUN 2 1 2017
67	Photo – DMV form	JUN 2 1 2017	N	JUN 2 1 2017

EXHIBIT(S) LIST

Case No: C305949

State of Nevada

VS.

Calvin Elam

State's

EXHIBITS

[illegible]

DEFENDANT'S EXHIBITS

CASE NO. C305949

[illegible]

EXHIBIT(S) LIST

Case No.: C305949

Hearing / Trial Date: 6/19/17

Dept. No.: XXI

Judge: Valerie Adair

Court Clerk: Jill Chambers

Plaintiff: State of Nevada

Recorder: Susie Schofield

Counsel for Plaintiff: Elissa Luzaich

vs.

Defendant: Calvin Elam

Counsel for Defendant: Thomas Ericsson

TRIAL BEFORE THE COURT

Court's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Juror Question #8 Asked	JUN 21 2017		JUN 21 2017
2	" #7 "	JUN 21 2017		JUN 21 2017
3	" #13 "	JUN 21 2017		JUN 21 2017
4	" #11 "	JUN 21 2017		JUN 21 2017
5	" #8 1 of 3 Asked	JUN 21 2017		JUN 21 2017
6	" #8 Not Asked	JUN 21 2017		JUN 21 2017
7	" #11 Asked	JUN 22 2017		JUN 22 2017
8	" #5 "	JUN 22 2017		JUN 22 2017
9	Voluntary Statement - Calvin Elam	JUN 26 2017		JUN 26 2017

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

CALVIN ELAM,

Defendant(s).

Case No: C-15-305949-1

Dept No: XXI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 28 day of November 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk